

The future of European public law under the influence of automated decision-making INDIGO Final Conference - Draft AGENDA (status of 18/07/2023)

Thursday – Friday, September 14-15, 2023

The Conference will be hosted at The University of Luxembourg, 4, rue Alphonse Weicker,
Luxembourg

New developments of automation are being developed and deployed in diverse policy areas. The conference asks how to ensure the possibilities of maintaining the rule of law in an era of new technological possibilities and asks: How can EU public law be developed to ensure a framework and developing the criteria for the exercise of public powers under conditions of advancing automation of decision-making?

This is the closing conference of the project **Information in the EU's Digitalised Governance** (INDIGO). It is looking on what has been learnt, brings together policy proposals and seeks to further the debate on the project's main questions for the future.

Thursday 14 September

MORNING SESSION

09.00 – 09.15

Welcome

09.15 – 09.30

Introduction

Dean Prof. Katalin Ligeti, Faculty of Law Economics and Finance, University of Luxembourg

Prof. Herwig Hofmann, University of Luxembourg

Session 1: The Background – Law and Technology

09.30 – 11:10

**Accountability, Rule of Law and Automation of Decision-Making
in European Union Public Law**

*“Roles and rules for AI in the application and enforcement of EU law”
Paul Nemitz, European Commission (+/- 15 min, followed by 10 min discussion
with all the participants)*

*“The legal framework for automation of decision making in EU public law”
Prof. Herwig Hofmann, University of Luxembourg (+/- 15 min, followed by 10
min discussion with all the participants)*

*“The right to be heard as a milestone in an automated decision-making era”
Isabella Alberti, Department of law, UNITO, Turin (TO), Italy (+/- 15 min,
followed by 10 min discussion with all the participants)*

"Access to effective remedies against automated decision-making"
Dr. Simona Demková, Assistant Professor, Europa Institute of Leiden Law School
(+/- 15 min, followed by 10 min discussion with all the participants)

Chair: Prof. Päivi Leino-Sandberg, University of Helsinki

11:10 – 11:30

Coffee Break

11.30 – 13:10

Interoperability as legal and practical concept – raising data availability and data quality whilst protection of personal data?

"Interoperability as legal and practical concept - raising data availability and data quality whilst protection of personal data?"

Prof. Jens-Peter Schneider, Franka Enderlein and Johannes Erny, University of Freiburg (+/- 15 min, followed by 10 min discussion with all the participants)

"The AI Act and the processing of data: a step forward?"

Kai Zenner, Büro Axel Vos, Reporter MEP AI Act (+/- 15 min, followed by 10 min discussion with all the participants)

"The EU's New Interoperability Policy and Regulation: Challenges and Opportunities for the European Digital Single Market"

Dr. Felix Pflücke (+/- 15 min, followed by 10 min discussion with all the participants)

"Access to sets of big data necessary for automated decision-making"

Prof. Ferčič & Rok Dacar, University of Maribor, Slovenia (+/- 15 min, followed by 10 min discussion with all the participants)

Chair: Prof. Joana Mendes, University of Luxembourg

13.10 – 14.10

Lunch break

Session 2: Development of ADM in policy fields and the EU's new data acts

14:10 – 15:10

Markets, services and the new data acts

"Collaborative Governance of the EU Digital Single Market"

Prof. Jens-Peter Schneider, Kester Siegrist and Simon Oles, Universität Freiburg (+/- 15 min, followed by 10 min discussion with all the participants)

Political advertising and the new data acts

"Regulating automated and targeted political advertising in EU law"

Prof. Päivi Leino-Sandberg, Miikka Hiltunen, University of Helsinki (+/- 15 min, followed by 10 min discussion with all the participants)

Chair: Prof. Deirdre Curtin, European University Institute

15:10 – 15:35

Break

15:35 – 16:35

Automation in borders and immigration – experiences and lessons

"Regulating AI in the Area of Freedom"

Prof. Franziska Boehm, Karlsruhe Institute of Technology, Dr. Paulina Jo Pesch, Karlsruhe Institute of Technology (+/- 15 min, followed by 10 min discussion with all the participants)

"Externalising Human Rights at EU Borders Through the use of Modern Tech"

Prof. Iris Goldner Lang, University of Zagreb - Faculty of Law (+/- 15 min, followed by 10 min discussion with all the participants)

"Setting up EU information systems: Business process modelling and legal requirements. The case of EU customs information systems"

Dr. François Lafarge, INSP (+/- 15 min, followed by 10 min discussion with all the participants)

Chair: Tamara Capeta, Advocate-General, Court of Justice

19:30 Conference Dinner (for speakers - Restaurant Chiggeri, rue du Nord, Luxembourg Ville)

Friday 15 September

Session 3 (Continuation of Session 2) Automation and new data acts

10:00-10:30

Financial Regulation, the Rise of regulatory technologies and the new Data Acts

*"Regulation by Information – towards Real Time Regulation" (tbc)
Prof. Dirk Zetsche, University of Luxembourg (+/- 15 min, followed by 10 min discussion with all the participants)*

Chair: Marek Wierzbowski, Warsaw University School of Law

10:30- 10:50

Coffee break

10:50-12:00

Automation of decision making and the development of types of AI

"Automated Decision-making in the EU Administration, the Interplay Between Lawfulness and Explainability"

Dr. Davide Liga, University of Luxembourg (+/- 15 min, followed by 10 min discussion with all the participants)

"Between Humans and Machines: Judicial Interpretation of the Automated Decision-Making Practices in the EU"

Dr. Elif Biber, University of Luxembourg (+/- 15 min, followed by 10 min discussion with all the participants)

Chair: Dr. Rëka Marcovic, University of Luxembourg

12:00-13:00

Lunch

Session 4 : What Europe's public law needs – the new digital rulebooks and public law

13:00 – 14:40

Good administration, the new digital rulebooks and a new administrative procedure law?

"The impact of the IA Act on public authorities and on administrative procedures"
Prof. Oriol Mir, Universitat Pompeu Fabra (+/- 15 min, followed by 10 min discussion with all the participants)

"ICT in general and AI in particular in the specific context of administrative procedure"
Prof. Diana-Urania Galetta, University of Milan (+/- 15 min, followed by 10 min discussion with all the participants)

"Good Administration & Digitalisation – A View from the European Ombudsman" (tbc)
Dr. Michal Krajewski, European Ombudsman (+/- 15 min, followed by 10 min discussion with all the participants)

"European Data Strategy – opportunities for the public sector"
Katja Vaahtera, European Commission, Luxembourg (+/- 15 min, followed by 10 min discussion with all the participants)

Chair: Prof. Jacques Ziller

14:40

Closing words

14:40

INDIGO consortium meeting

Future research – discussion about needs