



MAX PLANCK INSTITUTE FOR
INNOVATION AND COMPETITION



RESEARCH CENTRE FOR LAW AND
DIGITALISATION (FREDI)

GLOBAL DATA LAW CONFERENCE SERIES:
COMPARATIVE DATA LAW

December 7 / December 8 2023

Venue: Max Planck Institute for Innovation and Competition, Marstallplatz 1, 80539 Munich, Germany

Call for Papers

Data is a central resource of and multiple-use production factor in the 21st century. Data creation, data processing, data use, and data transfer is – in the words of data geopolitics – inherently linked to the competitiveness of not only economies, but also of societies. Nevertheless, the quest for an adequate and balanced governance framework is on-going – whereby data governance does not only, but also encompasses hard and soft law regulation. The respective field of data law is emerging and not yet fully ‘surveyed’, still in the process of making as well as fragmented along the lines of existing rules and recent policy efforts. The legal (and infrastructural) taxonomy is in flux and an inherent element of modern-day data strategies worldwide.

Underlining this global nature of data governance, the conference is aimed at a truly global view on data law instruments – where the current EU pieces of legislation (inter alia the General Data Protection Regulation as well as the Data Governance Act and the proposed Data Act) are only one of many approaches. Most important, the conference is devoted to a contextual – and a decolonial comparative law – approach to data regulation – including cultural, economic, and infrastructural dimensions of data governance and linking perspectives from the global north and global south as well from liberal and authoritarian settings.

The conference is co-organised by the University of Passau Research Centre for Law and Digitalisation (FREDI) and the Max Planck Institute for Innovation and Competition. The event is the final part of a three-tier conference series on Global Data Law and element of a greater research agenda with respect to Global Data Law & Policy. With this call for papers, we are inviting academic scholars to contribute to the conference. We ask for papers in the following fields (the bullet points below are not to be understood as setting fixed themes, but do only highlight potential areas of interest):

Session 1: Surveying the Foundations

In the first session, the scene shall be set for in-detail views on the foundations, methods, and challenges of comparative data law in the following sessions. It shall link data geopolitics, data regulation, and data infrastructure as well as the cultural and economic foundations.

- Global Data Governance Efforts – Concurring and Conflicting Goals
- Data Interdependencies – The Interplay between Data Regulation and Data Infrastructure
- Contextualising Data Regulation – Data Cultures and Data Economies

Session 2: Data Law

Session 2 is dedicated to a survey on the notion of data law. Which legal structures of data law exist globally? Is data law a coherent field of law?

- Structures of Data Law Worldwide
- Data Self-Regulation and Data Non-Regulation
- Regulatory Competition in the Field of Data Law
- Transnational Data Law Standards

Session 3: The Comparative View

Having set the scene – fundamentals and regulatory instruments – the central (and largest) session 3 addresses the methods, tasks, and prospects for a contextual comparison of data laws. As a matter of exemplification, further contributions to this session shall pursue in-detail comparisons.

- Comparing Data Law Contextually – Methods, Tasks, and Prospects
- Too Early or Too Small to Regulate? – Mapping the Scopes of Application of Data Law
- Between Free Flow of Data and Data Localisation – Comparing Structural Choices of Data Laws
- Tackling Data Divides – Comparing Approaches to Data Inequality and Data Inaccessibility
- Data Law and the Global South – New Design and Old Mistakes?

Session 4: The Way Forward

In session 4, the conference shall finally turn to the potential ‘ways forward’ for data law regulation – and comparative data law’s role in this process.

- Innovation by Data Law Harmonisation? – Prospects and Risks of New Hard and Soft Law Instruments
- Thinking Out of the Data Law Diplomacy Box? – Non-State Actors and Legal Standard-Setting
- *Data realpolitik* – (Realistic) Fields of Data Law Harmonisation

Submission Process and Contact Details

Please send us your anonymised abstract (300-500 words) within the above described conference themes by May 31st 2023. Your submission should be accompanied with your short bio / CV / list of publications in a separate document (max. 2 pages). Every paper selected shall be presented at the conference and the conference proceedings shall be published in an open access format (de Gruyter series on Global and Comparative Data Law). Presenters will be required to convert their presentation for the publication and submit them by December 31st 2023. Presenters will receive – subject to specific conditions – travel allowance and lodging. Updates on the Conference will be posted at www.ip.mpg.de and www.jura.uni-passau.de/globaldatalaw/. Please send submissions and / or inquiries to fredi.digitalisierung@uni-passau.de.

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