

## **RISKS AND REGULATION OF NEW TECHNOLOGIES NEGOTIATION BOOTCAMP**

Professor: **Raphaële Xenidis**  
Negotiation sessions: **Gabriele Cifrodelli**  
Language of instruction: **English**



### **Objective of the Course**

New technologies are used increasingly in many areas of life both in the private and in the public sector: to support medical diagnoses and enhance healthcare; to predict systemic risks such as earthquakes, fires and climatic events; to help human resource services to hire job candidates; to assist banks and financial institutions when they provide credits and insurance policies; to generate hyper-realistic text and images or even art; to predict crime and shape policing strategies or to make recommendations to judges about sentences, etc. Combined with big data and AI, new technologies offer a lot of opportunities, for example by optimizing decision-making processes, providing new insights into complex phenomena, making risk assessments or recommendations more reliable, automating costly or dangerous tasks, and making goods or services more accessible to consumers. However, new technologies also present numerous risks for human safety, security and fundamental rights. This course delves into those risks and their regulation by European and international law- and policy-makers.

This course has a triple objective.

(1) First, the course aims to provide a general understanding of the main contemporary issues linked to the risks and the regulation of new technologies, artificial intelligence and big data. It also aims to raise awareness on how complex it is to regulate technology-related risks without stifling innovation.

(2) Second, the course aims to introduce the students to human rights and the regulation of technology in Europe, and the main theories that underpin these subjects. It will enable students to acquire a general understanding of the foundations of European fundamental rights law as well as the emerging field of law and technology. The course will also introduce students to the regulatory dilemmas that arise when policy-makers attempt to respond legally to emerging risks in multilateral settings where diverging interests are at stake.

(3) Third, the course aims to familiarize students with negotiating practices and law-making processes. Students will discover and experience the complexity of multilateral law- and policy-making, with a focus on the European Union (EU).



## Summary

The general aim of this course is to explore the global issues and regulatory challenges linked to new technologies and the related law- and policy-making processes through both a practical and a theoretical point of view. This course will be hybrid and will be composed of theoretical sessions dedicated to introducing European fundamental rights law and technology regulation, the theories underpinning such laws and reflections on related policy dilemmas, combined with sessions dedicated to negotiation simulations.

The **theoretical sessions** will introduce students to the main theories and concepts of European fundamental rights law and technology regulation. This will enable students to put their practical experience into perspective, to locate it in the more general spectrum of EU law and technology regulation and global challenges and to analyze it in the light of theories of fundamental rights.

Three **rounds of negotiations** will be held, during which students will be in charge of embodying an actor at the Council of the European Union. Each round of negotiations will be dedicated to a specific regulatory challenge (AI, online platforms, the metaverse). The sessions will be composed of informal and formal negotiations between the participants. Participants will make proposals that will be discussed, amended and voted. The final aim of the rounds of negotiation is to agree on and vote on amended legislative proposals.



## Organization of the course

### OPENING LECTURES

#### Opening Lecture Part 1

#### Human rights in the age of new technologies, AI and big data: what risks and opportunities?

This session introduces students to the opportunities and risks of new technologies, AI and big data with concrete examples of global issues at the macro level and zooms in on real problem scenarios at the micro-level. It introduces theories of digital constitutionalism in accessible terms.

Play a game: [The Moral Machine](#)

- What ethical and moral dilemma have you faced while playing this game?
- How did you solve these dilemmas?

Read: James Bridle, '[The Stupidity of AI](#)', The Guardian (2023)

- Why does the author argue that AI is 'stupid'?
- Why is the term 'artificial intelligence' problematic?

## Opening Lecture Part 2

### How does the European Union regulate new technologies? A journey into EU law- and policy-making

*This session introduces students to EU law- and policy-making by presenting the main institutions and actors involved in the legislative process. It offers examples of major tech regulation initiatives in Europe.*

Watch videos:

- EU Made Simple, '[How does the EU pass laws?](#)' (2024)
- EU Made Simple, '[The EU AI Act Explained](#)' (2024)

Read: Mario Mariniello, '[On tech regulation, the European Union should be bolder](#)' (20 February 2025)

- What are examples of tech regulations adopted by the European Union?
- What dilemmas do regulators face when addressing the risks of new technologies?
- What could the European Union do differently?

## Negotiation Preparatory session

### Preparation to the negotiation simulation

## Negotiations round 1

### Regulating artificial intelligence

## European fundamental rights law 1

### The right to non-discrimination in the age of algorithms

Readings and videos:

- Tapasya and Kumar Sambhav and Divij Joshi, 'How an algorithm denied food to thousands of poor in India's Telangana' (AlJazeera, 24 January 2024) available at : <https://www.aljazeera.com/economy/2024/1/24/how-an-algorithm-denied-food-to-thousands-of-poor-in-indias-telangana>
- Amnesty International, 'Ban dangerous facial recognition technology that amplifies racist policing' (26 January 2021) available at <https://www.amnesty.org/en/latest/press-release/2021/01/ban-dangerous-facial-recognition-technology-that-amplifies-racist-policing/>
- Joy Buolamwini, 'How I'm fighting bias in algorithms' (TEDxBeaconStreet, November 2016) available at [https://www.ted.com/talks/joy\\_buolamwini\\_how\\_i\\_m\\_fighting\\_bias\\_in\\_algorithm](https://www.ted.com/talks/joy_buolamwini_how_i_m_fighting_bias_in_algorithm)

[ms?subtitle=en](#) [8 minutes 34]

- Cathy O'Neil, 'The era of blind faith in big data must end' (TED, April 2017) [13 minutes 9 seconds] available at [https://www.ted.com/talks/cathy\\_o\\_neil\\_the\\_era\\_of\\_blind\\_faith\\_in\\_big\\_data\\_must\\_end?subtitle=en](https://www.ted.com/talks/cathy_o_neil_the_era_of_blind_faith_in_big_data_must_end?subtitle=en)

## European fundamental rights law 2

### Freedom of expression and information in the age of online platforms

#### Readings and video:

- Yuval Noah Harari, '[Never summon a power you can't control](#)': Yuval Noah Harari on how AI could threaten democracy and divide the world (2024)
- Jeremy White, 'See How Easily A.I. Chatbots Can Be Taught to Spew Disinformation' (The New York Times, 19 May 2024) available at <https://www.nytimes.com/interactive/2024/05/19/technology/biased-ai-chatbots.html>
- Rachel Griffin, [Algorithmic Content Moderation Brings New Opportunities and Risks](#) (2023)

## Negotiations round 2

### Regulating online platforms

## European fundamental rights law 3

### The right to privacy and data protection in the age of big data

#### Reading and videos:

- Anissa Saunder, [Our Paradoxical Behavior with Privacy](#) (2020)
- Canada Research Chair in AI Law & Data Governance, 'What is The Privacy Fallacy' (Youtube, 12 déc. 2023) [2 minutes 20] available at <https://www.youtube.com/watch?v=yCPtn-U77ro>
- Ignacio Cofone, 'Donner Prize 2023 - The Privacy Fallacy' (Donner Prize, 9 May 2024) available at <https://www.youtube.com/watch?v=Cdbr2RurPFI>

## Negotiations round 3

### Regulating the metaverse

## European fundamental rights law 4

### The right to work in the age of algorithmic management

#### Readings

- Antonio Aloisi, 'Has Covid-19 Increased Worker Surveillance?' (IE Insights, 10 January 2022) available at <https://www.ie.edu/insights/videos/has-covid-19-increased-worker-surveillance/>

- Zoë Corbyn, 'The AI tools that might stop you getting hired' (The Guardian, 3 February 2024) available at <https://www.theguardian.com/technology/2024/feb/03/ai-artificial-intelligence-tools-hiring-jobs>
- ETUC, 'Platform Work Directive: a milestone towards innovation that delivers for all' (29 March 2024) available at <https://www.etuc.org/en/publication/platform-work-directive-milestone-towards-innovation-delivers-all>



## Assessment

**Introductory speech / position statement (30%):** At the beginning of each negotiation, we will go around the table and for each delegation a designated representative will make a 2-minute speech in which the position of the delegation will be presented. Students will be evaluated on their capacity to identify the main objectives of the represented actor, on their capacity to synthesize the position of the represented actor and on their presentation skills.

**Final essay (40%):** At the end of the program, students will work on a short essay (between 1000 and 1500 words). In this essay, students will choose a regulatory/policy challenge related to the rise of new technologies, AI and big data and will assess how European law-makers have addressed it. They will rely on concrete examples to explain the risks involved, will identify existing or ongoing legislative and policy developments and will evaluate their adequacy or effectiveness. Students will be evaluated on their understanding of EU fundamental rights law and technology regulation, on their ability to build a coherent argumentation and on their capacity to explain and analyse concrete phenomena with theoretical tools.

**Participation (30%):** students' overall involvement in the course and the performance during the negotiations will be evaluated.

**NB:** During the preparatory session, while assigning the different roles, we will determine who the delegation's representative is in charge of the introductory speech for each negotiation round. Every student will have to be the delegation's representative at least once during the course.

**NB:** None of the evaluations will take into account the English level.



## Professors' Biographies



Raphaële Xenidis is an assistant Professor in European Law at Sciences Po Law School. Her current research focuses on European discrimination and equality law, and in particular problems of algorithmic discrimination, bias in automated decision-making systems and data-driven inequality.



Gabriele Cifrodelli is a PhD Candidate & Research and Teaching Assistant at the University of Glasgow, CREATE Centre. His research interests mostly lie in the dynamic intersection of Intellectual Property, Technology (Artificial Intelligence) and Innovation. Gabriele is also the Convenor of the IP Reading Group in CREATE and a Member of the Coordinating Board in the Scottish Law and Innovation Network (SCOTLIN).