Part 6

Future gazing:
ePrivacy and AI regulation

Incoming regulations

SET ENABLING CONDITIONS

MAKE THE EU THE RIGHT PLACE

FOUR KEY POLICY OBJECTIVES

BUILD STRATEGIC LEADERSHIP IN THE SECTORS

ENSURE AI TECHNOLOGIES WORK FOR PEOPLE
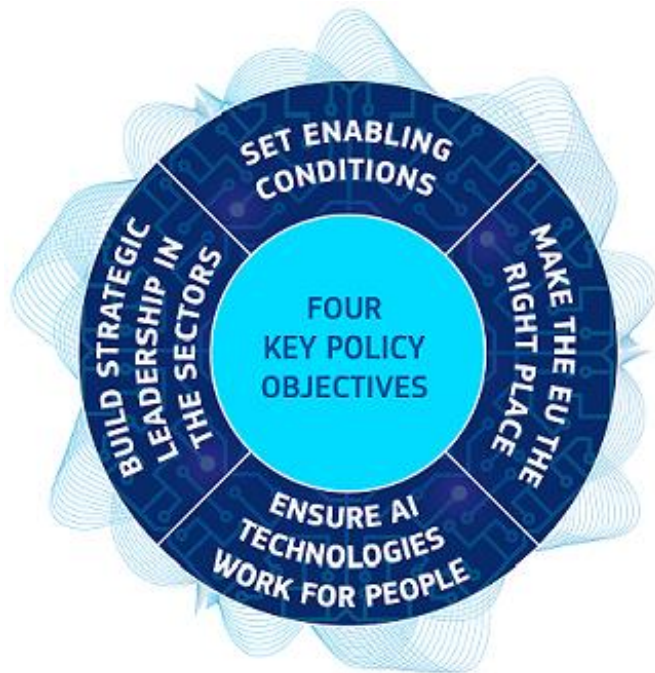
The EU regulatory proposal aims to provide AI developers, deployers and users with clear requirements and obligations regarding specific uses of AI.

The EU's strategy on AI is focused on 3 goals:

- place Europe ahead of technological developments and encourage the uptake of AI by the public and private sectors
- prepare for socio-economic changes brought about by AI
- ensure an appropriate ethical and legal framework

The long-awaited ePrivacy regulation should also provide a helpful regulatory context to enforce on online privacy issues associated with AI, such as real-time bidding.

A new legislative paradigm?

Responsibilities?
1. How have you controlled the development, testing, rollout and then implementation in context of AI systems ensuring the management and challenge of bias?
2. What specific consents, notices and checks and balances are in place for fairness and transparency for these purposes?
3. On what basis have the data banks been built and used in relation to which purposes?
4. What specific consents, notices and checks and balances are in place for fairness and transparency for data bank accrual and use and what should not be allowable in terms of data scraping etc?

Lomas & Almeida 2021

A new legislative paradigm?

5. What are the limitations of AI performance capabilities for different purposes taking into consideration the design context?

6. What accountability is in place for different use?

8. How can this accountability be explicitly exercised, explained and audited for a range of stakeholder needs?

9. How are complaint and challenge processes enabled and afforded to all?

10. Can counter-AI initiatives be conducted to challenge and test law enforcement and audit systems?

Thank you!

Part 6 - Readings

European Union's Coordinated Plan on Artificial Intelligence 2021 (https://digital-strategy.ec.europa.eu/en/policies/plan-ai) alongside point 1 (Explanatory Context) of the proposed Artificial Intelligence Act: https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1623335154975&uri=CELEX%3A52021PC0206

EU proposal for an ePrivacy Regulation: https://digital-strategy.ec.europa.eu/en/policies/eprivacy-regulation

Veale, M. and Borgesius, F.Z., 2021. Adtech and Real-Time Bidding under European Data Protection Law. Available at: https://osf.io/preprints/socarxiv/wg8fq/