

Workshop

Un-Owned Data? Interoperable EU borders and transitioning rights post-COVID-19

30 November 2021

Online / Zoom (times CET)

Joint event of the Centre for Judicial Cooperation, the Migration Policy Centre and the Law Department

Organisers:

Sergio Carrera | European University Institute

Mariavittoria Catanzariti | European University Institute

Deirdre Curtin | European University Institute

Introduction

The [Un-owned Data Project](#) investigates under which conditions the EU architecture of interoperability in the Area of Freedom, Security and Justice (AFSJ) has been established and developed, and the implications of COVID-19 in this context. It examines the impact of the technical design of Interoperable Information Systems in the AFSJ on the fundamental rights of third-country nationals, including asylum seekers. Given the evolving nature of digital data, which is intangible and un-territorial, third-country nationals exist in a transitioning status beyond borders and across different legal procedures. Our aim is to understand the scope of interoperability in the AFSJ in relation to transitioning rights, to ultimately design an integrated model of interoperable justice encompassing different layers of accountability and liability. The Project explores the multi-faceted aspects of interoperability in the AFSJ. The use of EU interoperable information systems for migration, borders and policing raises a two-fold concern: on the one hand, it affects the rights of individuals, whose data are accessed and shared through interoperable components; and on the other hand, it regards the conditions of data sharing that often remain under the power and discretion of competent national authorities. Particular focus is also paid to the role of EU agencies such as Frontex, eu-LISA, EASO, Eurojust and Europol in the implementation dynamics and components of interoperability.

Programme

- 10.00 - 10.10 Welcome
Deirdre Curtin | European University Institute
- 10.10 - 10.20 Opening Remarks
Marc Sulong | European Commission
- 10.20 - 10.45 Panel: Bridging Legal Gaps and Daily Practice: Model Rules on Interoperability

Chair: **Sergio Carrera** | European University Institute

Mariavittoria Catanzariti | European University Institute
Tommaso Fia | European University Institute
Francesca Palmiotto | European University Institute
Francisco De Abreu Duarte | European University Institute
Marco Almada | European University Institute
- 10.45 - 11.05 Discussants:
Anna Buchta | European Data Protection Supervisor
Aleksandrs Cepilovs | eu-LISA
Shane Murphy | European Parliament
- 11.15 - 12.15 Roundtable Debate: The Impact of IT Interoperable Information Systems on the Future of the EU

Kick-off Intervenors:
Evelien Brouwer | Utrecht University
Michele LeVoy | Platform for International Cooperation on Undocumented Migrants
Eleni Maragou | Hellenik Data Protection Authority
Valsamis Mitsilegas | Queen Mary University London

Chair: **Andrew Geddes** | European University Institute
- 12.15 - 12.30 Closing Speech
Wojciech Wiewiórowski | European Data Protection Supervisor

End of the event

Participants

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| Marco Almada | European University Institute |
| Peter Bosch | European Commission Joint Research Centre |
| Evelien Brouwer | Utrecht University |
| Anna Buchta | European Data Protection Supervisor |
| Tony Bunyam | Statewatch |
| Sergio Carrera | European University Institute |
| Mariavittoria Catanzariti | European University Institute |
| Aleksandrs Cepilovs | European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (eu-LISA) |
| Deirdre Curtin | European University Institute |
| Francisco De Abreu Duarte | European University Institute |
| Emilio De Capitani | Queen Mary University London and former Head of Unit at LIBE |
| Jose Manuel De Frutos | former EP LIBE Secretariat Official |
| Simona Demkova | University of Luxembourg |
| Diana Dimitrova | Leibniz Institute for Information Infrastructure |
| Costica Dumbrava | European Parliament Research Service |
| Katharina Eisele | European Parliament Research Service |
| Valeria Ferraris | University of Turin |
| Tommaso Fia | European University Institute |
| Francesca Galli | European University Institute |
| Andrew Geddes | European University Institute |
| Chris Jones | Statewatch |
| Michele LeVoy | Platform for International Cooperation on Undocumented Migrants |
| Eleni Maragou | Hellenik Data Protection Authority |
| Valsamis Mitsilegas | Queen Mary University London |
| Shane Murphy | European Parliament |
| Francesca Palmiotto | European University Institute |
| Teresa Quintel | Maastricht University |
| Juraj Sajfert | Vrije Universiteit Brussel |
| Desiree Schmitt | European Commission |

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| Alyna Smith | Platform for International Cooperation on Undocumented Migrants |
| Marc Sulon | Head of Unit Information Systems for Borders, Migration and Security, European Commission |
| Niovi Vavoula | Queen Mary University London |
| Wojciech Wiewiórowski | European Data Protection Supervisor |
| Teddy Wilkin | Head of Research Sector, Information and Analysis Unit, European Asylum Support Office |
| Catherine Woolard | European Council on Refugees and Exiles |

METHODOLOGY OF THE ROUNDTABLE

The Roundtable conveys a selection of participants as well as of colleagues who will act as Kick-off Intervenors, launching the debate on the following questions:

- a) When interoperable components are accessed to make a decision on individuals, is information given to data subjects – i.e., on logs files; name of the database accessed; personal data consulted; detailed list of their rights as data subjects and ways to exercise them; right to rectification, right to access to data - a sufficient guarantee to ensure a high level of transparency?
- b) Will the interoperability of EU information systems be affected by specific confidential or public requirements of access, or in general by specific rights of access for public authorities involved?
- c) What could we learn from the development of common standards for shared format of health data during the Covid-19 pandemic for the interoperability of EU information systems? (e.g. metadata on tests' certificates).