

Reacting to Surveillance by Security Agencies in the Age of Big Data – What is the role of the European Union?

Conference, Berlin, Friday 13 May + Saturday 14 May 2016

Location: Institute for Safety and Security Research/Forschungsinstitut für Öffentliche und Private Sicherheit Berlin (FÖPS), Hochschule für Wirtschaft und Recht/Berlin School of Economics and Law (BSEL), Campus Lichtenberg, Alt-Friedrichsfelde 60, D 10315 Berlin, Building 6B, Room 6B259

Cooperating partners:

- Institute for Safety and Security Research/Forschungsinstitut für Öffentliche und Private Sicherheit Berlin (FÖPS); Hochschule für Wirtschaft und Recht Berlin/Berlin School of Economics and Law, Department of Police and Security Management
- Arbeitskreis Europäische Integration e.V. (AEI)
- Groupe Européen de Recherches sur les Normativité (GERN), Saint-Quentin-en-Yvelines, France

Co-funded by the European Union – Erasmus+

Organiser: Prof. Dr. Hartmut Aden, FÖPS Berlin/BSEL

Registration: Please register before 5 May 2015, using the registration form.

For further information please contact foeps-office@hwr-berlin.de or Hartmut.Aden@hwr-berlin.de

Starting from the impact of surveillance upon everyday life, the conference explores the ambiguous role that the European Union plays in surveillance. EU institutions established a number of important initiatives in order to strengthen individual rights in relation to public and private surveillance in the era of “big data”. One core element is the data protection package (including a regulation and a directive) that was proposed by the European Commission in 2012 and adopted by the European Parliament and the Council in 2016. The conference will analyse this process.

Some EU debates reacted to the revelation by whistleblower Edward Snowden of massive data retention by secret services. However, at the same time, EU institutions such as the European Commission, and the Justice and Home Affairs Council promoted additional forms of data retention and surveillance, e.g. Passenger Names Records (PNR) and new centralised databases. Cooperation among intelligence services has been intensified without strengthening accountability so far.

In a multi-disciplinary approach, the conference will discuss the political, legal, sociological and technical aspects of the ambiguous role that the EU plays as a regulator and a promoter of surveillance. This also includes debates on cryptography, the option of new data streams making Europe more independent from the rest of the world (and therefore more resistant to surveillance) and better European and international law in order to reduce surveillance to a minimum that is adequate for democratic rule-of-law systems.

Programme

Friday 13 May 2016

12.00 h – 13.30 h Arrival of participants, registration; possibility to take lunch at the campus self-service restaurant (individually)

13.30 h Welcome and introduction

Prof. Dr. Andreas ZABY (President, Hochschule für Wirtschaft und Recht/Berlin School of Economics and Law, BSEL): Welcome address

Prof. Dr. Sabrina SCHÖNROCK (Dean, Hochschule für Wirtschaft und Recht/Berlin School of Economics and Law, BSEL, Department of Police and Security Management): Welcome address

Prof. Dr. Clemens ARZT (Director, Institute for Safety and Security Research/Forschungsinstitut für Öffentliche und Private Sicherheit Berlin (FÖPS)/BSEL): Welcome address

Prof. Dr. Hartmut ADEN (FÖPS Berlin/BSEL): Welcome address and introduction to the conference topic: Surveillance and the EU – an ambivalent relationship

14.15-15.45 h Panel 1: Surveillance technology and its impact upon everyday life

Chair: Prof. Dr. Clemens ARZT, (Director, FÖPS Berlin/BSEL)

Prof. Dr. Marie-Sophie DEVRESSE (Université de Louvain-la-Neuve, Belgium (UCL/CRID&P)): The impact of surveillance on private life: the example of electronic surveillance in the criminal justice system

Dr. Dr. Peter ULLRICH (Technische Universität Berlin, Zentrum für Technik und Gesellschaft): Towards a "surveillant assemblage" society? Protest in the spiral of surveillance and counter-surveillance

Prof. Dr. Anja MIHR (Programme Director, Center on Governance through Human Rights, Berlin): Privacy and Human Rights in the Cyberspace

Prof. Christopher DUNN (New York Civil Liberties Union): Mass surveillance - perceived from a US civil liberties perspective

Questions & answers; discussion

15:45 - 16:30 h coffee/tea/refreshments

16.30-18.00 h **Panel 2: Limiting or promoting surveillance & mass surveillance versus targeted surveillance: how EU institutions shape and react to surveillance**

Chair: Prof. Dr. Hartmut ADEN (FÖPS Berlin/BSEL)

Prof. Dr. Christian KAUNERT (Director, European Institute for Security and Justice (EISJ), University of Dundee, Scotland, UK) & Dr Sarah LÉONARD (Senior Lecturer, University of Dundee): Norm transfer for surveillance: from transatlantic Passenger Name Records to PNR in the EU

NN (Member of the European Parliament t.b.c.): The European Parliament – promoter of higher rule of law standards for surveillance?

Elisabeth KOTTHAUS (European Commission): Reactions by the European Commission

Questions & answers; discussion

18.00-18.30 h **coffee/tea/refreshments**

18.30-20.00 h **Panel 3: Mass surveillance by intelligence services – inevitable in times of terrorist threat?**

Chair: Prof. Dr. Hans-Gerd JASCHKE (FÖPS Berlin/BSEL)

Dr. Anna DAUN (Berlin): Intelligence cooperation in the EU: Is there a trend towards regime formation?

Dr. Ben WAGNER & Kilian VIETH (Centre for Internet and Human Rights, Viadrina University, Frankfurt/Oder): No rules are good rules? Data Protection, Information Sharing & Intelligence Cooperation in Europe

Dr. Konstantin von NOTZ (Member of the German Federal Parliament, Chair of the Inquiry Committee on NSA surveillance): Can mass surveillance by intelligence services be integrated into a rule-of-law framework?

Questions & answers; discussion

From 20.00 h: get together; time for informal discussion

Saturday 14 May 2016

9.00 h **registration; coffee/tea**

9:30-11.00 h **Panel 4: How to react to new forms of surveillance in Europe?**

Chair: t.b.c.

Inès GALLALA (Free University of Brussels): The implementation of Prüm: Are we ready for a central European DNA database?

Mathias BUG (University of Marburg): Do citizens accept surveillance? Divergent or convergent trends in Europe?

NN (speaker + title t.b.c.)

Questions & answers; discussion

11:00-11:30 h **coffee/tea/refreshments**

11:30-13.00 h **Panel 5: Technological autonomy – a European answer to surveillance**

Chair: Dr. Daniel VENTRE (CESDIP/GERN, France)

Prof. Dr. Rüdiger WEIS (Beuth-Hochschule Berlin): Cryptography – an effective strategy to limit surveillance?

Dr. Raphael BOSSONG (Viadrina University Frankfurt/Oder): The European Union and public-private partnerships for securing and surveilling cyberspace

Prof. Dr. Fritz SACK (University of Hamburg): Comment: The impact of surveillance from the perspective of critical criminology (title t.b.c.)

13.00-14.00h **Roundtable**

Prof. Dr. Hartmut ADEN (FÖPS Berlin/BSEL): The EU's ambivalent role for surveillance: conference results and outlook

Statements: Limiting or promoting surveillance? What role can and should the EU play in the future? What should be the role of (critical) surveillance studies?

Prof. Dr. Marie-Sophie DEVRESSE (Université de Louvain-la-Neuve, Belgium)

Dr. Raphael BOSSONG (Viadrina University Frankfurt/Oder)

Prof. Dr. Christian KAUNERT (Director, European Institute for Security and Justice (EISJ), University of Dundee, Scotland, UK)

NN (European Commission)

14.00-14.30 h Closing remarks/end of the conference

Please use the attached form for registration before 5 May 2016.

If you need a hotel room: For the night 13/14 May, you can book a room at a special discount price before 9 May 2016 at a hotel that is in a 10 minutes walking distance from our Lichtenberg campus (conference location):

ABACUS Tierpark Hotel • Franz-Mett-Straße 3-9 • 10319 Berlin • Tel.: 0049 (0)30 / 5162 0 • Fax: 0049 (0)30 / 5162 400 • www.abacus-hotel.de

Please refer to "HWR Tagung" for your reservation. Special discount price: 79,50 € (breakfast included) for a single room + 29,- € (breakfast included) for a double room (tourist tax not included).



Erasmus+

Hochschule für
Wirtschaft und Recht Berlin
Berlin School of Economics and Law

Registration Form for the Conference: Reacting to Surveillance by Security Agencies in the Age of Big Data – What is the role of the European Union?

Berlin: Friday, 13 May – Saturday 14 May 2016

Register via: email: foeps-office@hwr-berlin.de or fax: +49-30-47.37.05.52

or by letter to: Prof. Dr. Hartmut Aden, HWR Berlin/BSEL, Alt-Friedrichsfelde 60, D-10315 Berlin

The number of participants is limited, early registration is recommended.

First Name(s): _____

Family Name, Academic Title(s): _____

Postal Address: _____

E-mail Address: _____

Title(s)/Function(s): _____

I agree to allow my name/title/institution/functions to be included in the list of participants to be distributed at the conference: yes no

I agree to allow my e-mail address to be included in the list: yes no

I will attend the conference:

on **Friday, 13 May** yes no

on **Saturday 14 May** yes no

I will join the **informal meeting on 13 May, 20 h:** yes no

I have paid the conference fee to the Arbeitskreis Europäische Integration e. V.:

IBAN: DE 55 3705 0198 0008 5636 52 BIC/SWIFT: COLSDE33

(from Germany: Kontonummer 8563652, BLZ 37050198, Sparkasse Köln-Bonn)

(which includes conference material, coffee/tea and refreshments):

Regular: 70,- €

Early registration: 50,- € for registrations + payment before **Thursday 5 May 2016**

Reduced: 25,- € for students and unemployed

Free registration before Thursday, 5 May for those belonging to one of these groups

- I am a member of the AEI
- I am a member of the GERN network or of an institution that is member of the GERN network. Name of the institution and my function there: _____
- I am teaching or working at HWR/BSEL; department/function: _____
- I am a HWR/BSEL student and apply for free participation (limited capacity). I attach a short motivation paper (5 to 10 lines). (You will be informed of the result after 5 May.)

I need a certificate of attendance yes no

Signature _____