

# Data Protection Day 2026: Reset or refine?



28 January 2026



Charlemagne building (Brussels)



in person and remotely

## About Data Protection Day

*This year's conference, co-organised by the European Data Protection Supervisor (EDPS) and the Council of Europe (CoE), will bring together policymakers, regulators, academics and practitioners to examine the lessons from Convention 108+ and EU data protection law and explore how they can inform the next generation of legislation. Building on the resilience of the European data protection framework, the conference will ask: How can we modernise without compromising core principles? How can 'regulatory simplification' coexist with strong safeguards for individuals? And how can Europe's normative model continue to inspire a human-centric digital future?*

## Reset or refine?

*As data protection frameworks around the world evolve to meet modern challenges, Europe faces a pivotal moment. The modernisation of Convention 108 through Convention 108+ reaffirmed fundamental rights in the digital age and set the global standard for privacy. Now, almost a decade after the entry into application of the GDPR, discussions on its future invite renewed reflection on how Europe can maintain its leadership in data protection in a rapidly changing technological landscape while also ensuring agility, coherence and trust.*

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## PROGRAMME

TIME	TITLE	TOPIC
08:30 – 09:00	REGISTRATION & WELCOME COFFEE	
09:00 – 09:15	Opening Remarks	by Wojciech Wiewiórowski, European Data Protection Supervisor
09:15 – 10:30	Main Session 1	When is Data personal? The debate renewed by EDPS v SRB (C-413/23 P)
10:30 – 11:00	COFFEE BREAK	
11:00 – 11:15	Keynote	by Beatriz de Anchorena, Chair of the Committee of Convention 108 and Head of the Agency for Access to Public Information (AAIP), Argentinian Data Protection Authority
11:15 – 12:30	Main Session 2	Past, Present, Future? What is Convention 108+ really? And where does it belong?
12:30 – 14:00	LUNCH BREAK	
14:00 – 14:15	Keynote	by Jelena Virant Burnik, Deputy Chair of the European Data Protection Board
14:15 – 15:30	Main Session 3	Data protection reform: Cut the red tape, not the rights?
15:30 – 16:00	COFFEE BREAK	
16:00 – 16:15	Keynote	by Anu Bradford, Henry L. Moses Professor of Law and International Organization at Columbia Law School
16:15 – 17:30	Main session 4	Chasing shadows: Can regulation keep up as online tracking continues to transform?
17:30 – 17:45	Closing Remarks	by European Data Protection Supervisor Secretary-General
17:45 – 18:45	COCKTAIL RECEPTION	

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## SESSIONS' DESCRIPTION

### OPENING REMARKS by the European Data Protection Supervisor

09:00-09:15 | De Gasperi Room, Level 2

**Speaker: Wojciech Wiewiórowski**, European Data Protection Supervisor

### MAIN SESSION 1 - **When is Data personal? The debate renewed by EDPS v SRB (C-413/23 P)**

09:15-10:30 | De Gasperi Room, Level 2

*On 4 September 2025, the Court of Justice of the European Union delivered a pivotal judgment in Case C-413/23 EDPS v SRB, prompting the data protection community to take a fresh look at key concepts in EU data protection law. The Court clarified three crucial issues central to the interpretation of data protection law: that personal opinions are inherently personal data; that pseudonymised data do not necessarily qualify as personal data in all cases and for everyone; and that the controller's transparency obligations remain even when sharing data that have undergone pseudonymisation.*

*Building on this court decision, the European Commission laid down a proposal on 19 November 2025 to change the very definition of personal data.*

*This panel will unpack the implications of the judgment for data controllers, regulators and data protection professionals. The discussion will also explore whether the proposed new definition of personal data aligns with existing case law on the distinction between personal and non-personal data in the EU's data protection landscape.*

*If pseudonymous data are not always personal data for everyone, how can the controller assess in practice the likelihood that a recipient could identify a data subject? And what threshold of identifiability should be applied - does it require naming a person, or merely distinguishing them within a group? How should organisations adapt their transparency practices in light of this nuanced approach to personal data? Is the Court's reasoning on the obligation to inform applicable also to broader compliance duties under the GDPR? And, finally, does the judgment really change everything to the point that it was necessary to touch upon the core premise of data protection: the concept of personal data?*

**Moderator: Thomas Zerdick**, Head of Unit, Supervision and Enforcement at EDPS

#### Speakers:

- **Ralf Bendrath**, Adviser on Civil Liberties, Justice and Home Affairs, European Parliament (Greens/EFA)
- **Prof. Anna Berlee**, Open Universiteit, Amsterdam
- **Maarten Daman**, Data Protection Officer, European Central Bank

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## KEYNOTE SPEECH 1 by the Council of Europe's Consultative Committee of Convention 108

11:00-11:15 | De Gasperi Room, Level 2

**Speaker: Beatriz de Anchorena**, Chair of the Committee of Convention 108 and Head of the Agency for Access to Public Information (AAIP), Argentinian Data Protection Authority

## MAIN SESSION 2 - Past, Present, Future? What is Convention 108+ really? And where does it belong?

11:15-12:30 | De Gasperi Room, Level 2

*At its origin a classical human rights treaty willing to provide a legal framework for the protection of privacy through the protection of personal data, negotiated in the 70's, opened to signature in 1981 (on the day we celebrate today), having now 55 Parties from 3 continents today, Convention 108 has a long history. The last 43 years its standards were widely acknowledged and followed by many countries, institutions, influencing various legislative processes (some of the Recommendations developed in the 80's are still in force for CoE members States).*

*But today, even after 7 years of negotiations for its modernised version, it does not take the centre stage when experts, regulators, policy makers, judges are discussing burning questions related to digital development. Yet, for countries, governments, parliaments it remains the only legally binding instrument that have the potential to offer a common ground at international level for all like-minded countries and actors to define what is the appropriate level for the protection of private life and personal data in the digital age and how to reach to so much desired free flow of data between participating jurisdictions.*

*The panel will look into the question whether Convention 108 is a legacy human rights treaty which should only interest states and state actors or its standards, features and legal concepts are still meaningful today and can be of relevance for digital agendas, business and innovation and for new or changing legislative and regulatory landscapes.*

Key questions:

- Is Convention 108 “just” an old data protection instrument?
- Why do international standards matter? What do they represent? And how they are used by different actors?
- Are international treaties good or bad for innovation and businesses?
- Will Convention 108+ have a role to create a common ground for cooperation on the protection of private life in the digital age and for the free flow of data between like-minded countries?

### Speakers:

- **Mohamed Diop**, Permanent Secretary of the CPDP (Senegal DPA)
- **Emmanuel Netter**, Strasbourg University
- **Judge Erik Wennerstrom**, European Court of Human Rights (ECHR)
- Moderator & fourth speaker to be confirmed

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## KEYNOTE SPEECH 2 by the European Data Protection Board

14:00-14:15 | De Gasperi Room, Level 2

**Speaker: Jelena Virant Burnik**, Deputy Chair of the EDPB

## MAIN SESSION 3 - Data protection reform: cut the red tape, not the rights?

14:15-15:30 | De Gasperi Room, Level 2

*In the name of ‘simplification’, ‘clarification’, and ‘modernisation’, policymakers and industry alike are calling for a leaner, more efficient digital regulatory environment. Yet behind the rhetoric of cutting red tape lies a deeper tension: efforts to streamline compliance and enforcement may run the risk of diluting essential safeguards for privacy, fairness and accountability, and ultimately jeopardise the protection of fundamental rights.*

*This panel will take a hard look at what ‘simplification’ really means in the EU’s digital policy context. Are we talking about better coordination and clarity, or quiet deregulation by stealth? As the Union moves from rule-making to rule-applying across the DSA, DMA, Data Act, and AI Act, another key question is how to reduce administrative friction while protecting fundamental rights and preserving public trust.*

*The panel will probe whether the drive for ‘better regulation’ is compatible with Europe’s digital acquis, or whether the current discourse risks privileging compliance efficiency over democratic legitimacy.*

*Key questions:*

- *Is regulatory ‘simplification’ becoming a euphemism for deregulation?*
- *If modernisation of data protection is needed, what does it mean and why do we need it?*
- *What are the benefit and downsides of the reform proposed by the Commission ?*
- *How to assess the reform under the compass of simplification, effective protection for individuals and legal certainty?*

**Moderator: Romain Robert**, Head of Digital Regulation Sector, Policy and Consultation Unit, EDPS

**Speakers:**

- **Sophie Stalla-Bourdillon**, Co-Director, Privacy Hub
- **Victoria de Posson**, Secretary General, Eurotech Alliance
- **Agustin Reyna**, Director General, BEUC
- Representative from DG JUST, European Commission

## KEYNOTE SPEECH 3

16:00-16:15 | De Gasperi Room, Level 2

**Speaker: Anu Bradford**, Henry L. Moses Professor of Law and International Organization at Columbia Law School



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## MAIN SESSION 4 - Chasing shadows: Can regulation keep up as online tracking continues to transform?

16:15-17:30, De Gasperi Room, Level 2

*Since 2002, the European Union has sought to safeguard online users' privacy by protecting the confidentiality of communications and terminal equipment. In the meantime, online service providers have adapted by exploiting alternative methods, such as device fingerprinting, to monitor user behaviour. The rapid digitalisation of our lives has only intensified concerns about online privacy, but the regulatory landscape has remained largely the same. As a result, questions are raised whether existing laws are well-suited to address the evolving practices and technologies for online tracking. The latest effort to update online privacy rules has arrived in the form of a proposed amendments to the General Data Protection Regulation, which would introduce new rules regarding the processing of personal data in the terminal equipment of natural persons.*

*Key questions:*

- *Do current regulations and proposed changes effectively address the challenges posed by modern online tracking technologies?*
- *Can these changes keep pace with emerging developments which promise to further reshape the online tracking landscape?*

*New technologies have been proposed as alternatives to third-party cookies for online tracking that are more privacy friendly. How well do these alternatives align with data protection requirements?*

**Moderator: Rob van Eijk**, Senior Fellow, Future of Privacy Forum, Netherlands

**Speakers:**

- **Cristiana Teixeira**, Assistant Professor in Law and Technology, Utrecht University
- **Itxaso Domínguez de Olazábal**, Policy Advisor, EDRI
- **Rosa Barcelo**, Data privacy and cybersecurity lawyer, McDermott Will & Schulte

## CLOSING REMARKS by the Secretary-General of the European Data Protection Supervisor

17:30-17:45 | De Gasperi room, Level 2

## COCKTAIL RECEPTION: Get together to chat and network on Data Protection Day

17:45-18:45 | Reception Area, Level 2

