



Data Protection and the Law Enforcement Directive

- AI and mass surveillance
- Third-country cooperation
- Fundamental rights and safeguards

Online Seminar

19-21 May 2021 (mornings)

**UP
GRADE**
YOUR LEGAL
EXPERTISE

**Data Protection
Law**



Speakers

Laura Drechsler, Researcher, Brussels Privacy Hub, Law, Science, Technology & Society Research Group (LSTS), Vrije Universiteit Brussel (VUB)

Daniel Drewer, Data Protection Officer, Head of Data Protection Function, Europol, The Hague

Ramin Farinpour, Senior Lawyer, European Criminal Law Section, ERA, Trier

Anna Moscibroda, Policy Officer, Data Protection Unit, DG Justice and Consumers, European Commission, Brussels

Dr Hiroshi Miyashita, Associate Professor of Law, Chuo University, Tokyo

Teresa Alegria Quintel, Doctoral Researcher, Faculty of Law, Economics and Finance, University of Luxembourg

Juraj Sajfert, Researcher, Law, Science, Technology & Society Research Group (LSTS), Vrije Universiteit Brussel (VUB)

Rosalba Striani, Legal Officer, International Data Flows and Protection Unit, DG Justice and Consumers, European Commission, Brussels

Dr Xavier Tracol, Senior Legal Officer, Data Protection Office, Eurojust, The Hague

Dr Ian Walden*, Professor, Head of the Institute of Computer and Communications Law, Queen Mary University of London

*invited

Key topics

- Correct processing and categorisation of personal data and time limits for the erasing of such data
- Security measures for the processing of personal data
- Issues faced with subjective/objective exemptions
- How to deal with data subject requests
- Data transfer to third countries and adequacy decisions
- AI, mass surveillance and fundamental rights

Language
English

Event number
321D73e

Organiser
Ramin Farinpour (ERA)



With the support of the Erasmus+
programme of the European Union

Data Protection and the Law Enforcement Directive

Wednesday, 19 May 2021

08:40 Connecting to the videoconference platform and getting familiar with it

09:00 **Welcome, introduction and ice-breaker**
Ramin Farinpour

I. THE FRAMEWORK OF THE LAW ENFORCEMENT DIRECTIVE

Chair: Ramin Farinpour

09:15 **Update on the general principles of the Law Enforcement Directive and its transposition in the Member States**
Anna Moscibroda

09:45 Discussion

10:00 **Third-country adequacy decisions and implications of the EU-UK Trade and Cooperation Agreement**

- Appropriate safeguards and derogations

Rosalba Striani

10:30 Discussion

10:45 Break

11:15 **Protecting fundamental rights within the setting of law-enforcement transfer of personal data**

- Adequacy decisions

Laura Drechsler

11:45 Discussion

12:00 **Protecting privacy and personal data: an analysis of CJEU judgments within the law enforcement field**
Juraj Sajfert

12:45 Discussion

13:00 End of first day

Thursday, 20 May 2021

II. IMPLICATIONS OF THE LAW ENFORCEMENT DIRECTIVE FOR DATA USERS AND SUBJECTS

Chair: Ramin Farinpour

09:00 **The Law Enforcement Directive in practice: from transposition to implementation from the perspective of a Member State**

- Rights of the data subject
- Roles and responsibilities of controllers and processors
- Personal data-processing by an independent supervisory authority

09:45 Discussion

10:00 **Law enforcement operations in compliance with data protection rules: the safeguards of the Law Enforcement Directive and the Europol Regulation**

- Europol's data protection regime in the light of cross-border cooperation and the amending Regulation on Europol's cooperation with private parties and the processing of personal data by Europol in support of criminal investigations
- Cooperation with other EU JHA agencies and third parties
- Cooperation between data protection officers assuring compliance within the police

Daniel Drewer

Objective

This seminar will analyse the practical issues faced by police and criminal justice authorities in protecting individuals' personal data when it is being processed under the terms of the EU Law Enforcement Directive. It will also look at how they can improve cooperation in the fight against terrorism and cross-border crime in the EU through the exchange of information required for investigations, including with third countries.

It will highlight some of the challenges that practitioners face in relation to the Directive's correct use as well as different interpretations of particular provisions in some Member States. Moreover, the seminar will highlight the topics of fundamental rights protection, mass surveillance and AI within the context of personal data protection in law enforcement and criminal justice investigations. Workshops will form a part of the seminar.

Who should attend?

Law enforcement officials, data protection officers, ministry officials, data protection professionals in the private and public sector, cyber experts, lawyers and other advisers in the area of data protection and compliance.

You will learn...

- how to process and correctly categorise personal data and what security measures this has to entail
- how to deal with data subject requests
- about adequacy decisions, appropriate safeguards and derogations when dealing with third countries
- about fundamental rights protection, the use of AI and mass surveillance

Interactive online conference

The online conference will be hosted on ERA's own online platform. You will be able to interact immediately and directly with our top-level speakers and other participants. We will make the most of the technical tools available to deliver an intensive, interactive experience. As the platform is hosted on our own server, the highest security settings will be applied to ensure that you can participate safely in this high-quality online conference.

More information on:
www.era.int/?130314&en

- 10:30 Discussion
- 10:45 Break
- 11:15 **Facial recognition in criminal investigations within the context of data-processing and protection: are the Law Enforcement Directive safeguards sufficient?**
Xavier Tracol
- 11:45 Discussion
- 12:00 **Challenges and opportunities in artificial intelligence and law enforcement: are the two compatible within the data protection sphere?**
Ian Walden
- 12:30 Discussion
- 12:45 **A look beyond the EU: data protection and law enforcement operations in Japan**
Hiroshi Miyashita
- 13:15 Discussion
- 13:30 End of second day

Friday, 21 May 2021

- 09:00 **Determining when to apply the Law Enforcement Directive vs. the GDPR**
Teresa Alegria Quintel
- 09:45 Discussion

III. WORKSHOPS

- 10:00 **Data security in law enforcement: classified information and technical/organisational measures for the protection of data**
Daniel Drewer
- 11:00 Break
- 11:30 **Data subject access requests**
- 12:30 **Cooperation with third countries and international organisations on data transfers**
Xavier Tracol
- 13:30 End of workshops, final comments and end of seminar

For programme updates: www.era.int
Programme may be subject to amendment.



Times indicated are CEST
(Central European Summer Time)

Your contact persons



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CPD

ERA's programmes meet the standard requirements for recognition as Continuing Professional Development (CPD). This event corresponds to **10.5 CPD hours**.

What participants liked in 2020

- "Excellent presentations focusing on both regulatory and practical aspects"
- "The expertise of the speakers, the well-chosen list of topics, the interesting workshops"
- "The conference was well organised and I enjoyed the different lectures"
- "The practical workshops and small group discussions with the speakers/experts/others"
- "A good balance between the theoretical information and practical examples"
- "I think that the workshops in particular are very useful and important for practical use"
- "Speakers were very professional, good answers"
- "The online platform worked very well from a technical perspective"

Save the date

Anti-Money Laundering for the Judiciary and Law Enforcement

Online, 31 May - 2 June 2021

Annual Conference on EU Border Management 2021

Online, 9-11 June 2021

Artificial Intelligence in Criminal Law and Law Enforcement

Online, 16-18 June 2021

Summer Course on European Criminal Justice

Online, 21-25 June 2021

Annual Conference on Countering Terrorism in the EU 2021

Online, 7-8 October 2021

Annual Conference on EU Criminal Justice 2021

Dublin, 11-12 November 2021

Registration

Data Protection and the Law Enforcement Directive

19-21 May 2021 / Event number: 321D73e



Registration

Fax: +49 (0) 651 93737-773

E-mail: info@era.int

Online registration:
www.era.int/?130314&en

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Language
English

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Registration fee

Fee	Standard	EU & ERA patrons*	Young lawyers & other groups**
Registration by 19/04/2021	€ 441.00 <input type="checkbox"/>	€ 330.75 <input type="checkbox"/>	€ 330.75 <input type="checkbox"/>
Registration after 19/04/2021	€ 490.00 <input type="checkbox"/>	€ 367.50 <input type="checkbox"/>	€ 367.50 <input type="checkbox"/>

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- Fellows of the European Law Institute

** Young lawyers & other groups

- For young lawyers up to 30 years of age (important: the participant must provide a copy or details of his or her passport or identity card on registration);
- Full-time staff of universities or comparable academic institutions;
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Method of payment

- Credit card For registration with credit card payment please go to our website www.era.int/?130314&en
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