

Centre for Information Policy Leadership Roundtable

EXAMINING BOTH SIDES OF THE SAFE HARBOUR “ESSENTIAL EQUIVALENCE” EQUATION – IS EUROPE UP TO SCRATCH?

Hunton & Williams
Park Atrium
Rue des Colonies 11
1000 Brussels, Belgium

Thursday 28 January 2016

15:00-18:00

ROUNDTABLE AGENDA

- 14:30 **Registration**
- 15:00 **Welcome and Introduction Remarks**
- ❖ Bojana Bellamy, President, Centre for Information Policy Leadership
- 15:15 **Presentations by Geoffrey Robertson QC and Noelle Lenoir**
- ❖ Geoffrey Robertson QC, Founder and Head, Doughty Street Chambers
 - ❖ Noelle Lenoir, Partner, Kramer Levin Naftalis & Frankel
- 16:30 **Break**
- 17:00 **Roundtable discussion**
- Does Europe have a thorough understanding of the standards set and applied across its member states?
 - How should we interpret the CJEU's clarification of adequacy, and what standards exist to protect European citizens' data against access by European government surveillance and intelligence agencies?
 - Is there a need to examine fundamental questions regarding the jurisdiction and role of the CJEU, its relationship with the European Court of Human Rights, and the separation of competence between EU law and national laws of Member States?
 - How should we interpret the CJEU decision in light of the court's role within the EU legal order, its relationship with the European Court of Human Rights and EU member states exclusive competence in matters of national security and intelligence?
 - What are the impacts on European and international businesses, transatlantic trade and data flows, for the continuing fallout and response to the Snowden revelations?
- 18:00 **End of Roundtable**

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GUEST SPEAKERS BIOGRAPHY

Geoffrey Robertson QC is founder and head of Doughty Street Chambers law firm and has argued many landmark human rights cases in British and Commonwealth Courts, the European Court of Justice and the European Court of Human Rights. He served as the first President of the UN's Special Court for Sierra Leone where he delivered a number of groundbreaking judgments and is one of the three "distinguished jurists" on the United Nations internal justice council. He has argued hundreds of death sentence appeals, prosecuted Hastings Banda, defended Salman Rushdie, Mike Tyson and Julian Assange and acted for Human Rights Watch in the proceedings against General Pinochet. He has argued many test cases leading to changes in law such as the reinterpretation of the "right to dignity" under Article 1 of the Lisbon Treaty in turn leading to greater protection for immigrants and asylum seekers, and at the International Tribunal for the Former Yugoslavia where his work established a testamentary privilege for war correspondents. He is a Master of the Middle Temple and author of *Crimes Against Humanity: The Struggle for Global Justice*; *The Case of the Pope*; *Mullahs without Mercy: Human Rights and Nuclear Weapons*; and *The Tyrannicide Brief*. In 2011 he was awarded the New York Bar Association prize for achievement in international law and affair.

Noelle Lenoir is a partner at the Paris office of Kramer Levin Naftalis & Frankel specializing in Competition Law and Public Business Law. Noelle Lenoir has a prolific career spanning a career of legal practice, law lecturer, and public service. Noelle is a former member of the CNIL, and has chaired the International Bioethics Committee within UNESCO. Noelle served as the minister of European Affairs from 2002 – 2004 later went on to serve as the ethics complaints officer for the French National Assembly during 2012 to 2014 before joining Kramer Levin.

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ROUNDTABLE PARTICIPANTS

Sally Aldous	Facebook, Inc.
Joseph Alhadef	Oracle Corporation
Cecilia Alvarez	Pfizer, Inc.
Bojana Bellamy	Centre for Information Policy Leadership
Stephanie Bodoni	Bloomberg
Els De Busser	Max Planck Institute for Foreign and International Criminal Law
Ryan Collins	POLITICO Europe
Sinead Connolly	Facebook, Inc.
Elizabeth Crossick	RELX Group
Stephen Deadman	Facebook, Inc.
Willem Debeuckelaere	Belgium Commission for the Protection of Privacy
Alberto Di Felice	Qualcomm Europe, Inc.
David Dumont	Hunton & Williams
Claire François	Hunton & Williams
Magnus Franklin	MLex Market Insight
Caroline Giraud	Edelman
Vesela Gladicheva	MLex Market Insight
Jörg Hladjk	Hunton & Williams
Shirin Huber	UPS Europe
Laura Juanes Micas	Yahoo! Inc.
Zoe Kardasiadou	European Union Agency for Fundamental Rights
Cameron Kerry	Sidley Austin LLP/Brookings Institution
Lenard Koschwitz	Allied for Startups
Noelle Lenoir	Kramer Levin Naftalis & Frankel
Laura Léonard	Hunton & Williams
Caroline Louveaux	MasterCard Worldwide
William Malcolm	Google UK Limited
Sara Monteleo	IPRS
Wim Nauwelaerts	Hunton & Williams
Mikko Niva	Vodafone Group Plc
Geoffrey Robertson	Doughty Street Chambers
Duncan Robinson	Financial Times
Marie Charlotte Roques Bonnet	Microsoft Corporation
Jyn Schultze-Melling	Facebook, Inc.
Emily Sharpe	Facebook, Inc.
Kimon Zorbas	The Nielsen Company