

SVETLANA YAKOVLEVA

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CURRENT POSITIONS

Institute for Information Law, University of Amsterdam | *Post-Doctoral Researcher*

Working on monograph "GOVERNING CROSS-BORDER DATA FLOWS: RECONCILING EU DATA PROTECTION AND INTERNATIONAL TRADE LAW" for inclusion in the book series Oxford Data Protection and Privacy Law, to be published by Oxford University Press (preliminary approval of the editors of the series obtained October 2021)
Course: International Trade Law and Domestic Regulation

Cardozo School of Law, New York | *Adjunct Professor* (from January 2023)

Teaching a course on International Data Protection (online)

Legal Issues of Economic Integration (Kluwer International) | *Member of the Editorial Board*

De Brauw Blackstone Westbroek,¹ Amsterdam | *Senior Legal Adviser, Privacy, Data and Cybersecurity*

Expert support in high-end matters; professional publications; training junior associates

EDUCATION

Institute for Information Law, University of Amsterdam | *PhD, cum laude,*² 2021

Dissertation: "GOVERNING CROSS-BORDER DATA FLOWS: RECONCILING EU DATA PROTECTION AND INTERNATIONAL TRADE LAW"
Recipient of Henri I. Hijmans Grant

Institute for Information Law, University of Amsterdam | *Research Master in Information Law, LL.M., 2016*

Research assistant to Prof. Lucie Guibault

New York University School of Law | *Exchange semester, 2015*

Recipient of grant from Amsterdam University Fund

Erasmus University, (Rotterdam & University of Hamburg) | *European Master in Law and Economics, LL.M., 2007*

Recipient of Erasmus Mundus Scholarship

National Research University – Higher School of Economics (Faculty of Law), Moscow | *Specialist (five-year law program), with distinction,*³ 2005

Recipient of merit-based full scholarship

ACADEMIC AWARDS

Amsterdam Law School Prize for Best Publication by a junior scholar for 2019-2020 for:

¹ The largest law firm in the Netherlands.

² Highest available honor at the University of Amsterdam.

³ Highest available honor at the Higher School of Economics.

[*Privacy Protection\(ism\): The Latest Wave of Trade Constraints on Regulatory Autonomy*](#), 74 U. MIAMI L. REV. 416 (2020), also reviewed in [*Jotwell*](#)

National Research University – Higher School of Economics First Prize for the Best Student Academic Article in Law of the Year 2003-2004, later published as: Svetlana Yakovleva, *Legal Regime of the Unfinished Construction Object*, 8 KHOZIAISTVO I PRAVO (2005) 123

TEACHING EXPERIENCE

International Data Protection Law, as part of Master of Law and Science Data and Privacy Law at Cardozo Law School (online) (will be taught in March-May 2023)

Data Protection and International Flows, Data, Privacy, Property and Security, Stanford Law School, Guest lecture for Prof. Paul Goldstein Stanford, February 22, 2022 Guest (with Prof. Joris van Hoboken)

International Trade Law and Domestic Regulation, Amsterdam Law School, February-March 2022 (6 credits)

Digital Trade and Data Privacy: an EU Policy Perspective, International Trade and Domestic Regulation course, Guest Lecturer for Dr. Geraldo Vidigal, Amsterdam Law School, March 2021

Introduction to the GDPR: Core Principle and Rules Governing AI, Robots, AI & the Law course, Guest Lecturer for Prof. Daniel Gervais, Vanderbilt University Law School, February 2020 (webinar)

Big Data, AI & the Law, Robots, AI & the Law course, Guest Lecturer for Prof. Daniel Gervais, Vanderbilt University Law School, September 2018

International Trade Law & Privacy, International Trade Law course, Guest Lecturer for Prof. Timothy Meyer, Vanderbilt University Law School, September 2017

Comparative Contract Law, Life of the Law (LLM) course, Guest Lecturer for Prof. Daniel Gervais, Vanderbilt University Law School, September 2016

Insurance Law, National Research University – Higher School of Economics (Faculty of Law), Moscow, 2007-2008 (equivalent of 3 credits)

Russian Business Law, National Research University – Higher School of Economics (Faculty of Economics), Moscow, 2007-2008 (equivalent of 3 credits)

TEACHING AND RESEARCH INTERESTS

Primary: Privacy & Data Protection; Global Approaches to Law and Technology; Cybersecurity Law; Big Data, AI & the Law; International Governance of Digital Trade; Data Governance and Social Justice

Secondary: Introduction to European Law and Institutions; Introduction to Law and Economics

ACADEMIC SUPERVISION

Ten Master Theses, International and European Law master program, Amsterdam Law School (spring 2022)

Course paper “Joint Controllers and the Scope of Their Responsibilities Under the GDPR”, Information Law LL.M., Institute for Information Law, University of Amsterdam, 2021

Master Thesis, Data as a Service (DaaS): Challenges in the Classification of Trade on Services and Cross-Border Data Flows in the General Agreement on Trade in Services (GATS), International Trade and Investment Law LL.M, 2020-2021

Master Thesis, Regulations of Cross-Border Data Flows in the Era of Digital Trade--Dilemmas and Potential Solutions, International Trade and Investment Law LL.M, 2020-2021

Master Thesis, Reimagining International Investment Law: an Analysis of How the Investment Rules Interact with Sustainable Objectives, International Trade and Investment Law LL.M, 2020-2021

Master Thesis, The role of WTO Law in Governing Cybersecurity, International Trade and Investment Law LL.M, 2019-2020

PUBLICATIONS

BOOKS

GOVERNING CROSS-BORDER DATA FLOWS: RECONCILING EU DATA PROTECTION AND INTERNATIONAL TRADE LAW, forthcoming with Oxford University Press (forthcoming)

CONTRACT LAW IN RUSSIA (Hart Publishing, 2014) (with Maria Yefremova & Jane Henderson)

BOOK CHAPTERS

[*EU's Trade Policy on Cross-Border Data Flows in the Global Landscape: Navigating the Thin Line between Liberalizing Digital Trade, 'Digital Sovereignty' and Multilateralism*](#), in Elaine Fahey, Isabella Mancini (eds.), UNDERSTANDING THE EU AS A GOOD GLOBAL ACTOR (Edward Elgar 2022)

[*The Algorithmic Learning Deficit: Artificial Intelligence, Data Protection, and Trade*](#), in Mira Burri (ed.), BIG DATA AND GLOBAL TRADE LAW (Cambridge University Press, 2021) (with Joris van Hoboken)

[*Privacy and Data Protection in the EU- and US-led Post-WTO Free Trade Agreements*](#), in Rhea Tamara Hoffmann & Markus Krajewski (eds), COHERENCE AND DIVERGENCE IN SERVICES TRADE LAW, EUROP. Y.B. OF INT'L ECON. L. (2020)

Overview and Legal Background of the Russian Legal System, Federal structure, Constitution, Sources of Law, and Insurance, in Tomi Asanti (ed.), CORPORATE COUNSEL'S GUIDE TO DOING BUSINESS IN RUSSIA (Thomson Reuters, 2008) (with Maria Yefremova)

ACADEMIC ARTICLES

Privacy Peg, Trade Hole: Why We (Still) Shouldn't Put Data Privacy in Trade Law (with Kristina Irion and Margot E. Kaminski). Responding to Chander & Schwartz's Privacy and/or Trade, U. CHI. L. REV. ONLINE (forthcoming)

[*Three Data Realms: Convergence or Competition*](#) (forthcoming)

[*Editorial: On Digital Sovereignty, New European Data Rules, and the Future of Free Data Flows*](#), 49(4) LEGAL ISSUES OF ECONOMIC INTEGRATION (2022)

[*Privacy Protection\(ism\): The Latest Wave of Trade Constraints on Regulatory Autonomy*](#), 74 U. MIAMI L. REV. 416 (2020)
Reviewed by Prof. Margot Kaminski, [*Are Data Privacy Laws Trade Barriers?*](#) JOTWELL (2020)

[Personal Data Transfers in International Trade and EU Law: A Tale of Two 'Necessities,'](#) 21(6) J WORLD INV. AND TRADE (2020)

[Kaleidoscopic Data-Related Enforcement in the Digital Age,](#) 57(5) COMMON MKT L. REV (2020) (with Wessel Geursen & Axel Arnbak)

[Toward Compatibility of the EU Trade Policy with the General Data Protection Regulation,](#) 114 AM. J INT'L LAW UNBOUND (2020) (with Kristina Irion)

[Pitching Trade Against Privacy: Reconciling EU Governance of Personal Data Flows With External Trade,](#) 10(3) INT'L DATA PRIVACY L. (2020) (with Kristina Irion)

[Should Fundamental Rights to Privacy and Data Protection Be a Part of The EU's International Trade Deals?](#) 17:3 WORLD TRADE REV. 477 (2018)

[The Best of Both Worlds? Free Trade in Services and EU Law on Privacy and Data Protection,](#) 2 EUR. DATA PROT. L. REV. 191 (2016) (with Kristina Irion)

[Russia's New Anti-Piracy Law: A Critical Analysis,](#) 37 EUR. INTELL. PROP. REV. 608 (2015)

[European Commission's Progress Reports on Digitisation of the European Cultural \(and Film\) Heritage,](#) 3 CAHIERS DE LA DOCUMENTATION - BLADEN VOOR DOCUMENTATIE 74 (2015)

BOOK REVIEWS

[Review of Madeleine de Cock Buning and Linda Senden \(Eds.\), Private Regulation and Enforcement in the EU. Finding the Right Balance from a Citizen's Perspective.](#) Oxford: Hart Publishing, 2020. COMMON MKT L. REV 59(1) (2022), 271 – 272

RESEARCH PAPERS, PROFESSIONAL ARTICLES AND COMMISSIONED STUDIES

[Standing of Consumer Organizations in Data Protection Representative Actions,](#) MASS CLAIMS (2022)

[Contribution to the public consultation on the Guidelines 05/2021 on the Interplay between the application of Article 3 and the provisions on international transfers as per Chapter V of the GDPR](#) (with Laura Drehsler)

[Mass Damage Claims for GDPR Infringements: A Multi-Jurisdictional Perspective,](#) MASS CLAIMS (2021) (with Geert Potjewijd, Fernando Aguilar de Carvalho, Catherine Derrig, Joanna Fulton, Sulvie Gallage-Alwis, Alex Ferreres Comella, Wanessa Wettner)

[Literature Review on the Use of Licensing in Library Context, and the Limitations This Creates to Access to Knowledge,](#) International Federation of Libraries Associations, August 2017

[Trade and Privacy: Complicated Bedfellows? How to Achieve Data Protection-Proof Free Trade Agreements,](#) Study commissioned by the European Consumer Organisation, Center for Digital Democracy (CDD), The Transatlantic Consumer Dialogue (TACD) and European Digital Rights (EDRi), July 13, 2016, Amsterdam (with Kristina Irion and Marija Bartl)

INTERACTIVE MEDIA & BLOGPOSTS

[GDPR Transfer Rules vs Rules on Territorial Scope: A Critical Reflection on Recent EDPB Guidelines from both EU and International Trade Law Perspectives,](#) 9 December 2021, EUR. LAW BLOG

[Court of Justice of the European Union: Grand Chamber Judgement on the Concept of Data Controller,](#)

IRIS – LEGAL OBSERVATIONS OF THE EUROPEAN AUDIOVISUAL OBSERVATORY, 2018-8:1/5

[European Commission: Communication on Completing a Trusted Digital Single Market for All](#), IRIS – LEGAL OBSERVATIONS OF THE EUROPEAN AUDIOVISUAL OBSERVATORY, 2018-7:1/9

[European Commission: Imposing Swedish Ban on Alcohol Advertising on Two UK Broadcasters is Not Compatible with EU Law](#), IRIS – LEGAL OBSERVATIONS OF THE EUROPEAN AUDIOVISUAL OBSERVATORY, 2018-4:1/8

[European Commission: Public Consultation on the Europeana](#), IRIS – LEGAL OBSERVATIONS OF THE EUROPEAN AUDIOVISUAL OBSERVATORY, 2018-1:1/9

[European Commission: Communication on Mid-Term Review of Digital Single Market Strategy](#), IRIS – LEGAL OBSERVATIONS OF THE EUROPEAN AUDIOVISUAL OBSERVATORY, 2017-7:1/7

[European Commission: Proposal For New E-Privacy Regulation](#), IRIS – LEGAL OBSERVATIONS OF THE EUROPEAN AUDIOVISUAL OBSERVATORY 2017-3:1/6

[Court Of Justice of The European Union: Tele2 Sverige Ab v Post-Ochtelestyrelsen](#), IRIS – LEGAL OBSERVATIONS OF THE EUROPEAN AUDIOVISUAL OBSERVATORY 2017-2:1/3

[Human Rights Committee: New Resolution on the Safety of Journalists](#), IRIS – LEGAL OBSERVATIONS OF THE EUROPEAN AUDIOVISUAL OBSERVATORY 2016-10:1/1

[European Commission: Consultation on The Evaluation and Review of the E-Privacy Directive](#), IRIS LEGAL OBSERVATIONS OF THE EUROPEAN AUDIOVISUAL OBSERVATORY 2016-6:1/4

[European Commission: The Digital Single Market Strategy for Europe](#), IRIS – LEGAL OBSERVATIONS OF THE EUROPEAN AUDIOVISUAL OBSERVATORY 2015-6:1/3

[Office for Harmonisation in the Internal Market: Launching of the Orphan Works Database](#), IRIS – LEGAL OBSERVATIONS OF THE EUROPEAN AUDIOVISUAL OBSERVATORY 2015-2:1/4

[Russia's New Anti-Piracy Law. Throwing The Baby out with the Bath Water?](#), KLUWER COPYRIGHT BLOG (March 9, 2015)

[Public Libraries: The Right to Digitise and the Right of Reproduction, Kluwer Copyright Blog](#) (October 17, 2014)

[European Commission: Progress Report on Film Heritage Digitisation](#), IRIS – LEGAL OBSERVATIONS OF THE EUROPEAN AUDIOVISUAL OBSERVATORY 2015-1:1/5

[European Commission: Progress Report on Cultural Heritage Digitization](#), IRIS – LEGAL OBSERVATIONS OF THE EUROPEAN AUDIOVISUAL OBSERVATORY 2014-10:1/3

PUBLICATIONS IN OTHER LANGUAGES

Caleidoscopische handhaving en datagebruik van ondernemingen, in PREADVIES VAN DE VERENIGING 'HANDELSRECHT.' ONDERNEMING, DIGITALISERING EN DATA OVER CORPORATE GOVERNANCE EN HANDHAVING IN HET DIGITALE TIJDPERK, Uitgeverij Paris (2019) (in Dutch) (with Wessel Geursen & Axel Arnbak)

Economic Analysis of Business Law, in Oksana M. Oleynik & Yuri B. Fogelson (eds), BUSINESS LAW: CURRENT CHALLENGES 12-37 (2009) (in Russian)

Drie Mogelijke Boetes van Mededingings-, Consumenten- en Persoonsgegevensautoriteiten voor hetzelfde

datagebruik, 2 TIJDSCHRIFT MEDEDINGINGSRECHT IN DE PRAKTIJK (2020) (in Dutch) (with Wessel Geursen & Axel Arnbak)

The Principle of Good Faith and the Prohibition of Abuse of Right in Russian Contract Law, 11 KHOZIAISTVO I PRAVO 54 (2010) (in Russian)

The Withdrawal of the Financial Market Participants' License: Grounds and Procedures. Cross-Sectoral Comparison and Comparison with International Principles, 3 KHOZIAISTVO I PRAVO 82 (2009) (in Russian)

Legal Qualification of Cash Value Life Insurance, 4 INSURANCE L. 14 (2009) (in Russian)

The Principle of Good Faith in Contract Law: Russian Legislation And Court Practice, 1 KHOZIAISTVO I PRAVO 102 (2009) (in Russian)

Legal Regime of the Unfinished Construction Object, 8 KHOZIAISTVO I PRAVO (2005) 123 (in Russian)

ADDITIONAL ACADEMIC APPOINTMENTS

Institute for Information Law, University of Amsterdam | Project Researcher, Summer 2017

Worked on the Privacy Bridges Implementation Report for the 30th International Conference of Data Protection and Privacy Commissioners, Hong Kong, 25-29 September 2017

Centre for IT Research and Expertise, Russian Presidential Academy of National Economy and Public Administration, Moscow | Senior Lawyer, 2012 - 2013

Worked on the amendments to Russian Data Protection Law; designed and drafted amendments to federal legislation implementing a governmental project on digitization of public services and administration; performed comprehensive legal assessments of draft legislative acts on behalf of the Russian Ministry of Economic Development

National Research University – Higher School Of Economics (Faculty of Law), Moscow | Project Researcher, 2007 – 2008 (part-time)

Co-authored the Federal Law ‘On Compulsory Carriers’ Liability Insurance to Passengers’ and accompanying academic study for the Ministry of Transport of Russia; conducted academic research into the regulation of supervision of financial markets

SELECTED OTHER EXPERIENCE

Yefremova & Yakovleva. Legal Services & Research, Moscow | Co-Founder & Legal Counsel, 2007 –2012

Represented predominantly foreign clients to governmental authorities, courts and alternative dispute resolution bodies; designed structures in contractual relationships; drafted & negotiated contracts in Russian and English; provided legal advice; planned, organized and directed activities of the firm

Debevoise & Plimpton LLP, Moscow, Russia | Trainee-Lawyer, 2005- 2006

Researched on various legal matters in the areas of corporate and insurance law; conducted due diligence of major Russian companies; drafted bilingual share purchase agreements; drafted Banker’s Blanket Bond (BBB) insurance rules for a top five Russian banks

SELECTED PRESENTATIONS

Data Benefit-Sharing: The International Governance of Cross-Border Data Flows from a Social Justice Perspective, paper workshop, Privacy Law Scholars Conference, Northeastern University, Boston, Massachusetts, May 2022.

- Book Session: 'Industry Unbound' By Ari Waldman*, panelist, Computers, Privacy & Data Protection. Data Protection & Privacy in Transitional Times, January 2022
- Meet the Author Series: Territorial Scope and Data Transfer Rules in the GDPR: Realising the EU's Ambition of Borderless Data Protection (Prof. Christopher Kuner)*, Speaker, Brussels Privacy Hub, 20 January 2022.
- EU's Trade Policy on Cross-border Data Flows in the Global Landscape: Navigating the Thin Line Between Liberalizing Digital Trade, "Digital Sovereignty" and Multilateralism*, Digital Legal Talks 2021, Digital Legal Lab Research Collaboration, online, December 2021.
- EU Policy on Data Flows: Digital Trade, Multilateralism and Fundamental Rights*, Workshop Understanding the EU as a Good Global Governance Actor, City Law School, Institute for Study of European Law, London, July 2021
- Governing Cross-Border Data Flows: Reconciling EU Data Protection and International Trade Law*, Guest Speaker, Brussels Privacy Hub Doctoral Seminar, Brussels, December 2020
- Reconciling Privacy and Global Data Flows the EU Way*, Workshop EU as a Good Global Actor, City Law School, Institute for Study of European Law, London, June 2020
- Commenter on Aileen Nielsen's paper "Measuring Lay Reactions to Personal Data Markets"*, Privacy Law Scholars Conference (PLSC), George Washington University, Washington DC, June 2020
- The Power of Discourse in International Trade Law: Privacy and Data Protection as Exemplars*, 9th Conference of the Postgraduate and Early Professionals/Academics Network of the Society of International Economic Law (PEPA/SIEL) 2020, Hebrew University of Jerusalem, Jerusalem, Israel, May 2020
- Cybersecurity & WTO Law, Panel Chair*, International Economic Law and Security Interests, University of Amsterdam, Netherlands, November 2019
- The EU's Negotiating Position on Cross-Border Transfers of Personal Data in Ongoing Trade Negotiations*, Expert Dialogue on Data Protection in the EU's Trade Law and Policy, Utrecht University, Netherlands, December 2019
- Data Enforcement in the Digital Age*, paper workshop, Privacy Law Scholars Conference Europe (PLSC-E), University of Amsterdam, Netherlands, October 2019
- Towards a Reform of the EU Regime for International Transfers of Personal Data*, paper workshop, Privacy Law Scholars Conference (PLSC), University of California, Berkeley, May 2019
- Personal Data Transfers in International Trade and EU Law: A Tale of Two "Necessities"*, TILTING Perspectives, Tilburg, Netherlands, May 2019
- Privacy and Data Protection Provisions in the EU and US-led Post-GATS Free Trade Agreements*, Coherence and Divergence in Agreements on Trade in Services (International Workshop), Friedrich-Alexander-Universität Erlangen-Nürnberg, Erlangen, Germany, March 2019
- Privacy Protection(ism)*, Computers, Privacy and Data Protection, Brussels, Belgium, January-February 2019
- Personal Data Transfers in International Trade and EU Law*, Data as Commodity, University of Oslo, Faculty of Law, Oslo, December 2018

The Algorithmic Learning Deficit: Artificial Intelligence, Data Protection, and Trade (with Joris van Hoboken), Big Data and Trade, Lucerne, Switzerland, November 2018

Privacy Protection(ism), Amsterdam Privacy Conference, Amsterdam, Netherlands, October 2018

The EU GDPR as a Global Privacy Law, public lecture at Vanderbilt University Law School, Nashville, Tennessee, September 2018

Privacy Protection(ism), paper workshop, Privacy Law Scholars Conference (PLSC), George Washington University, Washington DC, May 2018

Digital Trade, Privacy and Innovation, public lecture, Law & Technology Center, University of Hong Kong Faculty of Law, Hong Kong, September 2017

International Trade and the Privacy of Individuals: Reconciling the Irreconcilable? Paper workshop, Privacy Law Scholars Conference (PLSC), University of California, Berkeley, June 2017

Should Fundamental Rights to Privacy and Data Protection be a Part of EU's International Trade Deals? Dynamic Between Fundamental Rights Protecting Personal Data and International Trade Law, paper workshop, Privacy Law Scholars Conference (PLSC-Europe), Tilburg University, The Netherlands, May 2017

How to Stop Data Protection and Privacy Being Undermined in TiSA, the New Plurilateral Trade Agreement, panelist, Computers, Privacy and Data Protection conference, Brussels, Belgium, January 2017

The Protection of Privacy and Personal Data in International Trade Agreements, public lecture to the International Law Society, Vanderbilt University Law School, Nashville, Tennessee, September 2016

LANGUAGES

English (fluent), Russian (native), French (intermediate), Dutch (intermediate), German (intermediate)