



COMMISSIONER  
FOR HUMAN RIGHTS



MODRZEJEWSKI  
I WSPÓLNICY

# Digital Law & Policy

## Proportionality Principle In IT Regulation

Faculty of Law and Administration • University of Warsaw  
Collegium Iuridicum II, 4 Lipowa St.

### The 1st DAY • 10th SEPTEMBER

9:00 - 9:30 — *Opening remarks and Introduction* 📍 A2 Hall

👤 **Piotr Grzebyk, Associate Professor**

Vice-Dean of the Faculty of Law and Administration, University of Warsaw

👤 **Jan Czarnocki, Doctoral Researcher**

Conference Lead Coordinator, KU Leuven

9:30 - 10:00 — *Opening Lecture* 📍 A2 Hall

👤 **Prof. Wojciech Wiewiórowski**

European Data Protection Supervisor

10:00 - 12:00 — *The first panel*

#### 1st Track

*Proportionality Principle Theory* 📍 A2 Hall

**Proportionality, strict necessity, strict scrutiny and strict regulation.**

#### **A Compass**

👤 **Paul De Hert, Professor (chair)**

Vrije Universiteit Brussel



## Towards a Typology of Proportionality of the EU Digital Governance: Regulation 2018/1725 meets GDPR

 Sarah Tas, PhD Researcher

European University Institute

 Maria Magierska, Legal Researcher

European University Institute

## Risk as the translation of proportionality in IT law: A constitutional perspective

 Giovanni De Gregorio, Postdoctoral Researcher

University of Oxford

 Pietro Dunn, PhD Researcher

University of Bologna & University of Luxembourg

## The Politics of Data Policy: Proportionality of Goals or of Means?

 Przemyslaw Palka, Assistant Professor

Jagiellonian University

### 2nd Track

*Proportionality in Data Governance*  A3 Hall

## New legal framework for data management in the EU

 Arwid Mednis, Associate Professor (chair)

University of Warsaw

## The proposed Data Act and the balance of interests between device purchasers and manufacturers

 Bohdan Widla, Research and Teaching Assistant

Jagiellonian University



## The DGA and the GDPR: Can Data Intermediation Services comply with Data Protection Rules?

 Tiago Cabral, PhD Researcher

University of Minho

*Coffee break (30 min).*

12:30 - 14:00 — *The second panel*

### 1st Track

*Proportionality and AI Regulation*  A2 Hall

## Legislative Proportionality and Risk-Based Regulation in the Artificial Intelligence Act: The Right Approach?

 Martin Ebers (chair)

Professor of IT Law – University of Tartu, Research Fellow – Humboldt University

## (Un)proportionally ethical. Why ethics of artificial intelligence should be ‘implemented’ carefully

 Michal Nowakowski, Legal Researcher

University of Silesia in Katowice

## Regulating AI-related harm through the lens of tort damage: status quo, challenges and solutions

 Li Shu, Postdoctoral Researcher

University of Helsinki



## 2nd Track

*Data Protection in Employment and Research Context*  A3 Hall

**Data On Disqualified Company Directors: Access Rights And Processing Procedures. The Equilibrium Between Privacy And Market Efficiency. A comparative Analysis Of Italian And English Legal Systems**



Pier Paolo Picarelli, PhD Researcher  
University of Molise

**A Pragmatic Compromise: The Role of Article 88 GDPR in Upholding Privacy in the Workplace**



Halefom Abraha, Postdoctoral Researcher  
University of Oxford

**Withdrawal of Consent for Processing Personal Data as a Balancing Exercise. The Case of Biomedical Research**



Marcu Florea, PhD Researcher  
University of Groningen

*Lunch break (1 hour).*

— 15:00 - 16:30 — *The third panel*

## 1st Track

*Proportionality and Competition Protection*  A2 Hall

**Proportionality and the consumer model in the digital age**



Monika Namyslowska, Associate Professor (chair)  
University of Lodz

**Technologically-aided information exchange: the question of proportion between the freedom of economic activity and the competition law**



Filip Wiaderek, Doctoral Researcher  
University of Lodz



## Regulating Behavioural Discrimination: Competition Law and Beyond

 **Shin-Ru Cheng, Postdoctoral Researcher**

Kyoto University

### 2nd Track

*Platform Governance/Freedom of Expression*  A3 Hall

## New information asymmetries - abuses and (proportionate) remedies

 **Jan Trzaskowski, Professor (chair)**

Copenhagen Business School

## Online Exceptionalism

 **Molly Land, Professor**

University of Connecticut School of Law

## Prominence of news and journalistic content on digital intermediary services and the proportionality of protecting media pluralism

 **Lidia Dutkiewicz, Legal Researcher**

KU Leuven

**16:40 - 17:00** — *First day wrap up*  A2 Hall

## Practical Perspective on Proportionality Principle in IT Law

 **Mec. Robert Kroplewski**

Plenipotentiary of Minister of Digital Affairs for Information Society

*Reception & Drinks*  
(18:00 - 23:00)



The Old Library of the University  
26/28 Krakowskie Przedmieście St.




## The 2nd Day • 11th SEPTEMBER

9:30 - 11:00 — *The first panel*

### 1st Track

*Proportionality and the EU Law*  A2 Hall

#### **Proportionality-washing: poverty of evidence of proportionality in EU tech legislation**

 Mikolaj Barczentewicz, Associate Professor (chair)

University of Surrey

#### **The principle of proportionality from the perspective of the science of Civil Law Policy – on the example of the Judgment of the CJEU of April 2022 (C-401/19) Poland v Parliament and Council**

 Konrad Gliscinski, Research and Teaching Assistant

Jagiellonian University

#### **Do shall not become cyborg! Proportionality in the context of human technological improvements**

 Pawel Ksiezak, Associate Professor

University of Lodz

### 2nd Track

*Proportionality in Cybersecurity and Beyond*  A3 Hall

#### **Chinese Perspective on Digital Dominance: Remarks on Cybersecurity Issues**

 Magdalena Lagiewska, Assistant Professor

University of Gdansk



## AI Act as a Cybersecurity legislation: A fundamental rights perspective

 **Burcu Yasar, Legal Researcher**

KU Leuven

## New EU proposals for crypto-assets regulations in the light of the proportionality rule. Beneficial for the customers or harmful for the industry?

 **Artur Bilski, Doctoral Researcher**

University of Warsaw

*Coffee break (30 min)*

**11:30 - 13:00** — *The second panel*

### 1st Track

***Proportionality in Data Protection***  A2 Hall

## It's alive! How the European Court of Human Rights manufactured the balancing doctrine

 **Bart Van Der Sloot, Associate Professor (chair)**

Tillburg University

## Proportionality and the balance of the right to be forgotten with freedom of expression

 **Igor Serotila, Assistant**

American University of Moldova

 **Marijana Mladenov, Asso. Professor**

University Business Academy in Novi Sad



## 2nd Track

### *Bird's Eye View Perspective on Proportionality* A3 Hall

**Proportionality, military commander decision making, practical reasoning, Additional Protocol I to the Geneva Conventions of 1949**

 Mikayla Amber Brier-Mills, JSM

Stanford University

### **Transparency as a Tool for Achieving Fairness in P2B Contracts**

 Alessandro Palmieri, Prof.

University of Siena

 Giuseppe Versaci, Research Fellow

University of Siena

**Data as 5th factor of production? Economic theory as a key basis for legal regulations**

 Krzysztof Jaworski, Student

University of Warsaw

*Lunch break (1 hour).*

**14:00 - 15:30** — *The third panel*

## 1st Track

**Balancing Risk of Surveillance against Technological Benefits**  A2 Hall

**Assessing the Proportionality of 'Mass Surveillance': Going Beyond Security-Related Scenarios in Smart Cities**

 Isadora Neroni Rezende, Doctoral Researcher

University of Bologna

**With great power comes great responsibility: Proportionality within the use of Facial Recognition Technology by Law Enforcement**

 Natalia Menendez Gonzalez, Doctoral Researcher

European University Institute





## A Year After EU Digital COVID Certificate Regulation: An Analysis in Retrospect

 **Fatma Sümeysra Doğan, Doctoral Researcher**

Marie Skłodowska Curie Fellow – Jagiellonian University

### 2nd Track

**Proportionality in Ads Regulation**  A3 Hall

## Banning Business Models: The Role of Proportionality in AdTech Regulation

 **Orla Lynskey, Associate Professor (chair)**

London School of Economics

## Regulating AdTech: Chasing Chimeras or the Art of the Possible?

 **Lilian Mitrou, Professor**

University of the Aegean

 **Apostolos Vorras, Doctoral Researcher**

University of the Aegean

 **Vasilis Karkatzounis, Doctoral Researcher**

University of the Aegean

## Is prohibiting targeted ads for minors under DSA proportionate? The need for a child- rights based approach to protecting children's personal data online

 **Mateusz Kupiec, Research Assistant**

Polish Academy of Sciences

**15:30 - 15:45** — **Closing remarks**  A2 Hall

 **Jan Czarnocki, Doctoral Researcher**

Conference Lead Coordinator, KU Leuven