

## **INTENSIVE POSTGRADUATE PROGRAMME AI IN LEGAL PRACTICE AND ITS REGULATION**

### Curricular unit

AI & Fundamental Rights

### Responsible Academic staff and respective workload in the curricular unit

Domingos Soares Farinho (13th and 14th weeks)

### Syllabus

(1st week)

Fundamental and Human Rights: concepts and distinction  
Fundamental/Human Rights: principles and rules  
Kinds of fundamental/human rights: civil and political vs social, economic and cultural  
Fundamental/Human Rights as parameters for horizontal relations  
Fundamental/Human Rights impact assessment: concept, models, cases  
    UN Guiding Principles on Business and Human Rights  
The case of Human Rights impact assessment of Facebook in Myanmar  
Fundamental/Human Rights and AI: scope of intersection

(2nd week)

AI, risk assessment models and Fundamental/Human Rights: an introduction to the subject  
Models of AI risk assessment  
The GDPR, automated processing of personal data and Fundamental Rights Impact Assessment (FRIA)  
The AI Act and FRIA

### Teaching methodologies (including evaluation)

Seminars  
Group work

## Main Bibliography

### Books, articles and reports

- Alan Turing Institute, “Human Rights, Democracy, and the Rule of Law - Assurance Framework for AI Systems: A proposal prepared for the Council of Europe’s Ad hoc Committee on Artificial Intelligence”, 2019
- Artalda, A., Hert, Paul de, “Artificial Intelligence Human Rights Impact Assessment” in Temperman, J, Quintavalla, A. (ed.) “Artificial Intelligence and Human Rights”, Oxford, Oxford University Press, 2023
- BSR, “Human Rights Impact Assessment - Facebook in Myanmar”, 2018, available at: [https://about.fb.com/wp-content/uploads/2018/11/bsr-facebook-myanmar-hria\\_final.pdf](https://about.fb.com/wp-content/uploads/2018/11/bsr-facebook-myanmar-hria_final.pdf)
- Castest-Benard, C., “Human Rights and Algorithmic Impact Assessment for Predictive Policing” in Hans-W. Micklitz, Oreste Pollicino, Amnon Reichman, Andrea Simoncini, Giovanni Sartor and Giovanni De Gregorio (ed.) , *Constitutional Challenges in the Algorithmic Society*, Cambridge, Cambridge University Press, 2021, pp. 93 – 110
- Citron, D. K., & Pasquale, F., “The scored society: Due process for automated predictions”. *Wash. L. Rev.*, 89, 1, 2014, available at:  
<https://heinonline.org/HOL/LandingPage?handle=hein.journals/washlr89&div=4&id=&page=&t=1560014586>
- Fundamental Rights Agency, “Getting the future right - artificial intelligence and fundamental rights”, 2020, available at: [https://fra.europa.eu/sites/default/files/fra\\_uploads/fra-2020-artificial-intelligence\\_en.pdf](https://fra.europa.eu/sites/default/files/fra_uploads/fra-2020-artificial-intelligence_en.pdf)
- Götzmann, N., “Handbook on Human Rights Impact Assessment”, London, Elgar, 2019
- Götzmann, N., Bansal, T., Wrzoncki, E., Veiberg, C. B., Tedaldi, J., & Høvsgaard, R., “Human rights impact assessment guidance and toolbox” The Danish Institute for Human Rights, 2020, available at:  
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- Janssen, H., Lee, M. S. A., Singh, J., “Practical fundamental rights impact assessments”, *International Journal of Law and Information Technology*, 2022, 30, 200–232

- Leslie, D., Burr, C., Aitken, M., Cowls, J., Katell, M., and Briggs, M., “Artificial intelligence, human rights, democracy, and the rule of law: a primer”, The Council of Europe, 2021, available at:  
[https://www.turing.ac.uk/sites/default/files/2021-03/cahai\\_feasibility\\_study\\_primer\\_final.pdf](https://www.turing.ac.uk/sites/default/files/2021-03/cahai_feasibility_study_primer_final.pdf)
- Mantelero, A., “Beyond Data”, Berlin, Springer, 2022
- Novelli, C., Casolari, F., Rotolo A., Taddeo, M., Floridi, L., “Taking AI risks seriously: a new assessment model for the AI Act”, AI & Society, 2023
- World Bank/Nordic Trust, “Human Rights Impact Assessments: A Review of the Literature, Differences with other forms of Assessments and Relevance for Development, 2013