

The Centre for Information Policy Leadership at Hunton Andrews Kurth LLP

Artificial Intelligence and Data Protection:
Delivering Sustainable AI Accountability in Practice

Outline of Second Phase

October 10, 2019

Summary of First Phase:

The first phase of this Project came to a close in October with the publication and circulation of the [First Report](#) on *Delivering Sustainable AI Accountability in Practice: Artificial Intelligence and Data Protection in Tension*. This report highlighted the pervasiveness, usefulness, and commitment to AI throughout the globe and in all aspects of society before noting some important tensions and opportunities between AI and existing data protection principles. As CIPL and its members move to the second phase of the Project, the focus will transition from identifying tensions towards developing and socialising practical ways to address these tensions through a lens of organisational accountability.

Moving to the Second Phase:

This phase will expand the discussion to include regulators and policymakers to inform the forthcoming Second Report, which will address some of the critical tools that companies and organisations are developing and implementing (and could be developing and implementing) to promote accountability for their use of AI within existing legal and ethical frameworks. This Report will further outline reasonable interpretations of existing principles and laws that regulators can employ to achieve efficient, effective privacy protection in the AI context. Finally, it will discuss considerations for the development of future data protection laws that account for the advancement of AI and other innovative technologies.

As part of the second phase of the project, CIPL will bring together regulators and industry participants in small roundtable events designed to encourage working together to develop operational solutions and best practices. These workshops will focus on some of the difficult topics as well as the potential solutions around AI and data protection. This will include best practices, tools, and approaches; user-centric designs; innovative applications of existing legal concepts; and new approaches. Discussions will include, among other topics, the importance and practicality of redress, data review boards, mitigation of bias or discrimination, and governance models. These meetings will not include panelists with presentations, but rather will be facilitated discussions with everyone in the room expected to contribute. CIPL's goal is

to not only provide operational, practical steps and best practices, but to do so on a global scale with regulators, policymakers, and industry participants all having a stake in the conversation.

Although the primary outcome of these roundtables will be published recommended practices, processes, or steps organisations can take when operationalizing AI and new technologies, no individual regulator or industry participant will be quoted or paraphrased without their consent to do so, and all participants will have the opportunity to read and comment on the draft of the Second Report prior to its publication and circulation.

Phase Two Project Timeline:

Completed 2018

- *October 23*: Industry only Roundtable on AI and Data Protection (Brussels)
- *October 23*: CIPL Side Event to ICDPPC on the Concept of Fairness in Data Protection (Brussels)
- *November 13*: Discussion of AI white paper (part I) at FTC Hearings on AI (Washington, DC)
- *November 16*: CIPL/PDPC Singapore Working Session on Accountable and Responsible AI (Singapore)

Moving Forward 2019

- *February 28*: Draft of detailed outline of issues and questions
- *March 12*: Roundtable of European Regulators and Industry Participants (London)
- *June 27*: Roundtable with EU Commission on HLEG Ethics Guidelines for Trustworthy AI (Brussels)
- *July 18*: Small Roundtable of Asian Regulators and Industry Participants (Singapore)
- *September 18*: Roundtable with ICO on AI Auditing Guidelines
- *October 11*: Discussion Draft of Second Report (part II)
- *Mid-November*: Final Second Report (part II)

Phase Three of the Project:

After completing the Second Report, phase three of the Project will include socialising the white papers with regulators, policymakers, and industry participants and identifying topics for further development and exploration.