



1<sup>st</sup> Edition of the Seminars of the PhD School in Public, International and European Union law

# Big data and Public Law: New Challenges beyond Data Protection

15-17 October 2018, Palazzo Feltrinelli, piazza Vittorio Veneto, Gargnano sul Garda

## October 15, 2018

Arrival

5.30pm-6:00pm **Welcome speech:** Prof. Jean-Bernard AUBY

## October 16, 2018

10.00am-12.30pm: Panel I

**Big Data and Public Law: artificial intelligence, algorithmic decision and algorithmic transparency, Big data and Public Health, Big data and Taxation**

**Chair and Introduction to the seminar:** Prof. Diana-Urania GALETTA

**Participants (20 minutes each)**

1. Simone PITTO, Electoral freedom in the age of big data: an historical critique
2. Fiorella DAL MONTE, The use of big data as a risk for individual self-determination and the implementation of competition law in the digital market. A comparative approach between the European Union and the United States of America
3. Diego MAURI, 'Algorithmic target construction' and the challenge(s) for human rights
4. Gianluca MAZZONI, (Re)defining the balance between tax transparency and tax privacy in the Big Data Analytics
5. Silvia SUT, Taxation and Big data: an analysis of the proposal for a Council Directive on the common system of a digital services tax on revenues resulting from the provision of certain digital services

**Discussants (15 minutes for each paper)**

- Nannarel FIANO (paper 1)
- Lavinia DEL CORONA (paper 2)
- Gizem GÜLTEKIN VARKONYI (paper 3)
- Giorgio BERETTA (paper 4, 5)

**Concluding Remarks:** Prof. Giuseppe MARINO

1.00pm - 2.00pm Lunch

2.30pm-5.00pm Panel II

**Big Data and State Jurisdiction (the un-territoriality of data): how centrality of territoriality is challenged by the present-day dynamics governing the search and seizure of digitized information**

**Chair:** Prof. Daniele SENZANI,

**Participants (20 minutes each)**

1. Kayahan CANTEKIN, The Future of Cross-border Data Movements, International Comity, and the Reterritorialization of the State in Light of the Microsoft Corp. v. United States Saga
2. Ennio PIOVESANI, Data Protection Litigation: The Interface between the GDPR and the B1bisR
3. Laura BARTOLI, Digital evidence for the criminal trial: limitless cloud and state boundaries
4. Loren JOLLY, Towards an alternative to State jurisdiction to face criminality on blockchains

**Discussants (15 minutes for each paper)**

- Gherardo CARULLO (paper 1, 2)
- Brigida VARESANI (paper 3, 4)

5.00pm-5:30pm **Concluding Remarks:** Prof. Gabriele DELLA MORTE

7.30pm-8.00pm Dinner

## October 17, 2018

9.30am-12.00am: Panel III

**Digitization of Public Administration and Big Data: tools, challenges and prospects of the transition to a digitalized public administration**

**Chair:** Prof. Russel L. WEAVER

**Participants (20 minutes each)**

1. Giulia SCHNEIDER, The Algorithmic Governance of Administrative Decision-Making: towards an Integrated European Framework for Public Accountability
2. Isabella ALBERTI, Artificial Intelligence in the public sector: re-thinking the due process principle
3. Giulia PINOTTI, Automated administrative procedure and right of access to source code
4. Carmen Silvia LIMA DE ARRUDA, The government discretion for digitization of Public Administration in a Brazilian perspective

**Discussants (15 minutes for each paper)**

- Emanuela FURIOSI (paper 1, 2)
- Elisabetta ROMANI (paper 3, 4)

12.00pm-12:30pm **Concluding Remarks:** Prof. Jean-Bernard AUBY, Prof. Diana-Urania GALETTA

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- **Jean-Bernard AUBY**, Professeur des Universités, Sciences-Po. Directeur de la Chaire Mutations de l'action publique et du droit public (Chaire MDAP), Paris (France)
- **Diana-Urania GALETTA**, Professore ordinario di Diritto amministrativo, Coordinatore del dottorato di ricerca in Diritto Pubblico, internazionale ed europeo, Università degli Studi di Milano (Italy)
- **Giuseppe MARINO**, Professore associato di Diritto tributario, Università degli Studi di Milano (Italy)
- **Gabriele DELLA MORTE**, Professore associato di Diritto internazionale, Università Cattolica di Milano (Italy)
- **Daniele SENZANI**, Professore ordinario di Istituzioni di Diritto Pubblico, Alma Mater Studiorum, Università di Bologna (Italy)
- **Russel L. WEAVER**, Professor of Law & Distinguished University Scholar, University of Louisville, Louis D. Brandeis School of Law, Louisville, Kentucky (USA)