



TRUSTS Mid-Term Event

Data valorisation under solid legal and ethical principles

01.03.2022

Lorenzo Gugliotta | CiTiP – KU Leuven

lorenzo.gugliotta@kuleuven.be



This project has received funding from the European Union's Horizon 2020

research and innovation programme under grant agreement No. 871491



Agenda



This project has received funding from the European Union's Horizon 2020

research and innovation programme under grant agreement No. 871491

Agenda

Agenda item	Slides
Legal and ethical framework: why it is important	4-9
Achievements	10-19
Ongoing and future activities	20-26



Legal and ethical framework: why it is important



This project has received funding from the European Union's Horizon 2020

research and innovation programme under grant agreement No. 871491

Importance of legal and ethical framework

Achieving trust



Data subjects

Seek to protect personal data but benefit from data-driven economy



Companies

Data can contain IP and trade secrets, but also a key to growth



Research

Seeks to access data to advance societal well-being



Governments

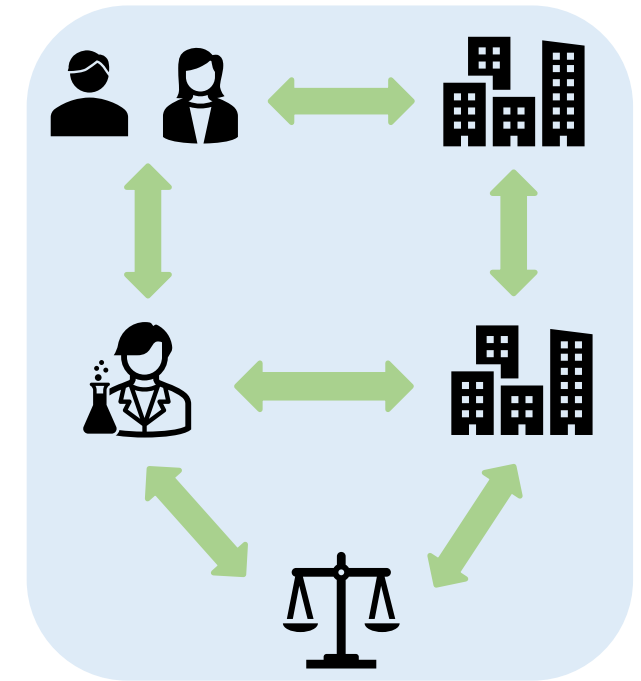
Need data to provide services and are a data source for businesses

They all need...



TRUST

That enables...



Data valorisation
Harnessing the value of data

Importance of legal and ethical framework

Achieving trust

Trust: “Relationship in which an agent (the trustor) decides to depend on another agent’s (the trustee) foreseeable behaviour in order to fulfil his expectations” (Gambetta, 1988)



e-Trust: “e-trust occurs in environments where direct and physical contacts do not take place, where moral and social pressures can be differently perceived, and where interactions are mediated by digital devices” (Taddeo, 2009)

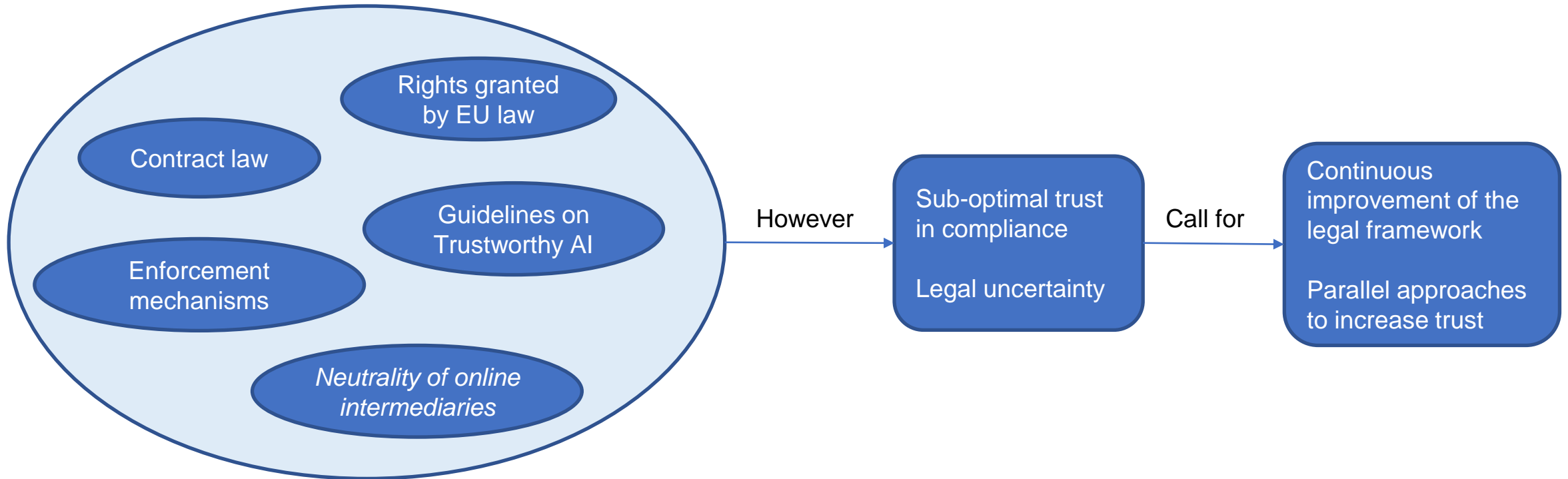
Importance of legal and ethical framework

Achieving trust



Importance of legal and ethical framework

Trust through law and ethics



Importance of legal and ethical framework

Objectives of the legal & ethics WP

Research ethics

- Investigate research ethics principles
- Address the legal and ethical issues arising from the research activities to be conducted throughout the project.

Legal and ethical requirements

- Analyse applicable legal and ethical framework
- Identify challenges relevant to the platform developed in the project
- Identify legislation, principles and values regarding the sharing of data and elicit requirements

Legal oversight and validation

- Provide guidance to implement the legal and ethical requirements;
- Clarify legal questions;
- Identify legal and ethical barriers;
- Keep the partners updated on legal developments;
- Validate the project from the legal and ethical point of view

Recommendations

- Point out the potential legal gaps and barriers and the lessons learned
- Make recommendations on the use of the platform in compliance with the legal and ethical framework



Achievements



This project has received funding from the European Union's Horizon 2020

research and innovation programme under grant agreement No. 871491

Achievements

Two main objectives achieved

Research ethics

- Investigate research ethics principles
- Address the legal and ethical issues arising from the research activities to be conducted throughout the project

Legal and ethical requirements

- Analyse applicable legal and ethical framework
- Identify challenges relevant to the platform developed in the project
- Identify legislation, principles and values regarding the sharing of data and elicit requirements

Legal and ethical assessment

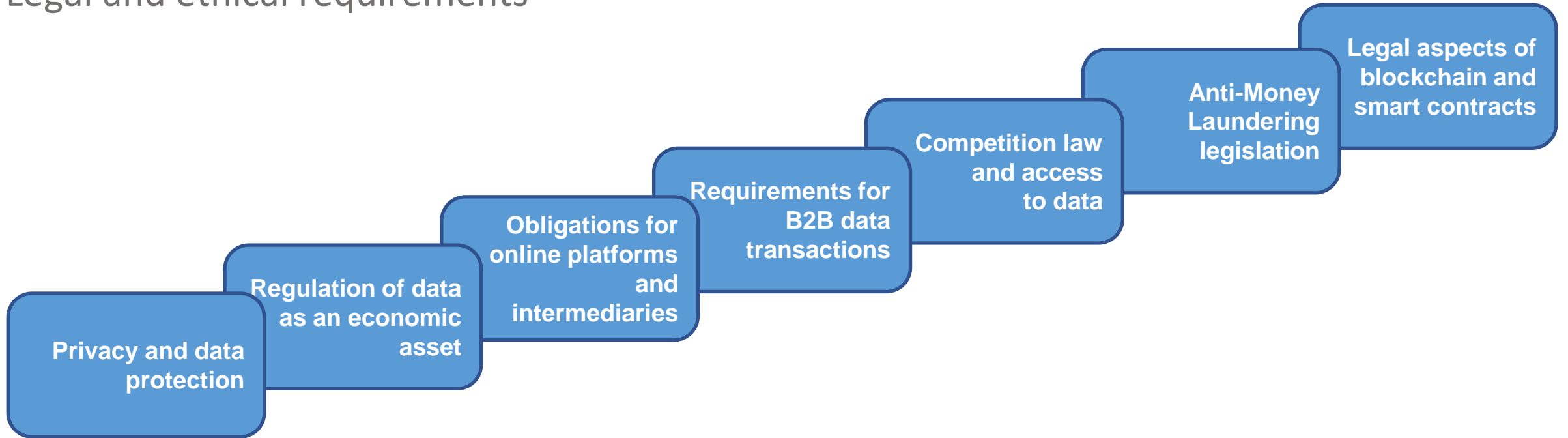
- Provide guidance to implement the legal and ethical requirements;
- Clarify legal questions;
- Identify legal and ethical barriers;
- Keep the partners updated on legal developments;
- Validate the project from the legal and ethical point of view

Recommendations

- Point out the potential legal gaps and barriers and the lessons learned
- Make recommendations on the use of the platform in compliance with the legal and ethical framework

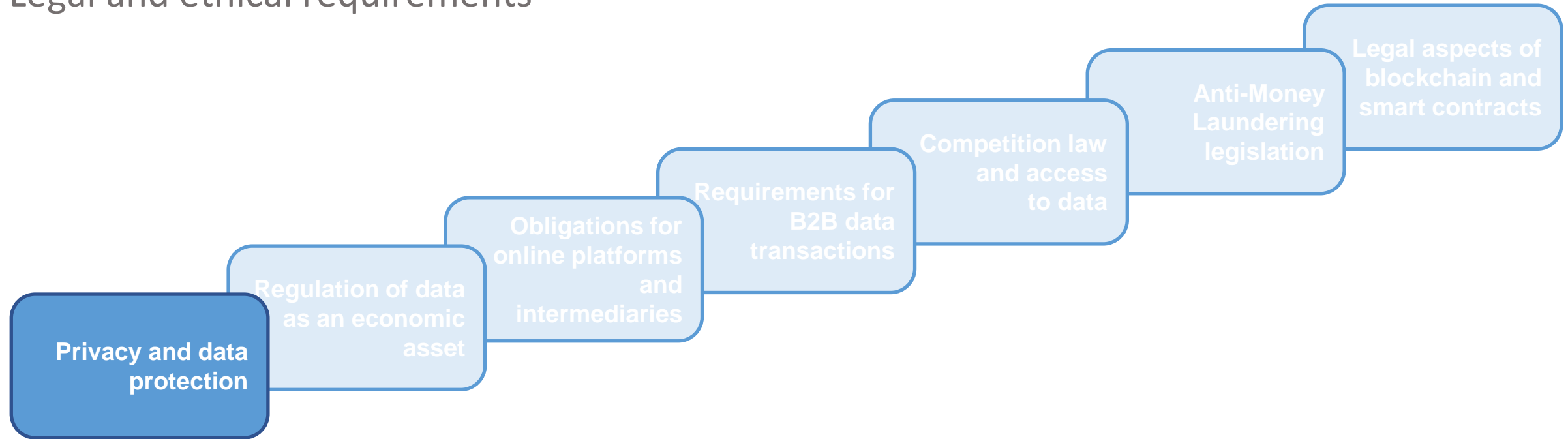
Achievements

Legal and ethical requirements



Achievements

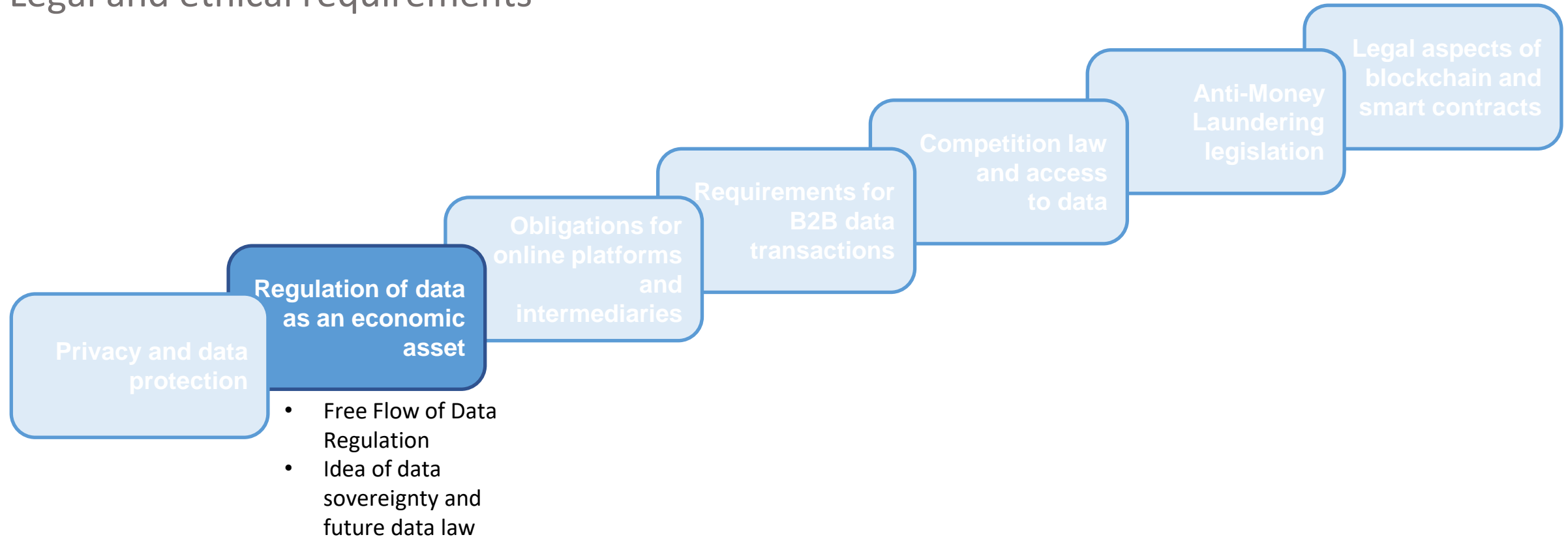
Legal and ethical requirements



- GDPR principles, rights and obligations
- E-Privacy Directive and proposed Regulation

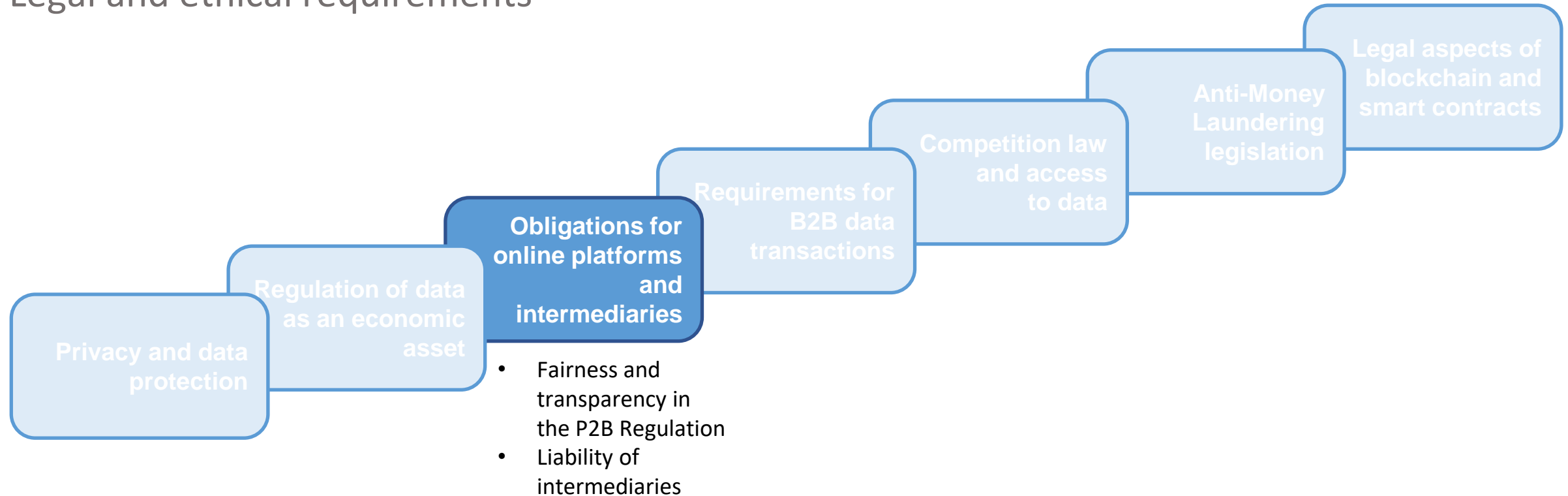
Achievements

Legal and ethical requirements



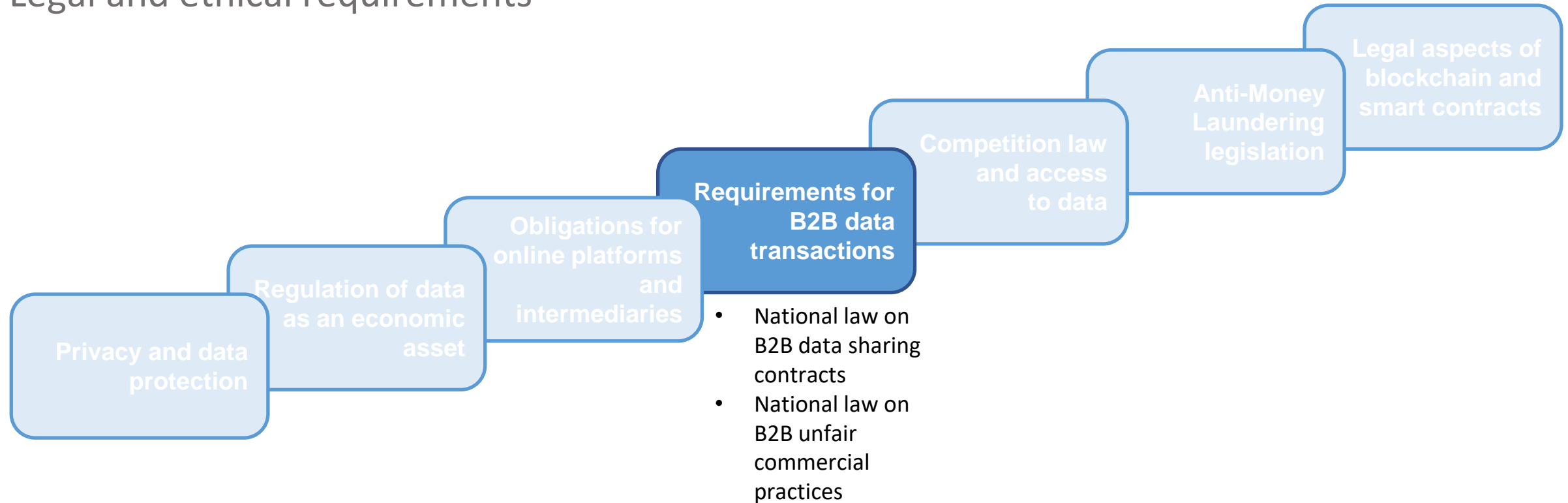
Achievements

Legal and ethical requirements



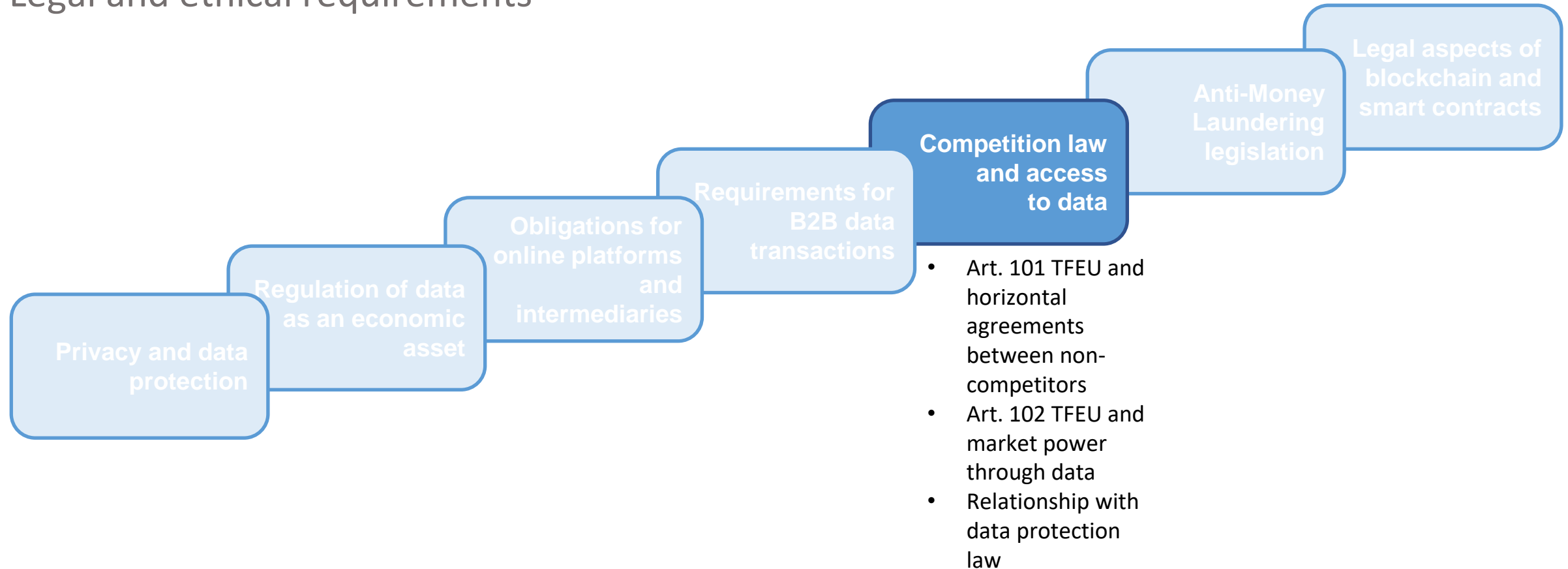
Achievements

Legal and ethical requirements



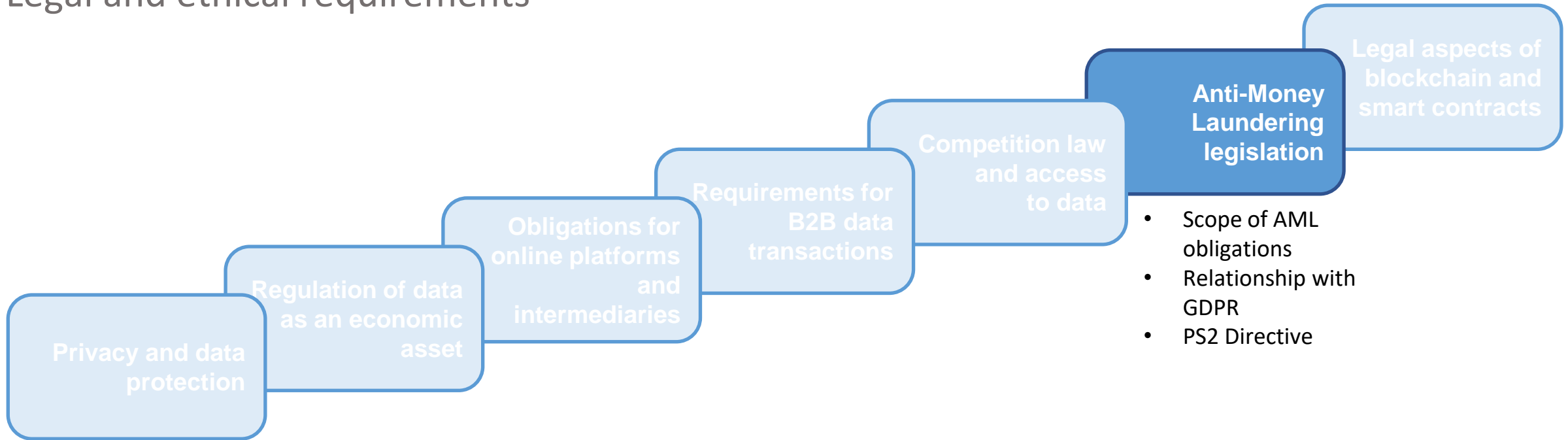
Achievements

Legal and ethical requirements



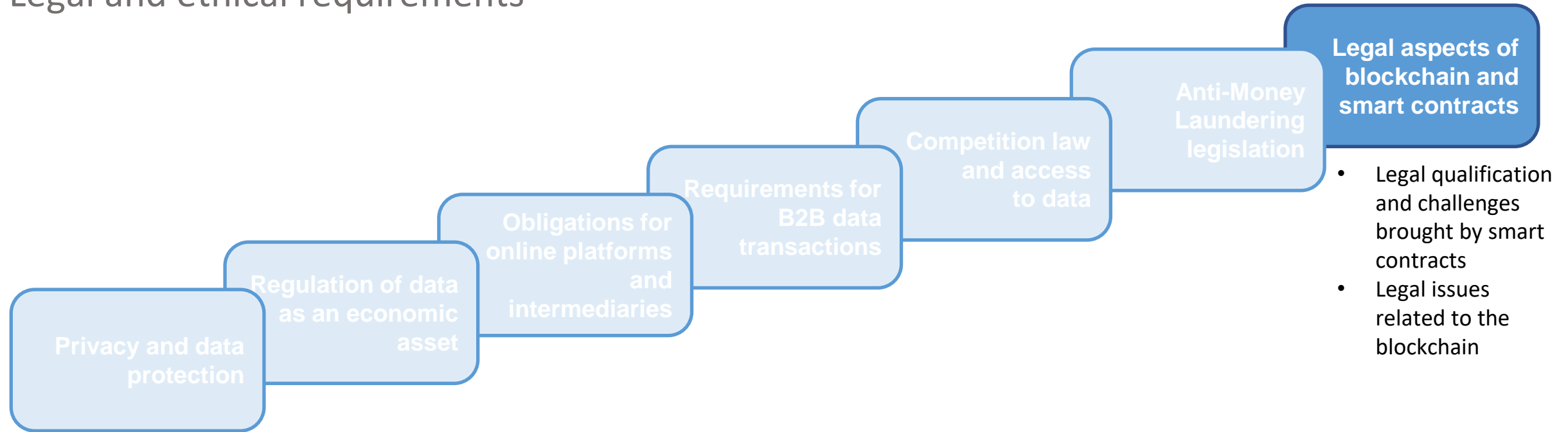
Achievements

Legal and ethical requirements



Achievements

Legal and ethical requirements





Ongoing and future activities



This project has received funding from the European Union's Horizon 2020

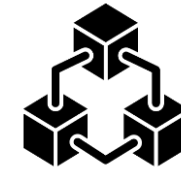
research and innovation programme under grant agreement No. 871491

Ongoing and future activities

Two focus points



Research on the legal issues brought about by smart contracts (in particular: validity, interpretation, enforceability)



Provision of legal guidance and support to the technical partners of the consortium



Ongoing and future activities

Research on smart contracts

- Legal qualification and relationship with contract law
- Substantive and formal requirements of validity
- Interpretation of smart contracts
- Enforceability and role of judicial authorities
- Cybersecurity challenges

Ongoing and future activities

Two focus points



Research on the legal issues brought about by smart contracts (in particular: validity, interpretation, enforceability)



Provision of legal guidance and support to the technical partners of the consortium



Ongoing and future activities

Legal guidance and support

- Collection of legal questions and issues encountered during implementation and use case trials
- Preparation of ad-hoc meetings with technical partners
- Clarification of legal questions based on legislation, recent case law and industry best practices
- Research of the potential impact of proposed EU legislation on data

Ongoing and future activities

Legal aspects of the Use Cases

UC1: AML services

- Compliance with data protection law and data privacy
- Compliance with rules on 'open data'
- Compliance with AML legislation
- Compliance with IP law

TRUSTS Use Cases

UC2: Agile marketing

- Compliance with data protection law and data privacy
- Compliance with consumer law
- Compliance with competition law

UC3: Targeted customer support

- Compliance with data protection law and data privacy
- Compliance with consumer law
- Ethical principles on AI-based marketing and to prevent excessive consumerism

Ongoing and future activities

Proposed legislation: overview

Legislation in force

General Data Protection
Regulation

ePrivacy Directive

Free Flow of Non-
Personal Data Regulation

Platform-to-Business
Regulation

E-Commerce Directive

Digital Content Directive

Proposed legislation

ePrivacy Regulation

- Extending the scope of the ePrivacy Directive

Digital Services Act

- Liability of providers of intermediary services
- Due diligence and transparency obligations for providers of intermediary services
- Special obligations for large platforms

Digital Markets Act

- Obligations and compliance of gatekeepers
- Market investigations

Data Governance Act

- Regulation of data sharing and notification obligations
- Conditions for providing data sharing services
- Role of competent authorities



Thank you!

lorenzo.gugliotta@kuleuven.be



This project has received funding from the European Union's Horizon 2020

research and innovation programme under grant agreement No. 871491