

Data Protection and Privacy

Data Protection and Democracy

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PREFACE

It is the end of June 2019 as we write this foreword. Data protection is now more relevant than ever. Until recently, data protection seemed to be something of a niche topic, considered only by a small community of experts. Over the past year, however, following both the long-awaited applicability of the GDPR and the raft of prominent scandals concerning the illicit gathering and use of personal data – particularly those concerning the use of personal data in electoral campaigns – the relevance of data protection for society at large came clearly into focus. Now, everyone has an opinion.

This year thus arguably represented the moment in which data protection truly arrived in the public consciousness. It is no longer unusual to hear matters of data protection mentioned in the daily news or in coffee shop conversation. Yet, the prominence of the topic does not necessarily mean more, or better, data protection. Rather, the prominence of the topic simply means the fora in which it plays a role have grown more numerous and the balances it strikes have become more contested. There are likely few data controllers, for example, who now wish to collect less personal data due to the GDPR.

In the meantime, the international privacy and data protection crowd gathered in Brussels for the twelfth time to participate in the international Computers, Privacy and Data Protection Conference (CPDP) – between 30 January and 1 February 2019. An audience of over 1,100 people had the chance to discuss a wide range of contemporary topics and issues with 440 speakers in 90 panels, during the breaks, side events and at ad-hoc dinners and pub crawls. Striving for diversity and balance, CPDP gathers academics, lawyers, practitioners, policy-makers, computer scientists and civil society from all over the world to exchange ideas and discuss the latest emerging issues and trends. This unique multi-disciplinary formula has served to make CPDP one of the leading data protection and privacy conferences in Europe and around the world.

The conference bustled with a sense of purpose. Conversations naturally dealt with the implementation and applicability of the GDPR. However, conversations also addressed much broader themes. Amongst these themes, the role of data protection in safeguarding democratic processes and democratic values – the core theme of the conference – featured prominently. Also heavily discussed were cross-cutting issues emerging around the need for, and the substance of, algorithmic regulation – the core topic of next year's conference.

The CPDP conference is definitely the place to be, but we are also happy to produce a tangible spin-off every year: the CPDP book. CPDP papers are cited very frequently and the series has a significant readership. The conference cycle

starts with a call for papers in the summer preceding the conference. The paper submissions are peer reviewed and those authors whose papers are accepted present their work in the various academic panels at the conference. After the conference, speakers are also invited to submit papers based on panel discussions. All papers submitted on the basis of these calls are then (again) double-blind peer reviewed. This year, we received 14 papers in the second round, of which nine were accepted for publication. It is these nine papers that are to be found in this volume, complemented by the conference closing speech traditionally given by the EDPS chair (then Giovanni Buttarelli).

The conference addressed many privacy and data protection issues in its 90 panels ranging from the impact of data processing on democracy, to AI regulation, to blockchain, to border control, to Islamic privacy, to research, to the implementation of the GDPR. The conference covered far too many topics to completely list them all here. For more information, we refer the interested reader to the conference website: www.cpdpconferences.org.

The current volume only offers a very small part of what the conference has to offer. Nevertheless, the editors feel the current volume represents a valuable set of papers describing and discussing contemporary privacy and data protection issues.

All the chapters of this book have been peer reviewed and commented on by at least two referees with expertise and interest in the relevant subject matters. Since their work is crucial for maintaining the scientific quality of the book, we would explicitly take the opportunity to thank all the CPDP reviewers for their commitment and efforts: Alessandro Mantelero, Anni Karakassi, Arnold Roosendaal, Ashwinee Kumar, Aviva de Groot, Bart Van der Sloot, Bert-Jaap Kooops, Bettina Berendt, Carolin Moeller, Chiara Angiolini, Christopher Millard, Claudia Quelle, Colette Cuijpers, Damian Clifford, Daniel Le Métayer, Deepan Kamalakanthamurugan Sarma, Diana Dimitrova, Edoardo Celeste, Eleni Kosta, Emre Bayamlioglu, Franziska Boehm, Frederik Zuiderveen Borgesius, Gabriela Zafir-Fortuna, Gergely Biczók, Gianluigi Riva, Hideyuki Matsumi, Hiroshi Miyashita, Inge Graef, Ioannis Kouvakas, Ioulia Konstantinou, Iraklis Symeonidis, Irene Kamara, Ivan Szekely, Jaap-Henk Hoepman, Jef Ausloos, Joris van Hoboken, Joseph Savirimuthu, Kristina Irion, Lina Jasmontaite, Linnet Taylor, Lorenzo Dallacorte, Maria Grazia Porcedda, Marit Hansen, Massimo Durante, Michael Birnhack, Michael Friedewald, Michael Veale, Monica Palmirani, Nicholas Martin, Nicolo Zingales, Nora Ni Loideain, Omer Tene, Raphael Gellert, Robin Pierce, Rosamunde Van Brakel, Sascha Van Schendel, Shaz Jameson, Silvia De Conca, Simone Casiraghi, Tetyana Krupiy, Tjerk Timan and Yung Shin Van Der Sype.

As had become customary, the conference concluded with closing remarks from the European Data Protection Supervisor, Giovanni Buttarelli. All of us in the privacy community were profoundly saddened by Giovanni's passing away in August 2019. He was a fervent and inspirational champion of privacy and digital

rights. In recent years, he spearheaded efforts to put data protection at the heart of debates on digital ethics and democracy in the digital age. Giovanni's support and fondness for CPDP was as invaluable as it was reciprocated, and he will be greatly missed. It is fitting and poignant that his closing remarks to the 2019 CPDP are the final chapter in this volume.

Dara Hallinan, Ronald Leenes, Serge Gutwirth & Paul De Hert
1 July 2019

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