

# Artificial Intelligence Regulation: Problems and Perspectives

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I Semester: 2024/2025

*Schedule:* November 5, 2024, 15:00-17:00  
November 12, 2024, 15:00-17:00  
November 19, 2024, 15:00-17:00  
November 26, 2024, 15:00-17:00  
December 3, 2024, 15:00-17:00  
December 10, 2024, 15:00-17:00  
December 17, 2024, 15:00-17:00  
January 7, 2024, 15:00-17:00

*Description:* The course aims at providing students with an introduction to the problems arising from AI development and use, particularly with reference to its regulation in the global and European context. The course offers a legal perspective on the topic, analyzing the disciplines adopted to date in the global context. Students are required to attend the lessons, to read the suggested materials and to participate in the class discussion, as well as to produce a final essay on a topic to be agreed with the instructor.

*Assessment:* students will be required to prepare a paper that will be discussed at the end of the course, in February 2025. Students will be assessed on the basis of their in-class participation (40%) and of their final essay (60%).

## **I. The Globalization of Law and the regulation of AI**

November 5, 2024, 15:00-17:00

The class will provide a general introduction to the course and to the notion and limits of global law and AI regulation.

All students are required to read the following material:

M. Shapiro, *The Globalization of Law*, 1 Indiana Journal of Global Legal Studies (1993)

H. Hofmann, *Automated Decision-Making in EU Public Law*, provided by the professor.

## **II. The European AI Act: an overview**

November 12, 2024, 15:00-17:00

We will read and discuss contents, scope, tools, mechanism and rules of the EU AI Act.

All students are required to read the following material:

EU AI Act

## **III. The European AI Act (continue)**

November 19, 2024, 15:00-17:00

We will read and discuss contents, scope, tools, mechanism and rules of the EU AI Act.

All students are required to read the following material:

EU AI Act

## **IV. Global and Foreign Perspectives: OECD, Council of Europe and the USA**

November 26, 2024, 15:00-17:00

The course will analyze the use of AI by public bodies, in particular for decision concerning policies, rulemaking and adjudication procedures.

All students are required to read the following material:

OECD, Recommendation of the Council on Artificial Intelligence, OECD/LEGAL/0449

Council of Europe Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law [CETS 225]

C. van Noordt, G. Misuraca, *AI for the Public Sector*, Government Information Quarterly, 2022

C. Sharkey, *Government by Algorithm* (extract), provided by the professor.

## **V. AI and governance of the digital services**

December 3, 2024, 15:00-17:00

The course will analyze the interplay between the AI Act and the Digital Services Act

All students are required to read the following material:

J.P. Schneider et al., *Collaborative Governance of the EU Digital Single Market*, provided by the professor.

## **VI. AI and Public Administration**

December 10, 2024, 15:00-17:00

The course will analyze the use of AI by public bodies.

All students are required to read the following material:

O. Mir, *Algorithms, Automation, and Administrative Procedure at EU Level*, provided by the professor.

## **VII. AI and Due Process of Law**

December 17, 2024, 15:00-17:00

The course will analyze the problems arising from automated administrative decision. The class will explore more in detail the following issue: how are individuals' due process rights guaranteed vis-à-vis administrative decisions taken by algorithms?

All students are required to read the following material:

M.E. Kaminski, J.M. Urban, *The Right to Contest AI*, Columbia Law Review, n. 7/2021 (only pages 1957-2002).

## **VIII. AI, Data Protection and freedom of speech**

January 7, 2024, 15:00-17:00

The course will analyze the interplay of AI regulation, GDPR, and freedom of speech

All students are required to read the following material:

S. Wrigley et al., *Freedom of political speech lost in translation? The four regulatory frames of automated and targeted political advertising in EU law*, provided by the professor.