

Data Protection for the Judiciary

Conference for members of the judiciary dealing with GDPR compliance cases

- Establishment of an association of national GDPR judges

Trier, 9-10 December 2021

Data Protection Law



Professional
Training (CPD)
www.era.int

Speakers

Marie Baker, Assigned Judge for the Purpose of Irish Data Protection Legislation, Supreme Court of Ireland, Dublin

Michal Bobek, Advocate General, Court of Justice of the European Union, Luxembourg

Marc Bosmans, President of the Market Court, Court of Appeal, Brussels

Eric Daalder, Judge, Administrative Jurisdiction Division of the Council of State of the Netherlands, Den Haag

Jean Herveg, Head of Liberties & Information Society Department, University of Namur

Andrea Jelinek, Chairwoman, European Data Protection Board; Director, Austrian Data Protection Authority

Waltraud Kotschy, Senior Of Counsel for the Ludwig Boltzmann Institute of Human Rights (Vienna), CEO of DPCC e.U. and dsgvo-help.gmbh. and former Austrian Data Protection Commissioner

Oliver Micol, Head of Data Protection Unit, DG JUST, European Commission, Brussels

Nele Parrest, Judge at the Administrative Law Chamber of the Supreme Court of Estonia, Tallinn

Axel Voss, Member of the European Parliament, Brussels

Anne-Marie Witters, Judge, Market Court, Court of Appeal, Brussels

Key topics

- Legal challenges to GDPR enforcement in Europe
- Supervision over data protection compliance
- Applying and interpreting the GDPR in judicial practice at national level
- Ensuring data protection through European courts
- Litigation trends and issues ahead

Language
English

Event number
421D164f

Organisers
ERA (Dr Magdalena Kedzior) in cooperation with Brussels Market Court

Data Protection for the Judiciary

Thursday, 9 December 2021

08:30 Arrival and registration of participants

09:00 **Opening of the conference, introduction and objective of the project**
Representative of ERA and Marc Bosmans

I. GDPR ENFORCEMENT IN EUROPE – LEGAL CHALLENGES AND POLICY DEVELOPMENTS

09:30 **KEYNOTE SPEECH: GDPR implementation – the perspective of the European Commission**
Oliver Micol

10:15 Discussion

10:30 Coffee break

11:00 **GDPR implementation in the EEA member states – the perspective of the European Parliament**
Axel Voss

11:45 Discussion

12:00 **Supervision over data protection compliance in the GDPR era: Data Protection Authorities and the European Data Protection Board (EDPB)**

- Novelties and main achievements of the EDPB
- The fine system and one-stop-shop mechanism
- The implications and complexities in relation to cross-border cases
- Experience gained so far and challenges ahead

Andrea Jelinek

12:45 Discussion

13:00 Lunch break

II. JUDGING GDPR IN PRACTICE AT THE NATIONAL AND EUROPEAN LEVEL

14:00 **Applying and interpreting GDPR in judicial practice across the EEA countries**

- Rationale and policy underpinnings
- Executing the right to an effective judicial remedy against the Data Protection Authority (Art. 78 GDPR)
- The right to an effective judicial remedy against a data controller or processor (Art. 79 GDPR)

Waltraud Kotschy

14:45 Discussion

15:00 Coffee break

15:30 **ROUNDTABLE DISCUSSION: Judging GDPR compliance cases at national level – selected problems arising in the domestic case law**

Chair: Marc Bosmans/ Anne-Marie Witters

- the Estonian Courts – Nele Parrest
- the Irish Courts – Marie Baker
- the Dutch Courts – Eric Daalder

16:30 Discussion and exchange of national practices

16:45 **Ensuring data protection through European courts (I): the Strasbourg jurisprudence in the light of the GDPR**
Jean Herveg

Objective

This conference will provide an overview of the current challenges regarding GDPR enforcement in the EEA countries. Participants will discuss how national courts interpret GDPR and approach selected problems arising in domestic case law. In addition to litigation trends at the domestic level, the jurisprudence of the Luxembourg and Strasbourg courts in light of the GDPR will be addressed along with regulatory trends outside the EEA. The event will offer an opportunity for networking and exchange of best practices.

Who should attend?

Judges, prosecutors, investigators, court staff (research advisers), policy makers/implementers

You will learn...

- about the EU regulatory framework and developments in data protection law
- about challenges to applying and interpreting GDPR in practice
- about selected problems arising at national level when judging GDPR compliance cases
- how European courts ensure data protection
- about trends and best practice in judging data protection law at national level

Venue

Metzer Allee 4, 54295 Trier, Germany

Your contact person



Dr Magdalena Kędzior
Senior Lawyer
E-Mail: mkedzior@era.int



Sabine Framing
Assistant
E-Mail : sframing@era.int

- 17:30 Discussion
- 17:45 **End of first conference day**
- 18:30 Visit to the Christmas Market and Dinner

Friday, 10 December 2021

II. (cont.) JUDGING GDPR IN PRACTICE AT THE NATIONAL AND EUROPEAN LEVEL

- 09:00 **The scope of application of the GDPR in the case law of the Court of Justice**
Michal Bobek
- 09:45 Discussion
- 10:00 **Jurisdiction of national courts and organisation of national appeal procedures: report prepared by ERA**
- 10:30 Discussion
- 10:45 Coffee break
- 11:15 **Litigation trends in the Belgian Market Court – selected challenges and issues ahead**
Marc Bosmans / Anne-Marie Witters
- 12:00 Discussion

III. CREATION OF AN ASSOCIATION OF GDPR JUDGES

- 12:15 **Establishment of an association of national GDPR judges**
- 13:00 Discussion and exchange of national practices
- 13:15 End of conference

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

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CPD

ERA's programmes meet the standard requirements for recognition as Continuing Professional Development (CPD). This event corresponds to **10 CPD hours**.

Save the date

Summer Course on European Data Protection Law
Online, 20-24 September 2021

Human After All: Data Protection in Policing
Rome, 18-19 October 2021

Recent Case Law of the European Courts in Privacy and Data Protection
Trier/Online, 29-30 November 2021

e-Presentations on Data Protection Law

International Data Transfers in the Recent CJEU Case Law – Invalidation of the Privacy Shield
Paola Nebbia

How to Deal with (Customers') Personal Data in the Online Environment
Sally-Anne Hinfey

The Present and the Future of International Data Transfers
Patrick Van Eecke

www.era.int/elearning

Registration

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Europäische Rechtsakademie
Academy of European Law
Académie de Droit Européen
Accademia di Diritto Europeo

Registration

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E-mail: info@era.int

Online registration:
www.era.int/?131004&en

Postal address:
ERA
Postfach 1640
D-54206 Trier

Accommodation at special rates



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Organisation	<input type="text"/>			
Position	<input type="text"/>	Tel.	<input type="text"/>	
Department	<input type="text"/>			
E-Mail	<input type="text"/>			
Street	<input type="text"/>			
Postcode/City	<input type="text"/>	Country	<input type="text"/>	

I am a member of the judiciary.

Location

ERA Conference Centre
Metzer Allee 4
D-54295 Trier

Language

English

Contact Person

Sabine Framing
Assistant
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Participation

We strongly advise you not to make any hotel or travel arrangements before you receive our confirmation.

Registration fee

There is no registration fee.

Travel expenses

Travel costs will not be reimbursed.

Accommodation

Accommodation costs will not be reimbursed.

I confirm my registration and accept the general terms and conditions: www.era.int/legalnotice

Place, Date

Signature