



ALGORITHMIC ACCOUNTABILITY AND THE GDPR

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Algorithms are now used in making significant decisions, from credit determinations to hiring. But they are largely unregulated under U.S. law. Three rationales can be identified behind calls for regulating algorithmic decision-making: dignitary, justificatory, and instrumental. No one regulatory approach can effectively address all three concerns. This project therefore proposes a two-pronged system utilizing individual rights combined with collaborative governance – the use of private-public partnership – to regulate algorithms. Only through this two-part system can we effectively address all three concerns about algorithmic decision-making. The interplay between these two systems, however, will be complex; sometimes they will be complementary, and at other times they will be in tension. The EU's General Data Protection Regulation (GDPR) will be analyzed as one of such two-part systems, to discuss how these approaches both help and hinder each other.

* *The seminar is co-organized by the Jean Monnet Module Europe Regulates Robotics and the LATT – Law, Artificial Intelligence, Technology & Trust Research Group.*

