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Conference

The Road Ahead in Implementing Personal Data Protection Legislation Effectively: Lessons from EU and Beyond

27th September, 2021

Hosted by: Jindal Global Law School

A conference titled - The Road ahead in Implementing Personal Data Protection Legislation Effectively: Lessons from EU and Beyond – was organized. His Excellency Mr. Ugo Astuto, Ambassador of the European Union (EU) to India and Bhutan, presented the inaugural address wherein he spoke of the relevance of GDPR in the global context. He emphasized on the four important pillars of GDPR which are the core data protection principles, overarching rather than sectoral laws, empowerment of citizens to have control over personal data and independence of data protection authorities. He highlighted the challenge of transparency and individual awareness of rights. He also spoke of challenges posed to GDPR by new technologies such as Artificial Intelligence, while referring to the Draft Artificial Intelligence Act, which requires compliance with fundamental rights. While speaking of data protection in India, he drew parallels between the proposals of the NITI Aayog and the EU Data Governance Act and stated that many countries like India are about to adopt data protection principles similar to GDPR, which provides the opportunity for seamless data transfer between countries. He was hopeful that India would soon adopt a data protection legislation so that data can freely flow between India and the EU, through a possible adequacy decision. He emphasized that common values and safeguards in India and the EU will help create a space for free flow of data with trust.

The conference had three different technical sessions: - 'Understanding data privacy framework', 'The Role and Relevance of GDPR' and 'Meeting Challenges in Implementing Data Privacy'. These technical sessions had speakers representing Melbourne Law School, Nanyang Business School, Singapore, Shoolini University, Maastrich University, University of Utrecht, Ernst & Young- India, University of Naples, IT for Change, Data Security Council of India, Deloitte and Shardul Amarchand Mangaldas & Co. The discussions revolved around the concept of fair and reasonable processing in general, fair and reasonable processing in Australia, the concepts of consent, accountability and transparency and Artificial Intelligence, the fiduciary nature of relationship between data subject and data fiduciary, the idea of the right to be forgotten in the context of the Puttaswamy judgement, the debate of privacy versus digital benefits, and balancing national security considerations and privacy considerations.