

Annual Conference

**Privacy and Surveillance in a Digital Era:
Challenges for Transatlantic Cooperation and
European Criminal Law**

17-18 May 2018

Arts Two Lecture Theatre
Queen Mary, University of London

Thursday, 17 May 2018

- 13:00 **Registration**
- 13:45 – 14:00 **Welcome session**
- Prof. Valsamis Mitsilegas (Head of the School of Law, Professor of European Criminal Law and Co-Coordinator of ECLAN)
- 14:00 – 15:30 **Session 1: Collection and Exchange of Digital Evidence: Models and Challenges for Human Rights and the Rule of Law**
- Chair: Prof. Robert Kert (University of Vienna)
- Transnational Enforcement of Production Orders for Electronic Evidence: Beyond Mutual Recognition?** Prof. Katalin Ligeti, (University of Luxembourg)
- Finding a Path Forward: From the Microsoft Warrant Case to an International Framework for Cross Border e-evidence** Ms. Lani Cossette (Office of Industry Affairs, Microsoft)
- Cross-Border Data Concerns: Is There a Path Forward that Adequately Protects Individual Rights?** Ms. Neema Singh Guliani (American Civil Liberties Union)
- Discussant: Prof. Sabine Gless (University of Basel)
- 15:30 – 15:45 *****Coffee break*****
- 15:45 – 16:45 **Keynote speech Data Protection and Surveillance: The Perspective of EU Law** Dr Hielke Hijmans (Centre for Information Policy Leadership (CIPL) / Considerati Amsterdam / Brussels Privacy HUB/Vrije Universiteit Brussel)
- 17:00 – 19:00 ***** ECLAN Contact Point Meeting *****
- 19:00 – 22:00 ***** Dinner for speakers and ECLAN Contact Points *****

Friday, 18 May 2018

9:00 – 10:00 **Keynote speech US v. Microsoft and the Challenges Ahead for Transatlantic Cooperation** Mr. Marc Rotenberg (Electronic Privacy Information Center - EPIC)

10:00 – 11:15 **Session 2: Telecommunications data: From *Digital Rights Ireland* to *Watson* and beyond**

Chair: Prof. Pedro Caeiro (University of Coimbra)

Surveillance, Privacy and Data Protection in the Post-*Watson* Era Dr Niovi Vavoula (Queen Mary, University of London)

Interoperable Justice? The Uneasy Relationship between Interoperability, the Rule of Law and Non-Discrimination Prof. Sergio Carrera (EUI / Maastricht University / Queen Mary, University of London)

European Surveillance Law is Evolving and Learning: Five Developments Prof. Paul de Hert (Vrije Universiteit Brussel)

Discussant: Tony Bunyan

11:15 – 11:30 *** Coffee break ***

11:30 – 12:00 **Policy Intervention The Area of Freedom, Security and Justice and Access to Classified Information by the European Parliament: Unresolved Questions?** Prof. Emilio de Capitani (Queen Mary, University of London)

12:00 – 13:15 **Session 3: Surveillance of Mobility as Preventive Justice**

Chair: Prof. Anne Weyembergh (Université Libre de Bruxelles)

Counter-terrorism and the Surveillance of Mobility as Preventive Justice Prof. Valsamis Mitsilegas (Queen Mary, University of London)

Mapping Limitations on State Surveillance through the UN Human Rights Instruments Prof. Elspeth Guild (Queen Mary, University of London / Radbound University of Nijmegen)

Are Surveillance Regimes Inevitably Illiberal? Prof. Didier Bigo
(Sciences Po / King's College London)

Discussant: Dr Niovi Vavoula (Queen Mary, University of
London)

13:15 – 14:30 *** **Lunch break** ***

14:30 – 16:00 **Session 4: Countering Transborder Crime through Mutual
Legal Assistance**

Chair: Prof. Jørn Vestergaard (University of Copenhagen)

**The Extraterritorial Application of U.S. Constitutional
Provisions in MLA Cases** Prof. Richard Myers (University of
North Carolina)

**Problems in the Cross-Border Interception of
Telecommunications** Prof. Thomas Wahl (Max Planck Institute of
Foreign and International Criminal Law)

**Mutual Legal Assistance and Overcoming Cooperation Models
in Fighting Transnational Organised Crime** Prof. Lorena
Bachmaier (Complutense University of Madrid)

Discussant: Rudi Fortson QC (Barrister / Queen Mary, University
of London)

16:00 – 16:15 **Concluding remarks**