Gathering of Digital Evidence: National and Transnational Challenges for Law Enforcement and Private Industry

Closed experts and stakeholders workshop

28-29 June 2017
Salle du conseil, Quartier Agora, building B.31, Liège (Sart Tilman)
University of Liège

Day 1

9h30 Arrival and registration of the participants

9h50-10h00 Welcome address by Prof. Yves-Henry LELEU, Vice-Dean Research of the Faculty of Law, Political Science and Criminology, University of Liège

10h00-10h30 Introduction by Prof. Vanessa FRANSEN and Dr Stanislaw TOSZA, University of Liège

10h30-13h15 Session I: Taking stock of national and transnational challenges for law enforcement authorities
Chair: Prof. Frank VERBRUGGEN, KU Leuven

10h30-11h40 Challenges for national law enforcement authorities

- Mr Robrecht DE KERSMAEKER, Prosecutor General’s Office Antwerp (Belgium)
- Dr Agnes KASPER, Tallinn University of Technology (Estonia)
- Dr Tatiana TROPINA, Max Planck Institute for Foreign and International Criminal Law Freiburg (Germany)
- Dr TJ MCINTYRE, University College Dublin (Ireland)
- Prof. Maciej ROGALSKI, Lazarski University Warsaw and Dworzynski-Rogalski Lawyers (Poland)
- Prof. Carmen CUADRADO SALINAS, University of Alicante (Spain)
- Ms. Anitha IBRAHIM, Criminal Division, U.S. Department of Justice (United States)

11h40-12h00 Coffee break

12h00-13h15 Discussion

13h15-14h15 Lunch break
14h15- 16h30  **Session II: Taking stock of national and transnational challenges for private industry**  
*Chair: Prof. Vanessa FRANSEN, University of Liège*

14h15-15h15  Challenges for European and global ICT companies  
Ms Rita BALOGH, Google  
Mr Ilias CHANTZOS, Symantec  
Mr Alex DE JOODE, Nederland ICT (Dutch ICT Association) and EuroISPA  
Mr Philip EDER, Apple  
Mr Mark LANGE, Microsoft  

15h15-16h15  Discussion  

16h15-16h30  **Coffee break**

16h30-17h45  **Session III: Current and future potential remedies at the national and EU level**  
*Chair: Prof. Daniel FLORE, University of Liège and General Director at the Belgian Department of Justice (SPF Justice)*

16h30-16h45  *The Commission paper of May/June 2017*, by Ms Isabelle PÉRIGNON, Head of Unit B2 "Criminal Justice Unit", European Commission, DG Justice

16h45-17h00  *State of play in the Council and diverging national aspirations*, by Ms Marie-Hélène DESCAMPS, Permanent Representation of Belgium to the EU

17h00-17h15  *Future perspectives on e-evidence*, by Ms LEPP, Permanent Representation of Estonia to the EU

17h15-17h30  *Future perspectives on data retention*, by Ms Julia ANTONOVA, Permanent Representation of Estonia to the EU

17h30-18h00  Discussion

19h15  **Dinner**
Day 2

8h45-9h15   Introduction: Cross-border gathering of digital evidence: mutual legal assistance, its shortcomings, remedies and alternatives  
by Dr Stanislaw Tosza, University of Liège

Discussion (15 min)

9h15-10h45  Session IV: Mutual legal assistance: Questioning the underlying logic of sovereignty and territoriality  
Chair: Prof. Katalin Ligeti, University of Luxembourg

Round-table discussion

10h45-11h00  Coffee break

11h00-12h30  Session V: Direct cooperation, direct access and conflicting legal obligations  
Chair: Prof. John Vervaele, University of Utrecht

Round-table discussion

12h30-14h00  Lunch break

14h00-15h30  Session VI: Encryption problems and interceptability requirements  
Chair: Prof. Ian Walden, Queen Mary University of London

Round-table discussion

15h30-16h00  Closing remarks by Prof. Vanessa Franssen and Dr Stanislaw Tosza

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