

# Ius Commune Conference 2019

## Workshop: Digital Challenges for International Law-Enforcement, Market Regulation and Cybersecurity

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Thursday, 28 November (14.00 - 18.00)

Building: Nieuwe Valk

Room: Aula

### Participants

The development of information technologies gives rise to major constitutional questions in an international setting. Given the borderless nature of the digital world, who can and should regulate? Are borders and territorial sovereignty still relevant in a digital world? How can and do public and private actors cooperate in regulation and enforcement? How to make sure that fundamental rights and values remain protected?

This workshop consists of two panels. Panel 1 sheds light on the regulation of digital markets, in particular on the regulatory role of the EU against the backdrop of technologies that are essentially borderless. Panel 2 addresses problems of international (criminal) law-enforcement related to the rise of information technology, as well as questions of cybersecurity.

14.00 - 14.10 **Prof.Dr. Jan Wouters** (KU Leuven) & **Prof.Dr. Cedric Ryngaert** (Utrecht University)  
*Welcome and Introduction*

14.10 - 15.45 **Panel 1: Digitalization, New Technologies and the Regulation of Markets**

Digitalization and fast-paced technological developments create new legal questions at the interplay of law, regulation and technology within the European Union's legal setting. Private actors have a particularly strong position in the digital market place, which has important ramifications not only for market access of businesses and consumers, but also for citizens' fundamental rights and public values. Besides there are typically no physical borders in a digital market, which makes transnational regulation not only more self-evident but also essential. But how should European norms be developed in an increasingly borderless digital world to protect the fundamental rights of citizens and to meet states' sovereignty concerns?

**Chair: Prof Dr Sybe de Vries** (Utrecht University)

- **Dr. Stefan Kulk** (Utrecht University): *EU Developments in Intermediary Liability. Between Efficient Content Moderation and Human Rights Protection*
- **Dr. Machiko Kanetake** (Utrecht University): *Human Rights Risks of Digital Exports: EU Approaches*
- **Dr. Catalina Goanta** (Maastricht University): *Fundamental Rights through Blockchain: Past & Future*
- **Ms. Viktorija Morozovaite** (Utrecht University): *Hypernudging Strategies and How They fit within the EU Competition Law Framework*

15.45 – 16.15 **Coffee / Tea**

16.15 – 17.45 **Panel 2: Regulating Cybersecurity on the International Level and the Changing Role of Private Actors in Law Enforcement**

This panel addresses issues of cybersecurity and law-enforcement from an international and European perspective. The panel will inquire how international and European law have enhanced, and can further enhance cybersecurity. In addition, it will examine the growing role of private companies in the field of transnational law-enforcement related to information technology, in particular to combat illicit content online, and gather digital evidence. The presentations will pay attention to the multiple governance layers in which these issues are regulated (international/European/domestic law).

**Chair: Prof.Dr. Ramses Wessel** (Universiteit Twente)

- **Dr. Gavin Robinson** (postdoctoral researcher, University of Luxembourg): *Combatting Illicit Content Online*
- **Ms. Lisa Urban** (PhD student KU Leuven): *Law-Enforcement Agencies' Cooperation with Private Corporations for 'Investigative Hacking' Purposes*
- **Dr. Vanessa Franssen** (associate professor, University of Liège): *Service Providers and Law Enforcement – Cooperation in Gathering Digital Evidence on National Level*
- **Dr. Stanislaw Tosza** (assistant professor, Utrecht University): *Cross-Border Gathering of Digital Evidence. The Service Providers as Enforcer?*
- **Ms. Anne Verhelst** (PhD student KU Leuven) – *Cybersecurity and International Law: Irreconcilable? A Closer Look at Recent International and European Initiatives*