

Christopher Kuner

SENIOR PRIVACY COUNSEL

Privacy and
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FOCUS AREAS

Privacy and Cybersecurity

EXPERIENCE

Dr. Christopher Kuner is Senior Privacy Counsel in the Brussels office of Wilson Sonsini Goodrich & Rosati, where his practice focuses on European and international data protection and privacy compliance.

Christopher has practiced EU data protection law in Brussels and in Germany since the dawn of the internet in the early 1990s. In 2018, *Chambers Belgium* described him as follows: "Senior privacy counsel Christopher Kuner is vastly experienced in the field of European data privacy and is considered an authority on international data transfers. One impressed commentator calls Kuner 'by far the best thought leader in Europe and a reference for privacy and data protection.'"

Christopher has been involved in major data protection developments at the EU level over the last 20 years. He successfully negotiated the European Commission's landmark adequacy decisions regarding the standard contractual clauses for controller-to-controller and controller-to-processor transfers, and has drafted a binding corporate rules (BCRs) application checklist approved by the Article 29 Working Party.

The recipient of numerous honors, Christopher served for ten years as vice chairman of the Commission on the Digital Economy of the International Chamber of Commerce (ICC) in Paris. In 2015, he was awarded the "Best Consumer Supporter" award and medal by the Consumer Affairs Agency of the government of Japan and the Japanese ambassador to the European Union. He is a member of the European Commission Expert Group supporting the application of the EU General Data Protection Regulation (EU) 2016/679 and the Advisory Group of Experts Supporting the Review of the OECD Privacy Guidelines. He has also participated in the work of other international organizations such as the Council of Europe and UNCITRAL.

Christopher is the author of numerous books and articles on EU data protection law. He also serves as the editor-in-chief of *International Data Privacy Law*, a law journal published by Oxford University Press. His writings have been cited by leading international courts, including the Court of Justice of the European Union, the German Federal Supreme Court (*Bundesgerichtshof*), and a leading U.S. federal district court.

In addition, Christopher is an affiliated professor of law at the University of Copenhagen and an associate of the Centre for European Legal Studies of the University of Cambridge. He was formerly co-chair of the Brussels Privacy Hub at the Vrije Universiteit Brussel (VUB) and visiting professor at Maastricht University. He also has served as a visiting fellow at the Oxford Internet Institute; the Centre for European Legal Studies of the University of Cambridge; the London School of Economics; and Chuo University in Tokyo. He has taught at numerous leading universities, as well as at the summer courses of the Hague Academy of International Law and the European University Institute.

Prior to joining the firm, Christopher was a partner in the Brussels office of Hunton & Williams. Earlier in his career, he worked in the Brussels office of Morrison & Foerster and in the Frankfurt and

Stuttgart offices of German law firm Gleiss Lutz. He is fluent in German and English, and speaks Russian at an intermediate level.

CREDENTIALS

Education

- Doctorate in Law, Tilburg University Law School (The Netherlands), 2013
- LL.M., International Legal Studies, New York University School of Law, 1991
- J.D., Notre Dame Law School, 1984
Editor-in-Chief, Notre Dame International and Comparative Law Journal
- B.A., Classics, Lawrence University, 1980
Cum Laude

Associations and Memberships

- Member, European Commission Expert Group (to support the application of the EU General Data Protection Regulation (EU) 2016/679)
- Member, Advisory Group of Experts Supporting the Review of the OECD Privacy Guidelines
- Former Vice Chairman, Commission on the Digital Economy, International Chamber of Commerce
- Founder and Former Chairman, European Privacy Officers Forum
- Former Honorary Associate Professor, Faculty of Law, University of Copenhagen (Denmark), 2013-2018
- Former Fellow, Tilburg Institute for Law, Technology and Society, Tilburg University (The Netherlands), 2010-2013
- Former Visiting Lecturer, University of Cambridge, 2012-2017
- Former guest lecturer in data protection and IT law, Vienna University of Economics and Business Administration (Austria), 2004-2011
- Former Visiting Fellow, Oxford Internet Institute, Oxford University, 2009

Honors

- Visiting Professor, Maastricht University
- Former Visiting Professor, London School of Economics
- Recipient, Medal from the Consumer Affairs Agency of the Government of Japan and the Japanese Ambassador to the European Union
- Former Visiting Professor, Chuo University, Tokyo
- Member, Data Retention Experts Group, European Commission, 2013-2014
- Associate, Centre for European Legal Studies, University of Cambridge
- Former Visiting Fellow, Wolfson College, University of Cambridge
- Former Visiting Fellow, Oxford Internet Institute
- Honored among the "Best Law Firm Writers of 2010" by the Burton Foundation
- Recognized as a 2022 BTI Client Service All-Star

Admissions

- Brussels Bar B-List
- State Bar of New York

INSIGHTS

Select Publications

- "Protecting EU Data Outside EU Borders under the GDPR," 60 *Common Market Law Review* 77-106 (2023)
- *Commentary on the EU General Data Protection Regulation*, with L. Bygrave and C. Docksey, Oxford University Press 2019
- "The Path to Recognition of Data Protection in India: The Role of the GDPR and International Standards", vol. 33 no. 1 *National Law Review of India* 69-91 (2021)
- "The GDPR and International Organizations", 114 *American Journal of International Law Unbound* 15-19 (2020)
- "International Organizations and the EU General Data Protection Regulation: Exploring the Interaction between EU Law and International Law", 16 *International Organizations Law Review* 158-191 (2019)
- "The Internet and the global reach of EU law," in: Marise Cremona and Joanne Scott (eds.), *EU Law Beyond EU Borders: The Extraterritorial Reach of EU Law*, Oxford University Press 2019
- "International agreements, data protection, and EU fundamental rights on the international stage: Opinion 1/15 (EU-Canada PNR)," 55(3) *Common Market Law Review* 857, 2018

- "Reality and Illusion in EU Data Transfer Regulation post *Schrems*," 18(4) *German Law Journal* 881-918, 2017
- Co-editor with M. Marelli, *Handbook on Data Protection and Humanitarian Action*, joint publication of the Brussels Privacy Hub and the International Committee of the Red Cross, 2017
- Co-author with D. Cooper, "Data Protection Law and International Dispute Resolution," 382 *Recueil des cours/Collected Courses of the Hague Academy of International Law*, 9-174, 2017
- "European Court Gives a Boost to EU Data Protection Reform," *Privacy Perspectives*, International Association of Privacy Professionals, April 9, 2014
- Co-author, "The Proposed EU Data Protection Regulation Two Years Late," *Bloomberg BNA Privacy & Security Law Report*, January 2014
- "Requiring Local Storage of Internet Data Will Not Protect Privacy," *OUPblog*, Oxford University Press, December 6, 2013
- "Legal Reform Is Needed Not Only in Europe," *Privacy Perspectives*, International Association of Privacy Professionals, December 2, 2013
- "Parallel Privacy Universes and PRISM," *Privacy Perspectives*, International Association of Privacy Professionals, July 30, 2013
- *Transborder Data Flows and Data Privacy Law*, Oxford University Press, May 2013
- "Where Is the Regulation of Transborder Data Flows Headed?" *Privacy Perspectives*, International Association of Privacy Professionals, April 23, 2013
- "You Just Don't Understand: The Current EU-U.S. Privacy Battles," *Privacy Perspectives*, International Association of Privacy Professionals, February 28, 2013
- "The European Commission's Proposed Data Protection Regulation: A Copernican Revolution in European Data Protection Law," *Bloomberg BNA's Privacy & Security Law Report*, February 6, 2012
- "The New EU Standard Contractual Clauses for International Data Transfers to Data Processors," *Bloomberg BNA's Privacy & Security Law Report*, April 19, 2010
- Co-author with C. Burton, "Study on Online Copyright Enforcement and Data Protection in Selected Member States," DG Internal Market and Services, European Commission, April 2010
- "Data Protection Law and International Jurisdiction on the Internet (Parts 1 and 2)," 18(3) *International Journal of Law and Information Technology*, 2010
- "Onward Transfer of Personal Data Under the U.S. Safe Harbor Framework," *Bloomberg BNA's Privacy & Security Law Report*, August 17, 2009
- "Membership in the U.S. Safe Harbor Program by Data Processors," *Bloomberg BNA's Privacy & Security Law Report*, May 12, 2008
- *European Data Protection Law: Corporate Compliance and Regulation, Second Edition*, Oxford University Press, 2007 (Chinese edition published in 2008 by Law Press China)
- *European Data Privacy Law and Online Business*, Oxford University Press, 2003
- *Internet für Juristen*, Verlag C.H. Beck, 1996 and 1999

Select Speaking Engagements

- Speaker, 44th Global Privacy Assembly (International Conference of Data Protection and Privacy Commissioners), Istanbul, October 2022
- Speaker, 40th International Conference of Data Protection and Privacy Commissioners, Brussels, October 2018
- Speaker, St Petersburg International Legal Forum, St. Petersburg, Russia, May 2018
- Speaker, 38th International Conference of Data Protection and Privacy Commissioners, Marrakesh, Morocco, October 2016
- Speaker, 33rd International Conference of Privacy and Data Protection Commissioners, Mexico City, Mexico, November 2011
- Speaker, International Data Protection Conference of the Hungarian EU Presidency, Budapest, Hungary, May 2011
- Steering Committee Member and Chairman of Panel on Conflict of Laws and Data Protection, 32nd International Conference of Privacy and Data Protection Commissioners, Jerusalem, Israel, October 2010
- Speaker, 31st International Conference of Privacy and Data Protection Commissioners, Madrid, Spain, November 2009
- Speaker, European Commission Data Protection Conference, Brussels, May 2009