

The Jon Bing Memorial Seminar 2023

"European Case Law on the GDPR: Traits, Trends and Troubles".

Christopher Docksey

8 June 2023, 15:00-16:00

Gamle Festsal, Domus Academica, University of Oslo

The Jon Bing Memorial Seminar is an annual event arranged by the Norwegian Research Center for Computers and Law/Senter for rettsinformatikk which Jon co-founded. The seminar is dedicated to honouring Jon as one of the leading pioneers in research on law and computer technology.

Our keynote speaker this year is Christopher Docksey who is the Honorary Director General at the office of the European Data Protection Supervisor (EDPS), following his retirement as EDPS Director in 2017. Before joining the EDPS he was the Legal Adviser on Data Protection at the European Commission, advising on draft legislation and negotiations on international transfers and representing the Commission before the CJEU. He currently serves as a Member of the Guernsey Data Protection Authority, and as a Member of the Advisory Board and Visiting Fellow of the European Centre on Privacy and Cybersecurity (ECPC) at Maastricht University Faculty of Law. He is a Fellow of the VUB (Free University of Brussels) and is one of the principal Editors of the OUP Commentary on the GDPR, together with Professors Lee Bygrave and Christopher Kuner.



Lecture theme: European case law on the GDPR

Traits: Since the entry into force of the Lisbon Treaty, European case law on fundamental rights has been developing rapidly. Once Lisbon gave constitutional status to the EU Charter of Fundamental Rights, the European Court of Justice (CJEU) took the opportunity to lay down a number of landmark judgments concerning mass surveillance, international data transfers, as well the right to be forgotten, and the accountability of controllers. National courts in the EEA are now referring cases to Luxembourg in rapidly increasing numbers.

Trends: The CJEU is developing clear lines of case law on a number of the central innovations of the GDPR. The case law addresses the infrastructure and institutions of GDPR governance such as the consistency mechanism and the European Data Protection Board (EDPB), the roles of data protection

authorities (DPAs) and the EDPB, and enforcement by DPAs, NGOs, consumer and competition authorities. The Court also applies the principle of accountability in interpreting the territorial and material scope of the GDPR, including purely private information, sensitive data relating to health and political and sexual affinities, freedom of religion, and the attribution of responsibility for processing personal information.

Troubles: The Court is dealing with problems in reconciling the GDPR with national law, for example with regard to the status of data protection officers, the extraterritorial application of the right to be forgotten and the calculation of damages for non-material harm. The Court is also at the centre of an intense debate on the appropriate balance between privacy and national security and its impact on transfers of personal information outside the EEA.

The seminar is gratis and is organized in collaboration with the research group Law and Technology (JOT). Light refreshments will be served immediately after the seminar.

Prior registration is required at: <https://nettskjema.no/a/334633>

Registration deadline: 31 May 2023 at 13:00.

Welcome / Vel møtt!