

I Panel –The relationship between law and ethics



Tatjana Evás is a Legal and Policy Officer at the European Commission and Associate Professor of EU and Comparative law at Tallinn University of Technology. She has extensive professional experience including at the Columbia Law School, New York; Riga Graduate School of Law; Center for Policy Studies, Budapest; Jean Monnet Centre for European Studies, Bremen and European University Institute, Florence. She is author of several publications on prestigious national and international journals. Her current research work

focuses on the regulation of new technologies, use of AI technologies in courts, and methodology for impact assessment. Before that, she was Policy Analyst in the European Parliamentary Research Service. In 2011, she received Bremen Studienpreis Award for best PhD Thesis in social science and humanities. Before working at the Commission, Tatjana was a Policy Analyst in the European Parliamentary Research Service, where – among other things – she scientifically coordinated European Parliament’s public consultation on Robotics and Artificial Intelligence (2017) and published European Added Value Assessment on Liability of Autonomous Vehicles (2018).

European framework on ethical aspects of artificial intelligence, robotics and related technologies –

The EU can become a global standard-setter in the area of artificial intelligence (AI) ethics. Common EU legislative action on ethical aspects of AI could boost the internal market and establish an important strategic advantage. While numerous public and private actors around the globe have produced ethical guidelines in this field, there is currently no comprehensive legal framework. The EU can profit from the absence of a competing global governance model and gain full 'first mover' advantages. Building on the EU's economic and regulatory powers, common EU legislative action has great potential to provide European industry with a competitive edge. Furthermore, EU action can facilitate the adoption of EU standards globally and ensure that the development, uptake and diffusion of AI is based on the values, principles and rights protected in the EU. Overall, the success and benefits of EU action are contingent on the ability of the EU to take timely, common legislative action and to back this action up with strong democratic oversight, accountability and enforcement.



Paul de Hert is Director of the Department of Interdisciplinary Studies of Law (Metajuridics), Director of the VUB-Research group on Fundamental Rights and Constitutionalism (FRC), Director of Privacy Salon, and co-director of LSTS. He is also a member of the TILT (Tilburg Institute of Law and Technology). He is the main organiser of the yearly CPDP (Computers, Privacy and Data Protection Conference), Europe’s most influential privacy event. He is a main contact point (Belgium) for the EU Fundamental Rights Agency and an expert for the UN and the European Commission. He has written about data protection both from a fundamental rights perspective, as well as on theoretical issues related to data protection, and has completed over 50 national and international multidisciplinary research projects, on issues such as ambient intelligence, data protection, and privacy.

Ethics and law articulated. Why soft ethics combined with the GDPR will not do – The distinction between soft and hard ethics raises many questions. Moral philosophers have rightly picked up the distinction to reflect about their discipline. Lawyers should come into the discussion too. Those that make the distinction and argue for soft ethical approaches, start from the presumption that the legal framework is just and decent, and only needs some ethical filling the gaps. How solid is this presumption? How complete is the GDPR? What does it beg for? Soft ethics should not complete incomplete frameworks. A discussion is needed.



Andrea Bertolini is Assistant Professor of Private Law at the DIRPOLIS Institute, Scuola Superiore Sant'Anna, and adjunct professor in private law at the University of Pisa. His research ranges from private law (contracts, torts, law of obligations) to the regulation of robotics and AI and bioethics, with a comparative and law and economics approach. Since 2015 he works, either as coordinator or WP leader, in many national and European projects on the regulation of robotics and AI (the SIR project 'RELIABLE', the Jean Monnet Module 'Europe Regulates Robotics', the H2020 project INBOTS), and is currently the director of the Jean Monnet Centre of Excellence on the Regulation of Robotics and AI "EURA". Dr Bertolini holds a jointed degree from the Scuola Superiore Sant'Anna and the University of Pisa, a PhD in private law from the Scuola Superiore Sant'Anna, as well as a LL.M. from Yale Law School. He is an attorney licensed to practice in Italy and New York.

Legal Interpretation and Gap-Filling. How the legal system keeps the pace of any (technological) innovation – Current trends in policy-making quickly resort to ethics as a gap-filler, whenever a clear detailed regulation of a specific phenomenon (or technology) observed is lacking. Gap-filling through law is, however, profoundly different from the emerging, competing, and today prevailing ethical approach. The latter is understood as an alternative soft-law solution, allowing the advancement of standards policy makers deem overall desirable, whose effects are nonetheless hard to anticipate. Compliance is left to the choice of the single – private – entity or player. At the same time, ethics becomes a blurred category encompassing truly ethical considerations, together with legal ones, privacy above all, and perceived as potentially transnational, capable of identifying a minimum common denominator across many cultures. However, two fundamental considerations need to be drawn. Firstly, many gaps ought to be deemed already filled, largely reducing the room for other kinds of considerations. Secondly, not all ethical theories are equally admissible within the existing constitutional framework. The notion of human dignity, freedom of self-determination, autonomy, are all largely discussed, and defined by the existing scholarly debate, and judicial interpretation. Those exclude the admissibility of some widely debated ethical options, and of (bio)ethical models that emerged in different jurisdictions, that may not, thence, ground policy or soft-law solutions.



Ben Wagner is an Assistant Professor at the Faculty of Technology, Policy and Management at TU Delft, where his research focuses on technology policy, human rights and accountable information systems. He is Associate Faculty at the Complexity Science Hub Vienna and a visiting researcher at the Human Centred Computing Group, University of Oxford. He previously worked at WU Vienna, TU-Berlin, the University of Pennsylvania and European University Viadrina. He holds a PhD in Political and Social Sciences from European

University Institute in Florence.

All codes – no conduct? Performing the governing artificial intelligence – The following talk will focus on the abject failure of politics and law in conceptualising AI as something that could be governed. It will focus on AI systems which govern and manage our society and which we have no control over. These AI systems are already out there. They decide what you can say online, what you can read, manage the riders who deliver your takeout and provide advice on how you vote. The way we discuss ethics around AI is an expression of that failure, not a celebration of what it means to be human. Instead AI ethics are being misused as a form of performative governance which prevent and avoid regulation. The following talk will sketch out this failure before providing some suggestions on how to fail in governing AI at least a little less.

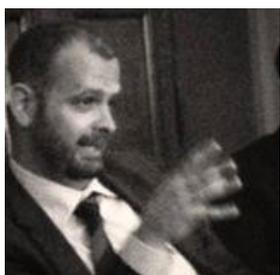


Roberto V. Zicari born 1955 in Milan, since 1992 is full professor of computer science at the Johann Wolfgang Goethe University in Frankfurt/Main, Germany. Roberto V. Zicari represents the Object Management Group (OMG) in Europe: <http://www.omg.org/news/about/europe.htm> He is the Editor of the ODBMS.ORG portal, the most up-to-date collection of free materials on object database technology on the Internet:

<http://www.odbms.org/> He is Co-founder and Vice-President of the Association for the Scientific and Industrial Cooperation between Italy and Germany (ACIS): <http://www.acis-online.org/> >From 1991 till September 2004, he was President and Co-founder of LogOn Technology Transfer GmbH, a firm specialized in creating and running IT events in Europe. Previously he was associated professor at Politecnico di Milano, Italy; visiting scientist at IBM Almaden Research Center, USA, and University of California at Berkeley, US; visiting professor at EPFL in Lausanne, Switzerland and the National University of Mexico City. Mexico. Roberto Zicari is an internationally recognized expert in the fields of object technology, databases, e-commerce and Web2.0. He has consulted and lectured in Europe, US and Japan. He is author of the books "XML Data Management" (Addison Wesley, 2003), "Succeeding with Object Databases" (John Wiley & Sons, 2000), "Advanced Database Systems" (Morgan Kaufmann, 1997) and "Conceptual Modeling, Databases and Case (John Wiley & Sons, 1992). He combines a multi-years solid scientific background with practical experience in enterprise strategy, marketing, and sales. Roberto Zicari holds a doctor of engineering degree from Politecnico di Milano.

"Z-Inspection®: A Process to Assess Ethical AI" (co-authors: Roberto V. Zicari, John Brodersen, James Brusseau, Boris Düdler, Timo Eichhorn, Todor Ivanov, Georgios Kararigas, Pedro Kringen, Melissa McCullough, Florian Möslein, Karsten Tolle, Jesmin Jahan Tithi, Naveed Mushtaq, Gemma Roig, Norman Stürtz, Irmhild van Halem, Magnus Westerlund) – The ethical and societal implications of artificial intelligence systems raise concerns. In this paper we outline a novel process based on applied ethics, namely Z-inspection®, to assess if an AI system is trustworthy. We use the definition of trustworthy AI given by the high-level European Commission's expert group on AI. Z-inspection® is a general inspection process that can be applied to a variety of domains where AI systems are used, such as business, healthcare, public sector, among many others. To the best of our knowledge, Z-inspection® is the first process to assess trustworthy AI in practice.

II Panel – Good regulation: global vs local, hard vs soft



Oreste Pollicino is Full Professor of Constitutional Law and Internet Law at Bocconi University where he is also director of the Bocconi LL.M in Law of Internet Technology and co-director RULES Bocconi Research Centre Baffi-Carefin. He is Italian Member of the Managing Board of the European Agency for Fundamental Rights, Independent Expert at the Global Partnership for Artificial Intelligence (GPAI), Member of EU Commission Sounding Board of the Multistakeholder Forum on disinformation. Oreste is also editor-in-chief of the law reviews “MediaLaws” and “Diritti Comparati”. He has extensively

published in the field of constitutional law, comparative constitutional law, European law and Internet law. Among his recent publications, Protection of Fundamental Rights in Internet. Towards Digital Constitutionalism?, Hart Publishing (expected in 2021); (with G. Pitruzzella), Hate speech and Fake news. A Comparative Constitutional Perspective, Bocconi University Press, 2020; (with A. Morelli), Metaphors, Judicial Frames and Fundamental Rights in Cyberspace, American Journal of Comparative Law, 2021.

AI Regulatory Conundrum: A Fundamental Rights Perspective – In the White Paper published by the European Commission related to Artificial Intelligence regulatory challenges, it is clearly outlined that such regulatory framework is grounded in EU fundamental values, including respect for human rights and, more generally, for rule of law principle. The same approach is taken by a more recent Report adopted European Union Agency for Fundamental Rights

In the AI framework, the challenges for the principle of the rule of law also come from private entities which in the lack of regulation are not required to comply with constitutional safeguards. In this case, the threats for the principle of the rule of law are different and linked to the possibility that private actors develop a set of private standards which clashes with public values, precisely when their economic freedoms turn into forms of power

The primary goal of this presentation is to define the potential remedies to this situation from a constitutional law perspective. We argue that constitutional law and human rights law already provides instruments to address this situation, especially when we look at the horizontal application of fundamental rights. Besides, it is also relevant to focus on how the positive obligation of public actors to intervene for remedying the threats to fundamental rights and democracy.



Kees Stuurman is full professor Information Technology Regulation at the Department of Law, Technology, Markets and Society (LTMS) of Tilburg Law School. He holds a master degree in physics, a master degree in law and a PhD from the Vrije Universiteit Amsterdam. His research and teaching activities have covered included IT-contracting, liability, certification, standardization, data protection, cyber security and AI. Recently he has focused almost entirely on the interplay between technical standards and AI. He was a lead author of the Artificial Intelligence Impact Assessment (2018) and chaired the ECP AI working group. Next to his academic work Kees practiced IT-law for over 30 years. He currently also holds a number of advisory functions and is a member of various oversight boards.

AI: the right “standard” for the regulatory debate? – We will critically examine a number of characteristics of the current debate. “AI regulation” as a label will be discussed, emphasizing the need for relevant differentiation. We will also discuss the potentially negative impact a strong fundamental rights focus and highlight the critical value of adequate gap analyses as benchmark for assessing the need and modalities for regulation. Clear standards/metrics, assessment

methodologies and oversight structures are critical KPIs for next steps; high level principles only will not be enough. We will also discuss to what extent key issues such as “transparency” or “trust” are actually AI-exclusive and explore the risks of “AI-only” regulatory approaches. This critical importance of selecting the proper starting points for regulation will be emphasized. Finally, we will highlight the importance of technical standards as regulatory tools in the context of AI and discuss what the impact will be on the local/global debate and the challenges it will bring for Europe.



Dominik Boesl is Professor for Digital Sciences, Automation and Leadership at the Hochschule der Bayerischen Wirtschaft (HDBW). From January 2019 to December 2020, Dominik lead FESTO AG & Co. KG’s robotics business unit as Vice President & Head of Robotics. Before, he had been responsible for Innovation and Technology Management at KUKA since he first joined KUKA Laboratories as Head of Corporate Strategy and Member of the Board in 2011. Since 2012, he acted as (Principal/Senior) Corporate Innovation Manager, from January 2017 to end of December 2018 as Vice President Consumer Driven Robotics at KUKA AG. To foster the interdisciplinary discourse about the impact of robotics and automation on society and humankind, Dominik is driving the idea of „Robotic & AI Governance“, trying to establish a framework for voluntary self-regulation regarding the use of disruptive technologies (www.roboticgovernance.com).

Robotic & AI Governance – Frameworks for (Self-)Regulation of Robotic Innovation – The world is discussing the impact of Robotics, Artificial Intelligence and Automation. Their potentially disruptive power stokes excitement in press and media, awareness and fear in the civil society, populism with influencers and activism in politics. While some claim the decay of humanity, others predict the loss of all jobs and further groups yearn for utopian scenarios in which all wealth will be redistributed and humankind can bloom in a workless society driven by cultural and intellectual progress based on universal basic income. The future is unpredictable. Nevertheless, the discussion about how to handle the evolution of disruptive technologies is crucial and overdue. Interdisciplinary, stakeholder driven discourse must be sparked, Robotic & AI Governance frameworks must be established and an ethical Code of Conduct - a Robot Manifesto - has to be established. The first step in regulating disruptive technologies should be through means of soft-regulation to avoid inhibiting European innovation.



Alan Winfield is Professor of Robot Ethics at the University of the West of England, Bristol, and visiting Professor at the University of York. Winfield co-founded the Bristol Robotics Laboratory and his research is focussed on the science, engineering and ethics of intelligent robots. Winfield is an advocate for robot ethics; he sits on the executive of the IEEE Standards Association Global Initiative on Ethics of Autonomous and Intelligent Systems, and chairs Working Group P7001, drafting a new IEEE standard on Transparency of Autonomous Systems. He has published over 250 works including *Robotics: A Very Short Introduction* (Oxford University Press, 2012).

The case for AI Accident Investigation – Accidents are inevitable. If we expand the scope of harms beyond the physical, as we should, to include psychological, economic, societal or environmental harms, then it is clear that AIs have already caused significant harm. Yet we have no agreed processes for the thorough investigation of such accidents, or agencies responsible for conducting those investigations. We do not even have the technologies considered essential to accident investigation in aviation and railways. In this talk I will outline recent work that sets out a process for investigating social robot accidents, and suggest that similar processes and protocols should be established for AI systems in general. I will argue that AI without accident investigation would be no less irresponsible than aviation without air accident investigation.

III Panel – When to regulate



Roger Brownsword Roger Brownsword has professorial positions at King's College London (where, in 2007, he was the founding Director of TELOS) and at Bournemouth University. He is a common lawyer and legal theorist with principal research interests in the field of law, regulation and technology. His many publications include *Rights, Regulation and the Technological Revolution* (OUP, 2008); he co-edited *The Oxford Handbook on Law, Regulation and Technology* (with Eloise Scotford and Karen Yeung) (OUP, 2017); and, together with Han Somsen, he is the founding general editor of *Law, Innovation and Technology*.

Right Measures, Right Time: The Several Responsibilities of Regulators – Governments like to claim that they have taken the right (regulatory) measures at the right time. Characteristically, in 'Law 2.0' (regulatory) conversations, the right measures are treated as those that 'neither over-regulate nor under-regulate'; and the right time is 'neither too early nor too late'.

Drawing on recent work (see below), this paper reconsiders how we should understand making the right regulatory interventions at the right time—particularly how we should understand the right time to regulate emerging technologies. Three contexts, each with a particular set of regulatory responsibilities are examined: first, where regulators are setting the terms of the 'social licence' for the technology and its applications; secondly, where the question concerns the compatibility of the technology and its applications with the particular 'community licence'; and, thirdly, where the question is whether the technology and its applications pass muster relative to the 'global commons licence'.



Elizabeth Fisher is Professor of Environmental Law, Faculty of Law and Corpus Christi College, University of Oxford; **Pasky Pascual**, Scientist and Data Analyst; **Wendy Wagner**, Richard Dale, Endowed Chair, University of Texas School of Law, Austin

Institutional Architecture (IA) meets Artificial Intelligence (AI): What New Accountability Challenges does AI Pose for the Administrative State? – Does the introduction of Artificial Intelligence (AI) in administrative practice require entirely new frameworks for accountability? In this paper we show that AI introduces a new set of concerns for an administrative state that is already institutionally challenged with respect to ensuring the accountability of scientific and technical information. We consider what is distinctive about AI, what is distinctive about the risks it creates for accountability, and what can be done about it. While AI and the risks it present are 'new' the response to them is something long needed in administrative law – developing a more robust relationship between internal and external forms of accountability.



Koen Frenken is Full Professor in Innovation Studies at the Copernicus Institute of Sustainable Development, Utrecht University. Frenken holds a joint PhD from the University of Grenoble (applied economics) and the University of Amsterdam (social sciences) awarded in 2001. Theoretical interests include evolutionary economics, institutional sociology and complexity theory. He works on breakthrough innovation, institutional change, economic geography, platform economy and innovation policy.

Safeguarding Public Interests in the Platform Economy: The Case of Gig Platforms – My talk starts from a public policy perspective and examines the main public interests at stake with the rise of online

platforms in freelance labour market (also known as the "gig economy"). Apart from public interests that apply to all kinds of platforms such as competition, privacy, national security and discrimination, the most salient public interests regarding gig platforms are a level playing field between platforms and industry incumbents, tax compliance, consumer protection and labor protection. I discuss four policy options (enforce, new regulation, deregulation, and toleration), and discuss the rationales for each option in safeguarding each public interest. I finally highlight the tension between the subsidiarity principle, which would call for local regulations as platforms mostly concern local transactions and innovation policies that aim to support innovation and a single digital market.



Norberto Andrade is Facebook's Global Policy Lead for Digital and AI Ethics, and Professor at IE Law School, working at the intersection of Ethics, Law and Public Policy. Before joining Facebook, Norberto worked as Global Data Privacy Program Manager at Workday, as Public Policy Contributor at Mozilla, as Scientific Officer at the European Commission, and as Legal Policy and International Relations Manager at the Portuguese Regulatory Authority for Electronic Communications. Norberto is also an Affiliated Scholar at Stanford Law School - Center for Internet & Society and, prior to that, a Postdoctoral Research Scholar at UC Berkeley School of Law. Norberto holds a PhD in Law, Policy and Technology from the European University Institute (Italy).

AI Governance: An Experimental Approach – The rapid advance of emerging technologies such AI can make it difficult to fully understand and anticipate how they might eventually impact communities around the world. Different ideas and approaches are being proposed to regulate AI, but which ones would ultimately bring the best results? Why don't we test some of these regulatory approaches to decide which ones work best? That is what Open Loop is set out to do.

Open Loop is a global strategic initiative and consortium that connects policymakers and technology companies to develop evidence-based policy recommendations. This global experimental governance program bridges the gap between tech and policy innovation, fostering a closer collaboration between those building emerging technologies and those regulating them. Open Loop partners with governments, tech companies, academia and civil society to co-create and test new governance frameworks through policy prototyping programs, and to support the evaluation of existing legal frameworks through regulatory sandbox exercises.

IV Panel – AI in and vs global challenges



Mihalis Kritikos is a policy analyst for the Panel for the Future of Science and Technology (STOA) focusing on the legal and ethical aspects of new and emerging technologies with an emphasis on artificial intelligence, blockchain and gene editing. He is also a Senior Associate Researcher at the Centre for Digitalisation, Democracy and Innovation at the Brussels School of Governance-VUB and a Visiting Lecturer at the College of Europe. Mihalis is a legal expert in the fields of the responsible governance of science and innovation and legal foresight, technology law and the regulatory control of technological risks and author of the book 'EU Policy-Making on GMOs: The False Promise of Proceduralism' (Palgrave Macmillan, 2017). He has worked as a Research Programme Manager for the

Ethics Review Service of the European Commission, as a Senior Associate at White and Case (Brussels office), as a Lecturer at several UK Universities and as a Lecturer/Project Leader at the European Institute of Public Administration (EIPA). He has a PhD in Technology Law (LSE) and in 2008 he won the UACES Prize for the Best Thesis in European Studies in Europe.

Addressing AI ethics at a transnational level: the case of the EU – The proliferation of AI in high-risk areas and the disruptive potential of this transformative technology trigger the need for developing governance structures that could shape AI in an accountable, fair and transparent manner at a transnational level. The talk will provide an overview of the work of the European Union in the field of AI ethics with a special focus on the relevant EP resolutions and the Union's attempts to take the international lead in this domain. Special emphasis will also be given to the work of other international organisations in the field of responsible AI and to the challenges associated with the ongoing mushrooming of initiatives at various governance levels.



Mark Coeckelbergh (Ph.D., University of Birmingham) is a philosopher of technology. He is Professor of Philosophy of Media and Technology at the Department of Philosophy of the University of Vienna, former President of the Society for Philosophy and Technology, and EURA Fellow. He is the author of numerous publications include AI Ethics (MIT Press), Introduction to Philosophy of Technology (Oxford University Press), and Green Leviathan (Routledge). He is

Associate Editor of AI & Society and a member of many Editorial Advisory Boards of journals including AI and Ethics, Science and Engineering Ethics, The AI Ethics Journal, AI for Sustainable Development, and Technology & Regulation. Coeckelbergh is member of the High-Level Expert Group on Artificial Intelligence for the European Commission, the Austrian Council on Robotics and Artificial Intelligence, and Austrian's Advisory Council on Automated Mobility.

A global approach to the governance of AI – This talk argues that AI needs to be governed at multiple levels, including the global level. Putting the issue in the light of global crises and differences between North and South, it offers some reasons why this is a good approach and responds to potential objections related to legal, geopolitical, and cultural differences.



Nathalie Smuha is a researcher at the KU Leuven Faculty of Law, where she examines ethical and legal questions around Artificial Intelligence (AI) and other technologies. She holds degrees in Law and Philosophy from the KU Leuven, and an LL.M. from the University of Chicago School of Law. Nathalie is also involved as an independent expert in the Council of Europe's Ad Hoc Committee on Artificial Intelligence (CAHAI) and the OECD's Network of Experts in AI (ONE AI). Previously, she worked as a lawyer in an international law firm and at the European Commission (DG Connect) where she coordinated the work of the High-Level Expert Group on AI.

The why, what and how of AI's "global" governance – That Artificial Intelligence (AI) poses global challenges – and that it requires global governance – is by now well recognized. However, less consensus has been reached on how this governance should look like. While the covid-19 pandemic only increased awareness of AI's opportunities, (unfulfilled) promises and adverse effects, it also emphasized that mere ad hoc cooperation on this matter will not do, and that a level playing field should be created to set out requirements for AI's alignment with human rights, democracy and the rule of law. Several (international) regulators have started exploring the feasibility, scope and content of a potential new legal framework for AI. Yet significant obstacles remain to move from exploration towards actual adoption and implementation. In this presentation, I will hence dive into why global governance of AI is needed, what aspects such governance could prioritize, and how it could be shaped.

“EURA YOUNG SCHOLARS PRIZE” PAPERS



Simone Casiraghi is a doctoral researcher at the Vrije Universiteit Brussel (VUB), under the supervision of Prof. Paul de Hert and Prof. Niels van Dijk.

With a MSc in philosophy of technology and science and technology studies, he joined the research group on Law, Science, Technology and Society (LSTS) and the d-pia.lab in October 2018 to work on the EU-funded Horizon 2020 project “PERSONA” on impact assessment and border control technologies. He is writing his thesis in the context of the VUB-funded “ALTEP-DP” research programme, where he is developing research line 3 on the relations between ethics and law.

The ‘Ethification’ of ICT Governance. Artificial Intelligence and Data Protection in the European Union (co-authors: Simone Casiraghi, Niels van Dijk, Serge Gutwirth) – Several European Union’s initiatives have resorted to ethics as a way to govern and regulate Information and Communication Technologies (ICT). The proliferation of invocations of ‘ethics’ in legal and policy discourses, especially concerning the regulation of Artificial Intelligence (AI), can be referred to as the ‘ethification’ phenomenon. This article aims to elucidate the benefits and drawbacks of this phenomenon, and its effects on the articulations of law, technology and politics in democratic constitutional states. First, the article provides a mapping to locate where the ethics work is being produced in the EU. Second, it distinguishes different types of ethics based on the mapping. Third, the ethification phenomenon is analyzed through the concepts of boundary and convergence work, where ethics acts as a ‘normative glue’ between interests of different practices to reach a common goal, but also tracing or obfuscating boundaries from the law. Finally, it inquires into the nature of ethics as a practice and some consequences of ethification for the law.



Léonard Van Rompaey is an Industrial Postdoctoral researcher at the Danish law firm CO:PLAY and at the Centre for Private Governance, University of Copenhagen, Faculty of Law; Robert Jønsson is a practising lawyer and partner at CO:PLAY; Kathrine Elmoose Jørgensen is a PhD student at the Centre for International Law and Governance, University of Copenhagen, Faculty of Law.

Designing lawful machine behavior: Roboticians’ legal concerns (co-authors: Léonard Van Rompaey, Robert Jønsson, Kathrine Elmoose Jørgensen) As robotics develops, the role of engineers shifts from compliant design of machines to that of design of compliant behavior for robots. Roboticians’ legal literacy gains a newfound importance when they need to give robots lawful decision-making abilities, their legal competences need to be studied. While we have some knowledge of lawyers’ and policy makers’ concerns, we lack clear data on how roboticians understand the law, and on what they think is legally concerning with regards to their products and the future of the technology. To understand those concerns would help better align expectations and needs for regulation between the industry and the regulators. We performed ten interviews with Danish roboticians. The analysis shows that they conceptualize law and legal concerns as safety concerns that are inferior to concerns for functionality and economy, and highlights some misconceptions that roboticians have about the legal risks generated by their products.