e-Stockholm ’16
SECURE DIGITALISATION
THE XXXI NORDIC CONFERENCE ON LAW AND IT
November 10-11 2016, Näringslivets hus, Stockholm, Sweden

Session I Strategies: Legal Protection, Technical Mechanisms or Deterrence and Power?
Session II Compliance, Automation and Monitoring
Session III Privacy and Surveillance in the Post-Snowden Era
Session IV Remedies for the Future
SECURE DIGITALISATION

The XXXI Nordic Conference on Law & IT – e-Stockholm ’16 – is organised by the Swedish Law and Informatics Research Institute in cooperation with Stiftelsen för rättsinformation and The Swedish Society for IT and Law. The Conference theme “Secure Digitalisation” is divided into blocks. Each block addresses a number of acute questions for the legal domain:

1. Strategies for increased security: There are at least three approaches to enhancing security in relation to digitalisation. Legal remedies (e.g. data protection regulations), technical measures (e.g. encryption and robust system design) and state control and coercion (e.g. surveillance). Although there are no strict borders, these approaches stem from different cultures (legal, technical, military). They also cultivate traditions and reflect various assumptions. Sometimes means and objectives clash and silo thinking prevails. What kind of knowledge exists and how can it be integrated?

2. Compliance and verification: Efforts to create increased security should be operative, but how do we know the extent to which they are effective? What kinds of remedies are motivated in different situations and what signifies appropriate combinations of mechanisms for security?

3. Privacy and surveillance: Increased security is often used as an argument for extended surveillance but the latter may also result in a society in which individuals are continuously monitored and thus new dangers emerge. What is a reasonable balance and how can it be achieved?

4. The Future: Is secure digitalisation a responsibility for the national legislator and public authorities or must rational efforts be based on international cooperation? What are the roles of jurisprudential and technical research, and to what extent is it necessary or recommendable to adjust the legal education?
PROGRAM

NOVEMBER 9 / DOCTORAL WORKSHOP
19:00 Welcome Reception hosted by Danowsky & Partners

NOVEMBER 10 / NORDIC CONFERENCE DAY 1
08:30-09:00 Registration
09:00-09:15 Introduction and Welcome

SESSION I  STRATEGIES: LEGAL PROTECTION, TECHNICAL MECHANISMS OR DETERRENCE AND POWER?
09:15-09:30 Moderator
Maeve Dion, Doctoral Candidate, Swedish Law and Informatics Research Institute, Department of Law, Stockholm University

09:30-10:15 A System Approach to Regulation of Information and Communication Technology
Dag Wiese Schartum, Professor, Norwegian Research Center for Computers and Law, Oslo University

10:15-10:45 Coffee break by courtesy of VQ Legal

10:45-12:00 Information Security Technology
Andrei Sabelfeld, Professor, Department of Computer Science and Engineering, Chalmers University of Technology
Deterrence and Power – Military Use of Cyberspace
Heather Harrison Dinniss, Senior Lecturer in International Law, Department of Security, Strategy and Leadership, Swedish Defence University

12:00-12:15 Discussion
12:15-13:15 Lunch

SESSION II  COMPLIANCE, AUTOMATION AND MONITORING
13:15-13:30 Moderator
Mårten Edenroth, Doctoral Candidate, Swedish Law and Informatics Research Institute, Department of Law, Stockholm University

13:30-14:45 Compliance Automation and Information Security – Liberal Reflections
Anne-Marie Eklund Löwinder, Chief Information Security Officer, IIS, The Internet Foundation In Sweden
Transcending Checkbox Compliance
Chong Ee, Director, Financial Business Systems, Okta, Author of Compliance By Design: IT Controls That Work.

14:45-15:15 Coffee break

15:15-16:30 Compliance Automation and Monitoring in Practice – Workable Solutions
Anna Nordén, General Counsel, Trustweaver
Compliance at the Crossroads of Public and Private Law – Accountability and Responsibility in a Government Shared Service Centre
Gustaf Johnssén, General Counsel, Statens servicecenter

16:30-16:45 Discussion

19:00-23:00 Dinner at Hasselbacken
### NOVEMBER 11 / NORDIC CONFERENCE DAY 2

#### SESSION III  PRIVACY AND SURVEILLANCE IN THE POST-SNOWDEN ERA

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| 09:00-09:15 | **Moderator**  
Lee Bygrave, Professor, Norwegian Research Center for Computers and Law, Oslo University |
| 09:15-10:30 | **Encryption Policy and Fundamental Rights**  
Joris van Hobroken, Senior Researcher, Institute for Information Law, University of Amsterdam |
|           | **Data Mining and National Intelligence Surveillance from an EU-US Perspective**  
Liane Colonna, Associate Professor, Swedish Law and Informatics Research Institute, Department of Law, Stockholm University |
| 10:30-11:00 | Coffee break |
| 11:00-12:00 | **Data Retention and Signals Intelligence**  
Mark Klamberg, Associate Professor in International Law, Department of Law, Stockholm University |
|           | **Schrems and the Data Retention Directive Legislation**  
Orla Lynskey, Assistant Professor in Law, London School of Economics |
| 12:00-12:15 | Discussion |
| 12:15-13:15 | Lunch |

#### SESSION IV  REMEDIES FOR THE FUTURE

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| 13:15-13:30 | **Moderator**  
Peter Wahlgren, Professor, Swedish Law and Informatics Research Institute, Faculty of Law, Stockholm University |
| 13:30-14:45 | **The Role of Education**  
Cecilia Magnusson Sjöberg, Professor, Swedish Law and Informatics Research Institute, Faculty of Law, Stockholm University |
|           | **The Role of Research**  
Katrin Nyman-Metcalf, Professor, Tallinn Law School, Tallinn University of Technology, Head of Research at the Estonian e-Governance Academy |
| 14:45-15:15 | Coffee break |
| 15:15-16:30 | **National Coordination**  
Ingela Darhammar Hellström, Information Security Specialist and Legal Advisor, Swedish Civil Contingencies Agency |
|           | **International Cooperation, Obstacles and Prospects**  
Pål Wrange, Professor of Public International Law, Faculty of Law, Stockholm University |
| 16:30-16:45 | Discussion |
**SPEAKERS**

**Lee A. Bygrave**
Professor, Norwegian Research Center for Computers and Law, Oslo University

Professor Lee A. Bygrave is Director of the Norwegian Research Center for Computers and Law attached to the Department of Private Law, University of Oslo. For the past three decades, Lee has undertaken research and policy development concerning ICT regulation. He has functioned as expert advisor on ICT regulatory policy for numerous organisations, including the European Commission, Nordic Council of Ministers, Computer Science and Technology Board of the US National Academies, and Internet Corporation for Assigned Names and Numbers. Lee has published particularly extensively within the field of data protection law where his two principal books on the subject – ‘Data Protection Law: Approaching its Rationale, Logic and Limits’ and ‘Data Privacy Law: An International Perspective’ – are widely acknowledged as standard international texts. Much of his recent work focuses on legal aspects of internet governance. His latest book – ‘Internet Governance by Contract’ – critically examines the contractual frameworks for the development and use of internet infrastructure. Lee also heads a major research project titled ‘Security in Internet Governance and Networks: Analysing the Law’.

**Liane Colonna**
Associate Professor, Department of Law, Stockholm University

Liane Colonna is an assistant professor at the Department of Law, Stockholm University, and one of the Swedish Law and Informatics Research Institute’s co-workers. She obtained her Doctor of Laws (LLD) degree in law and information technology in May 2016. The title of her dissertation is ‘Legal Implications of Data Mining’. She is also a member of the New York Bar and holds a Master of Laws (LLM) degree in European law from Stockholm University.

**Ingela Darhammar Hellström**
Information Security Specialist and Legal Advisor, Swedish Civil Contingencies Agency

Ingela Darhammar Hellström has a background from the telecom sector and public authorities and have for more than 15 years been working with strategic and legal issues related to information security in different roles such as legal advisor, internal auditor, fraud/crime controller and information security officer. Ingela has an Master’s Degree in Legal Science.

**Maeve Dion**
Doctoral Candidate, Department of Law, Stockholm University

Maeve Dion’s background is in the legal, economic, policy, and educational issues relating to critical infrastructure protection – particularly the national and international security concerns regarding information infrastructure. Maeve is one of the Swedish Law and Informatics Research Institute’s co-workers. She has been an appointed expert to the Council of Europe, and has similarly supported the OECD, EU, NATO, the U.S. NSTAC and DHS, among others.

**Mårten Edenroth**
Doctoral Candidate, Department of Law, Stockholm University

Mårten Ogilvie Edenroth is one of the Swedish Law and Informatics Research Institute’s co-workers and has for many years been active in the Nordic market as a leading expert in matters relating to audit and verification of information. He has worked i.a. as strategic advisor to banks and insurance companies and has taken part in steering groups for relevant projects in the market. After finalizing his LL.M. degree he has alternately worked in various law firms and in the IT industry.

**Chong Ee**
Director, Financial Business Systems, Okta

Chong Ee received the Michael Cangemi Best Article/Book Award from the Information Systems Audit and Control Association in 2010. He has a proven track record in the field of IT audit and compliance. Chong is a Certified Information Systems Auditor and is certified in the Governance of Enterprise IT. He is a seasoned writer for IT publications and the author of ‘Compliance By Design: IT Controls That Work’.

**Anne-Marie Eklund Löwinder**
Chief Information Security Officer, The Internet Foundation In Sweden

Anne-Marie Eklund Löwinder is ranked as one of the leading experts on IT security in Sweden. In 2013 Anne-Marie was the first Swede to become inducted into the Internet Hall of Fame. She is a member of the Royal Swedish Academy of Engineering Sciences (IVA), Section XII, Information Technology, a board member of the Swedish Law and Informatics Research Institute (IRI), and a member of the information security council of the Swedish Civil Contingencies Agency (MSB). Anne-Marie is one of the few people in the world who has been assigned as Trusted Community Representative in the role as a Crypto Officer where she participates in the DNSSEC key generation for the internet root zone, having been appointed by the international organization ICANN. She is also a member of The Registry Services Technical Evaluation Panel (RSTEP), a technical team under the GNSO (Generic Name Supporting Organization). Anne-Marie is also a frequently asked expert in public inquiries on matters relating to internet and security, and answers frequently on governmental referrals within the same area. Anne-Marie has a degree in Computer Science from Stockholm University.

**Heather A. Harrison Dinniss**
Senior Lecturer, Department of Security, Strategy and Leadership, Swedish Defence University

Dr Heather A. Harrison Dinniss is a Senior Lecturer at the International Law Centre of the Swedish Defence University. She is the author of ‘Cyber War and Laws of War’ which analyses the status and use of cyber operations in international law and the law of armed conflict. Heather’s research focuses on the impact of modern warfare on international humanitarian law; in particular, on emerging military technologies such as cyber warfare, advanced and autonomous weapons systems and the legal aspects of enhancement techniques on members of the armed forces. Heather has served as a member of an advisory group to the Swedish Government on autonomous weapons systems. She is also a member of the International Law Association’s Study Group on Cyber Terrorism and International Law (2014-2016).

**Joris van Hoboken**
Senior Researcher, Institute for Information Law, University of Amsterdam

Doctor Joris van Hoboken’s research addresses law and policy in the field of digital media, electronic communications and the internet, with a focus on the fundamental rights to privacy and freedom of expression and transatlantic relations. Current research projects include an investigation of privacy in smartphone ecosystems, as well as work on the right to be forgotten, encryption policy, and digital rights policy standard setting in Europe. Joris is on the Board of Directors of the Dutch digital rights
organization Bits of Freedom. He is an affiliate scholar at the Center for Internet & Society at Stanford Law School and the interdisciplinary Research Group on Law Science Technology & Society at Vrije Universiteit Brussels.

**Gustaf Johnssén**
**General Counsel, Statens servicecenter**
Gustaf Johnssén is the General Counsel at Statens servicecenter (the Swedish National Government Service Centre). He has previously served in the Ministry of Finance, Department for Public Administration, in central government agencies and in various capacities on a number of government committees. His main area of professional interest is whatever happens to land on his desk.

**Mark Klamberg**
**Associate Professor, Department of Law, Stockholm University**
Mark Klamberg is an Associate Professor in International Law at the Department of Law, Stockholm University. He is also an associate at the Swedish Law and Informatics Research Institute (IRI) and the author of two monographs: ‘Evidence in International Criminal Trials: Confronting Legal Gaps and the Reconstruction of Disputed Events’ and ‘Power and Law in International Society: International Relations as the Sociology of International Law’. He has published several texts on law enforcement, intelligence, surveillance and personal data protection.

**Orla Lynskey**
**Assistant Professor, London School of Economics**
Orla Lynskey has been an Assistant Professor in the Law Department at the London School of Economics since September 2012. She teaches and conducts research in the areas of data protection, technology regulation, digital rights and EU law. Her PhD research focused on the dual dignitary and economic nature of personal data and the normative limits of individual control over personal data. This research has been developed into a monograph, ‘The Foundations of EU Data Protection Law’, published by OUP in 2015. She is currently working on inter-related projects on the fundamental rights implications of platform power in digital markets and the EU’s right to data portability. Orla is an editor of International Data Privacy Law (OUP) and the European Law Blog, and a member of the Editorial Board of the European Data Protection Law Review.

**Cecilia Magnnusson Sjöberg**
**Professor, Faculty of Law, Stockholm University**
Professor Cecilia Magnusson Sjöberg became Doctor of Law (LL.D.) in 1992, with a thesis addressing legal automation with focus on computerisation in public administration. In addition to substantive components of IT law, she has had much practices of legal system design and management, giving rise to information security issues and the need for electronic signatures etc. Besides research she has long teaching experiences from both Sweden and abroad. She is currently engaged by the Swedish government to chair an inquiry into personal data processing for research purposes within the GDPR framework. Cecilia is head of Law and Informatics at the Department of Law, Stockholm University, and board member of the Swedish Law and Informatics Research Institute.

**Anna Nordén**
**General Counsel, Trustweaver**
Anna Nordén is the General Counsel of TrustWeaver, a Cloud-based trust and compliance vendor. She has an international background in the field of e-commerce and information security from i.a. the International Chamber of Commerce (ICC) and the United Nations Commission on International Trade Law (UNCITRAL) and serves as a Swedish expert in the UN/CEFACT for International Trade Procedures and as a representative for Sweden in the European Multi-Stakeholder Forum on Electronic Invoicing.

**Katrin Nyman-Metcalf**
**Professor, Tallinn Law School, Tallinn University of Technology**
Katrin Nyman-Metcalf is Professor of Law and Technology at Tallinn University of Technology, and Head of Research of the Estonian e-Governance Academy. In addition she is active as an international consultant primarily in the area of ICT law. Projects include legal analysis of media and communications legislation for e.g. the OSCE and the European Commission; work on setting up regulatory systems and professional training especially for post-conflict societies; and support to e-governance. Professor Nyman-Metcalf’s PhD (1999) in Public International Law (the law of outer space) is from the University of Upsala, Sweden. Her research interests include how law and technology meet with special emphasis on IT and communications as well as outer space; international – global and regional – decisionmaking and the changing structure of governance; implementation of human rights and the rule of law.

**Andrei Sabelfeld**
**Professor, Department of Computer Science and Engineering, Chalmers University of Technology**
Professor Andrei Sabelfeld’s research ranges from the theory to practice of information security and privacy, with web security and location privacy as the areas of particular interest. He has been active in world-leading research environments in Europe and the US. Today, he leads a team of researchers at Chalmers, engaged in a number of EU and national projects and collaborations with industry including Google, Microsoft, and SAP.

**Peter Wahlgren**
**Professor, Faculty of Law, Stockholm University**
Professor Peter Wahlgren is director and chairman of the Swedish Law and Informatics Research Institute (IRI). He is also editor of Scandinavian Studies in Law and chairman of the Trust for Legal Information. Peter was awarded the Doctor of Law degree (LL.D.) in 1992, (Automation of Legal Reasoning; A Study on Artificial Intelligence and Law). Research interests cover legal methods, proactive law, legal risk analysis, security and legislative techniques.

**Dag Wiese Schartum**
**Professor, Norwegian Research Center for Computers and Law, Oslo University**
Professor Dag Wiese Schartum’s research interests comprise data protection, automated decision-making in the government sector, access to government-held information and regulatory management. Schartum has written and edited a number of books, and has been member of several governmental expert committees for the preparation of legislation, in particular within the field of privacy and data protection.

**Pål Wrange**
**Professor, Faculty of Law, Stockholm University**
Pål Wrange is a professor of Public International Law at the Faculty of Law, Stockholm University, and the Director of the Stockholm Center for International Law and Justice. Professor Wrange first came into contact with international law aspects of cyber security in 2000 in his former capacity as principal legal advisor at the Swedish Ministry for Foreign Affairs, and has since then intermittently taken part in the discussions on international law and cyber operations.
VENUES

WELCOME RECEPTION / NOVEMBER 9
Danowsky & Partners
Address: Regeringsgatan 20, SE-111 53 Stockholm, Sweden

CONFERENCE / NOVEMBER 10-11
Näringslivets hus
Address: Storgatan 19, SE-114 51 Stockholm, Sweden

CONFERENCE DINNER / NOVEMBER 10
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