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PROGRAMME

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PROGRAMME

TIME	PANELS Salle des Arches	PANELS Salle Boudoir	WORKSHOPS Salon
09.00-09.30	Coffee and welcome		
09.40-11.30	Reimagining platform ecosystems Valentina Pavel, Ada Lovelace Institute	The rise of border tech, and civil society's attempt to resist it, through the AI Act's eyes Caterina Rodelli, Access Now	Policing the crisis, policing as crisis: the problem(s) with Europol Chloé Berthélémy - EDRI
11.00-11.10	Coffee break		
11.10-12.30	Contesting AI & data practices. Practical approaches to preserving public values in the datafied society Mirko Tobias Schäfer, Utrecht University	Critical as existential: The EU's CSA Regulation and the future of the internet Ella Jakubowska, EDRI	Digital police partout, justice nulle part / Digital police everywhere, justice nowhere Sarah Chander, EDRI
12.30-14.00	Lunch break		

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PROGRAMME

TIME	PANELS Salle des Arches	PANELS Salle Boudoir	WORKSHOPS Salon
14.00-15.20	<p>Saving GDPR enforcement thanks to procedural harmonisation: Great, but how exactly?</p> <p>Gloria González Fuster, VUB / LSTS</p>	<p>In the eye of the storm: how sex workers navigate and adapt to real – and mythical – crises</p> <p>Luca Stevenson, European Sex Workers' Rights Alliance – ESWA</p>	<p>The climate crisis is a key digital rights issue</p> <p>Jan Tobias Muehlberg, Université libre de Bruxelles</p>
15.20-15.30	Coffee break		
15.30-16.50	<p>Solidarity not solutionism: digital infrastructure for the planet</p> <p>Shawna Finnegan, Association for Progressive Communications – APC</p>	<p>The EU can do better: How to stop mass retention of all citizen's communication data?</p> <p>Siméon de Brouwer, Assistant to Patrick Breyer MEP</p>	<p>Spyware – Statehacking</p> <p>EDPS – Civil Society Summit</p>
17.00-17.30	Closing words		
17.30-22.00	Bar and Network		

THE SESSIONS

Reimagining platform ecosystems

09.40-11.00 Salle des Arches

In 2020, the Facebook Files were dominating the news, revealing the company's damaging business practices. In 2021, Twitter's acquisition by Elon Musk is producing not only a major mediatic uproar, but also a massive exodus to alternative services by users who are concerned about the changes of business practices. These scandals were sandwiched by the adoption of the DMA and DSA, a package of regulation aimed at curbing some of the most harmful practices used by online platforms. However, the DSA and DMA do not go far enough in terms of addressing deeply rooted challenges, such as supporting alternative business models that are not premised on data exploitation.

The Ada Lovelace Institute's report on Rethinking Data and rebalancing power looks at four interventions that have the potential to transform the digital landscape. One of the interventions is opening up platform core functionalities through interoperability mandates.

This session is meant to reflect more critically on interoperability solutions, beyond current measures in the DMA and proposed Data Act. Critical reflection is necessary from several perspectives. First, in terms of opportunities to advance user rights (e.g. through enhanced data portability) and choice of service (e.g. choosing third party algorithms that replace the platform's news feed component to more accurately match the user's desired expectations, for example in terms of content discovery). Second, whether this regulatory solution has the potential of addressing challenges in digital ecosystems at a more fundamental level (e.g. challenging business models) and assessing whether this approach might further entrench the power of large platforms, for example by becoming indispensable infrastructure.

Moderator:

Valentina Pavel, Legal researcher, Ada Lovelace Institute

Speakers:

Ian Brown, Computer scientist and Internet regulation expert, visiting professor at the Centre for Technology and Society at Fundação Getulio

(Mastodon: @1br0wn@eupolicy.social, Twitter: @1Br0wn)

Vittorio Bertola, Head of Policy & Innovation, Open-Xchange

(Mastodon: @vbertola@mastodon.bida.im, Twitter @vittoriobertola)

Jon von Tetzchner, CEO and co-founder, Vivaldi

(Mastodon: @jon@vivaldi.net, Twitter: @jonsvt)

Chantal Joris, Legal officer, Article 19

THE SESSIONS

The rise of border tech, and civil society's attempt to resist it, through the AI Act's eyes

09.40-11.00 Salle Boudoir

Artificial Intelligence (AI) systems are increasingly developed and deployed for purposes related to migration, asylum and border control in a manner that risks fundamental rights. From purported "lie detectors" to predictive analytics tools, EU migration policies are more and more underpinned by the use of AI which the EU AI Act seeks to regulate.

However, in its original proposal, the EU AI Act fails to address the impacts that AI systems have on people on the move and non-EU citizens. A group of civil society organisations has been advocating for an amendment of the AI Act that could make the Regulation an instrument of protection for everyone, regardless of their migration status.

During this session, we will discuss the possibility to ban certain types of systems in the migration context, namely risk assessments systems and predictive analytics to forecast migration that increase push-backs at the EU borders, as well as the need to regulate all 'high-risk' AI systems that are already deployed, such as fingerprint scanners that lead to form of racial profiling and surveillance tech used to monitor borders and impede border crossings.

The EU's obsession with strengthening borders and enforcing deportation is relying more and more on the use of surveillance technology. This is why in this session we will also discuss how, and if, the AI Act can serve as an instrument to resist digital surveillance in other legislations such as the Schengen Border Code and the New Pact on Migration and Asylum, which both heavily rely on the increase in the use of surveillance technology.

Moderator:

Caterina Rodelli, Access Now

Speakers:

Alyna Smith, Deputy Director, Platform for International Cooperation on Undocumented Migrants (PICUM)

Hope Barker, Senior Policy Analyst, Border Violence Monitoring Network (BVMN)

Prof Niovi Vavoula, Lecturer (Associate Professor) in Migration and Security at Queen University of London

Simona de Heer, Digital Policy Advisor, GroenLinks, Dutch delegation of the Greens/EFA



THE SESSIONS

Contesting AI & data practices. Practical approaches to preserving public values in the datafied society

11.10-12.30 Salle des Arches

The many guidelines for ethical AI often ignore values already present in practitioners' contexts, and fall short in supporting practical application. In this session, we want to introduce practical approaches for responsible AI and data practices. No concepts, but tested processes that are already implemented in numerous public management organisations. This panel is inviting critical engagement with the notion of participatory data ethics, the role of various stakeholders from civil society to public management and industry to define responsibilities and capacities for action. Reviewing the practical approaches to contesting digital technology and developing responsible data processes, opens a dialogue for participatory ethics in the datafied society.

We provide a multifaceted review of current data practices, the need for practical approaches to responsible data and AI practices, and their effectiveness. This panel inquires the constitution of checks and balances for preserving public values in the datafied society beyond the numerous ethics manifestos, guidelines and laws through inspecting how public management in local contexts grapples with responsible data practices.

Moderator:

Mirko Tobias Schäfer, Researcher Utrecht Data School (<https://www.linkedin.com/in/mtschaefer/> - Twitter: @mirkoschaefer)

Speakers:

Willy Tadema, AI Ethics Lead at NL Government IT Association

(<https://www.linkedin.com/in/willytadema/?originalSubdomain=nl> - Twitter: @FrieseWoudloper)

Joost Gerritsen, Privacy & AI lawyer

(<https://www.linkedin.com/in/jbagerritsen/> - Twitter: @JBAGerritsen)

Iris Muis, Data ethicist, Utrecht Data School

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THE SESSIONS

Critical as existential: the EU's CSA Regulation and the future of the internet

11.10-12.30 Salle Boudoir

Whether the EU's proposed CSA Regulation (CSAR) is passed or rejected will have a critical impact on the security of internet infrastructure and the essence of online privacy, both in Europe and around the world. The problem this law seeks to tackle – child abuse online – should be critically-important for our society. Yet the methods that the law puts forward have received serious criticism from digital human rights groups and data protection experts.

When these critical elements collide, the wrong approach will not only be dangerous, but counter-productive. Unfortunately, some framings have positioned the debate as a zero-sum game: that child protection is worth the risks of undermining secure digital communications. This assertion misses the point that keeping children safe online requires having robust and secure channels, resisting generalised surveillance, and building – rather than undermining – public trust.

This panel frames the criticism of the CSAR as a direct response to its ability to drastically invade private digital communications, dissolve online anonymity and censor the public-facing internet. In turn, the ability of each of us to be critical – of our governments, of powerful corporations – will be dramatically curtailed.

This panel will explore alternative visions for a genuinely rights-respecting internet, including feminist and technologist perspectives. We point to the decades and centuries of feminist, antiracist and worker uprisings that at first seemed 'radical' or 'marginal', to demonstrate that critical voices are in fact central to the survival of vibrant democracies and rights-respecting societies.

Particularly thinking about the ramifications of this proposed Regulation around the world, we want to discuss the idea of our collective criticism as being critical to protecting critical digital infrastructure. Out of this understanding, we hope to move the debate more towards a positive vision of critical digital infrastructure as something that can provide safety and security.

Moderator:

Ella Jakubowska, Senior Policy Advisor, European Digital Rights (EDRI)

Speakers:

Corinna Vetter - Advocacy Lead, Superr Lab, twitter: @corinnave

Elina Eickstädt - Chaos Computer Club, twitter: @khaleesicodes, mastodon: khaleesicodes@eupolicy.social

Brandon van Alsenoy - Deputy Head of Unit, Policy and Consultation, European Data Protection Supervisor (EDPS), twitter: @EU_EDPS



THE SESSIONS

In the eye of the storm: How sex workers navigate and adapt to real – and mythical – crises

14.00-15.20 Salle des Arches

Digital technologies are an inseparable part of sex workers' lives in Europe, who increasingly rely on ICTs to engage in various types of sex work in a hostile environment that often stigmatises and criminalises their work. Digital technologies are utilised by sex workers to generate income, fend themselves against privacy threats and access important information to stay safe and healthy. However, such benefits are undermined by the applications of certain harmful technologies and digital infrastructures, although crucial for sex workers, exacerbate known threats to sex workers, such as criminalisation and violence. Meanwhile, policies drafted without the inclusion of sex workers fail to protect their human rights, as we are seeing in FOSTA/SESTA in the US and AI Act, DSA and more recently, CSE/CSAR in the European Union.

Crisis politics which have been used against sex workers for decades, are now coupled with techno-solutionism that not only inflicts harm but also fails to solve the structural issues they aim to address. Sex workers' rights are attacked constantly by the conflation of trafficking (the human trafficking crisis), economic crisis, health crisis (HIV/AIDS/COVID-19 crisis), so-called 'migration crisis', and violence against women (including image-based abuse). So how do we then address these important societal issues in a way that protects actual victims and at-risk groups whilst not treating sex workers as collateral damages?

Moderator:

Luca Stevenson, ESWA Director of Programmes (@sexworkeurope)

Speakers:

Kali Sudhra, writer/ sex worker/ educator

Yigit Aydinalp, ESWA Programme Officer (@sexworkeurope)

Dr Elissa Redmiles, Max Planck Institute for Software Systems (@eredmil1)

THE SESSIONS

Saving GDPR enforcement thanks to procedural harmonisation: Great, but how exactly?

14.00-15.20 Salle Boudoir

After almost five years of application, the General Data Protection Regulation (GDPR) seems to be functioning very well in many ways, but still struggling to unlock its full transformative potential. Effective enforcement is indeed still a pending subject. The (very significant) news is that a consensus has now surfaced on how to deal with the hurdles of the GDPR-as-paper-tiger. There is indeed increasing agreement on the fact that an important part of the problem is the lack of harmonisation of administrative national procedures, and, therefore, procedural harmonisation must be part of the solution. In other terms: administrative law to the rescue. A legislative proposal in this sense seems now in the air. How should this upcoming initiative look like? What can/should it cover? Will it put an end to Kafkaian rollercoasters for complainants of complaining against Big Tech players, and transform the One Stop Shop into the unstoppable enforcement mechanism that EU data protection law needs? Will it guarantee that access to data protection remedies is real – and equally real – for everybody in the EU? How can procedural administrative law help us to get there? This panel will situate this debate, and discuss what is at stake in the near future.

Moderator:

Gloria González Fuster (LSTS/VUB) @FusterGloria

Speakers:

Lisette Mustert (Université du Luxembourg) @LisetteMustert

Gwendal Le Grand (EDPB) @EU_EDPB

Romain Robert (noyb) @TetsuwanAstro @NOYBeu

Maria Magierska (European University Institute) @m_mariastefania



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THE SESSIONS

Solidarity not solutionism: digital infrastructure for the planet

15.30-16.50 Salle des Arches

Historically, digital rights communities have largely focused on the impacts of technology on civil and political rights, mobilizing rapidly in response to the violation of the rights to privacy, freedom of expression, and access to information. The climate crisis is an urgent call to action for the digital rights community to apply a climate justice lens to technology issues, expand the scope of its work, and learn and act in solidarity with environmental defenders, workers and impacted communities. Through this wider scope of work, digital rights communities can help ensure that false tech solutions do not override meaningful action to address the root causes of environmental crises.

Exploring potential points of collaboration to push for better governance is one crucial area of opportunity: environmental policy, principles and mechanisms for environmental governance offer frameworks for policy and standards to address the impacts of digital technologies. Some of the EU principles on environmental policy are already applied in the field of technological production and use, such as the management of electronic waste and polluter pays principle, which has driven calls for extended producer responsibility. On our panel, we will use the opportunity to explore where digital rights and climate justice advocates might combine forces to push for more effective governance mechanisms at the intersection of technology and climate issues.

Moderator:

Becky Kazansky, The Engine Room and the University of Amsterdam, @pondswimmer
Shawna Finnegan, Association for Progressive Communications (APC), @shawnafinnegan

Speakers:

Lili Fuhr, Center for International Environmental Law, @lilifuhr
Paz Pena, Independent activist and researcher, gato.earth, Latin American Institute of Terraforming, @pazpena
Plamen Peev, BlueLink Bulgaria, @BlueLinkNet

THE SESSIONS

The EU can do better: How to stop mass retention of all citizen's communication data?

15.30-16.50 Salle Boudoir

In this panel, digital rights experts explain the recent European jurisprudence on the issue of mass retention of telephone and internet communication data of all citizens. The panel analyses how governments in the EU are trying to continue with the concept of blanket data retention with a new generation of laws. For example, Belgium passed a new law that provides for mass surveillance of the entire country and every single citizen by purposefully and disproportionately exploiting the limits defined by the EU Court of Justice. At the same time, in Germany there is a political window of opportunity for an alternative to blanket mass surveillance with the fierce discussion of a draft law providing for a quick freeze procedure. The majority of EU governments are calling for an expansion of mass surveillance, while there is no evidence for its necessity. Mass surveillance-free alternatives are not being considered. Experts are discussing the extent to which the EU Court of Justice is giving in to government pressure. Related to this, the panel identifies the current major threats to citizens' right to confidential communications and provides an outlook on what action can be taken to defend fundamental digital rights.

Moderator:

Siméon de Brouwer, Assistant to Patrick Breyer MEP

Speakers:

Raf Jespers, Justis Lawyers Group, representing la Ligue des droits humains

(@RafJespers, @mensenrechtenBE)

Patrick Breyer MEP (Pirate Party | Greens/EFA)

(@echo_pbreyer@digitalcourage.social, @echo_pbreyer)

Plixavra Vogiatzoglou of the KU Leuven Centre for IT & IP Law (CiTiP)

(@plixavra, <https://www.kuleuven.be/wieiswie/en/person/00113916>)



THE WORKSHOPS

Policing the crisis, policing as crisis: the problem(s) with Europol

09.40-11.00 Salon

Last summer, new powers for EU policing agency Europol came into force. The agency can now process data on entirely innocent people, more easily exchange personal data with non-EU states, and can develop algorithms and other new technologies for police forces across the EU. It also has a substantial number of new tasks, further extending its role in the coordination of police operations in Europe.

At the same time, legislators lowered the safeguards over Europol's data processing and reduced the possibilities for independent external oversight. There are fewer requirements for the agency to seek the European Data Protection Supervisor's opinion on data processing operations and no need for legal agreements to authorise data transfers to non-EU states (including authoritarian states such as Algeria and Egypt). A new Fundamental Rights Officer will report directly to Europol's Executive Director, severely limiting their independence. The agency is also facing two legal actions for data protection failings.

The new powers were justified in the name of Europe's security crisis, but for many the real crisis is policing itself: almost three years after the Black Lives Matter movement erupted around the world calling for fundamental changes to the way public safety is envisioned and enacted, governments continue to empower the police. Yet those same institutions stand accused of systematic racism and sexism and of having disturbing ties to the far-right, while activists continue to face harassment, arrest and even criminal charges.

How does Europol fit into this scenario? What can be done to shed more light on the agency's growing role and powers, and to incorporate that knowledge into critical narratives and campaigns on policing? How might seek to challenge those powers? This panel will draw upon expertise and experience from academia, civil society and EU institutions to explore these questions.

Moderator:

Chloé Berthélémy, Senior Policy Advisor, European Digital Rights (EDRi) @ChloBemy

Speakers:

Introductory Speaker, Chris Jones: Executive Director Statewatch @earsinfingers

Session 1:

Fanny Coudert, Head of Sector - Supervision of AFSJ at EDPS - European Data Protection Supervisor

Laure Baudrihayé-Gérard, legal director of Fair Trials, Europe @fairtrials

Saskia Bricmont, Member of the European Parliament for the Green @saskiabricmont

Session 2:

Sabrina Sanchez, Director European Sex Workers Rights Alliance @sexworkeurope

Romain Lanneau, Legal consultant for Fair Trials on Europol @romainlanneau @frankvdlinde

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THE WORKSHOPS

Becky Kazansky - Research Lead at the Engine Room and Postdoc at the University of Amsterdam.
Engine Room report 'At the confluence of digital rights and climate & environmental justice'.

Workshop: Digital police partout, justice nulle part (Digital police everywhere, justice nowhere)

11.10-12.30 Salon

In the aftermath of George Floyd's murder in May 2020, the global racial justice movement rapidly fixated on decades of critical work in the field of critical police accountability and specifically, the question of abolition of police and prisons. Abolition, described by Critical Resistance, is a political vision with the goal of eliminating imprisonment, policing, and surveillance and creating lasting alternatives to punishment and imprisonment.

This panel will explore how the lenses of decriminalisation, abolition, alternative forms of justice to digital rights policy and activism. Considering how increasingly institutions and governments deploy infrastructures, tech, and data driven practices in field of law enforcement, migration and criminal justice, this panel will explore a broader critical approach the underlying logics of criminalisation in security policies, and how far digital tools facilitate this. We will ask, how would the digital rights movement engage with the critique of abolition. How would the digital rights field engage with approaches of harm reduction and decriminalisation?

The panel responds to several of the themes: including avoiding techno-solutionism (digital tools for more security and surveillance, instead of safety and community approaches) and the link between crisis politics and the rise of securitisation narratives in EU digital policy-making? Crisis is one of various ideological tools (as well as racialised suspicion, threat, migration) fuelling the expansion of police powers, databases and investment in carceral digital policing tools.

Moderator:

Sarah Chander, Senior Policy Adviser, European Digital Rights (EDRi)

Speakers:

Peggy Pierrot, cyberfeminist and free software activist

<https://archive.transmediale.de/content/peggy-pierrot>

Laurence Meyer, Racial and Social Justice Lead, Digital Freedom Fund (DFF)

Itxaso Domínguez de Olazábal, EU Advocacy Officer, 7amleh

Chris Jones - Director, Statewatch (EDRi member)

Dr. Patrick Williams, Senior Lecturer in Criminology, Manchester

Metropolitan University and Head of Research at Systemic Justice

Chloé Berthélémy, Senior Policy Adviser, European Digital Rights (EDRi)



THE WORKSHOPS

Workshop: The climate crisis is a key digital rights issue

14.00-15.20 Salon

Policy discussion around the climate crisis and the green transition are happening in isolation from those on the digitization of society and guaranteeing fundamental human rights in a datafied society. Research has shown that these two discussions are deeply entangled. While technology is often promoted as the solution to the climate crisis, a growing evidence base shows that the extractivist nature, both for the materiality of internet infrastructures and its business model, have an increasingly negative impact on the climate and environment. To ensure that our future internet infrastructures center people and planet over profit and capital, policy makers, civil society, and industry need to understand this intersection and work towards sustainable solutions.

We would like to foster a conversation on how climate justice relates to digital rights and the digitization agenda of Europe. Panelists will offer different approaches to this intersection that will highlight alternatives to political and industry responses that favor business as usual through off-setting and tech-utopian dreams, towards changing the extractivist business model that could actually address the climate crisis. The discussion will be centered around finding pathways forward: What can we do to not make things a little less bad, but actually better.

Following an introduction by the panelists, we want to inspire engagement and discussion between participants and our speakers. In a world-cafe style setup you will have the chance to discuss two topics more in detail, get to know each other's position, and explore new positions and framings.

We propose four topics to choose from:

- Issue areas that need to be put on the policy agenda
- Key national and European governance space/debates that we can plug into
- Framing(s) around the digital rights and a "green" internet
- Allies and adversaries

We will summarize and post-process the discussion to build upon it in the future.

Moderator:

Jan Tobias Muehlberg, Professor at Université libre de Bruxelles, working on topics around security, privacy, and sustainability in ICT

Notes: Merve Gülmez, PhD Researcher at KU Leuven/Ericsson

Session organiser: Fieke Jansen - Postdoc Critical Infrastructure Lab at the University of Amsterdam, working on environmental implications of internet infrastructures.

Speakers:

Narmine Abou Bakari – Circular Tech Economy Campaigner Greens/EFA at the European Parliament, works on the environmental impacts of digital technologies

Harriet Kingaby - Co-founder of the Conscious Advertising Network and ACT Climate Labs Lead is working at the intersection of advertising, climate change and misinformation

THE WORKSHOPS

Workshop: In spyware we trust. With new tools come new problems?

15.30-16.50 Salon

Political opponents, journalists, lawyers and activists targeted worldwide with spyware: the scale of unlawful surveillance and human rights abuses is vast. The spyware scandals have exposed how governments threaten rights and freedoms, democracy and the rule of law when using these invasive surveillance tools. But the developments in the field of law enforcement show that Pegasus, which has dominated the headlines and the public debate in 2021-2022, is only the tip of the iceberg.

Law enforcement authorities across Europe and beyond look for and implement data-intensive investigative methods for their operational needs. While Cellebrite data-extractive tool is widely deployed in local police stations, transnational police operations raid entire communication networks. These practices are encouraged by legislative support of the EU lawmakers, the Europol Regulation being the best example. The aim of the Summit is to reflect on how spyware and other hacking techniques merit new approaches in terms of legal and institutional framework.

Civil society organisations and data protection authorities have contributed to the debate, from spreading awareness at early stages, to raising alarms more recently, and monitoring compliance. The Summit is an occasion to map visions and perspectives and to build a possibly common understanding of possible and required solutions.

What room should there be for surveillance technology in democratic society? Are these tools all equally dangerous, or some distinctions should be made? What is the overall enabling context for law enforcement authorities operations? How to set red lines to harmful uses? Is data protection enough to address these risks and harms or should a broader institutional environment be re-designed? What is the "to-do-list" for the EU, and what is the homework for the Member States?

The Summit will be an interactive discussion bringing together representatives of civil society organisations, public authorities and journalists, for an open strategic learning session on the fundamental rights impact of surveillance technologies.

Moderator:

Chloé Berthélémy - Senior Policy Advisor, European Digital Rights (EDRI)

Speakers:

Wojciech Wiewiórowski, European Data Protection Supervisor (EDPS), @EU_EDPS

Rebecca White Campaigner – Disrupting Surveillance Team at Amnesty Tech, @beckacita

Bastien Le Querrec, member of La Quadrature Du Net, @BleQuerrec

Eliza Triantafillou, Greek journalist at inside story, @e_triantafillou



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