



### **Publication of the project findings concerning the first Key Intermediate Goal**

As announced in the previous newsletter, we have now released the first iteration of the COHUBICOL working paper on 'Text-driven normativity and the Rule of Law', it can be found [here](#). All comments are welcome onsite.

### **Journal of Cross-disciplinary Research in Computational Law ([CRCL](#))**

We have a series of submissions under review, based on the [COHUBICOL seminar on the issue of multi-interpretability in machine learning and its relevance for 'legal technologies'](#). They will be published online first this Fall.

### **Philosophers' Seminar 2021: The Legal Effect of Code-Driven 'Law'?**

Our November Philosophers' Seminar is drawing near, we have been receiving draft papers and it promises to become a very exciting exchange on the cusp of law and computer science, see more [here](#).

### **Update on staff research**

COHUBICOL postdoctoral researcher [Pauline McBride](#) is working with the law and computer science teams in the development of a typology of legal technologies. The typology will set out and describe exemplars of types of legal tech. It will record the claims made about the functionality of the technology and the purposes for which the technology is intended to be used. It will also record how the claims are substantiated, whether, for example, in scholarly literature, the legal tech provider's own promotional materials or in granted patents. In its focus on claimed functionality, substantiation of claims and intended purpose, the typology anticipates considerations at the heart of the proposed AI Act. The completed typology will provide a trove of information and generate new insights about the capabilities, limitations and impact of legal tech. It will complement COHUBICOL's theoretical research, grounding the examination of the implications of legal tech in empirical research. The typology will be made available as a publicly accessible resource.

McBride is also working on a paper on whether, and if so, in what form, website blocking injunctions (in Scotland, 'interdicts') might be available under Scots law. The paper will explore how the Court of Session might juggle competing considerations relevant to the rule of law: legal certainty, foreseeability, efficacy, conformity with fundamental human rights, proportionality. It will inquire whether, by reference to Art 6 ECHR (right to a fair trial) or otherwise, open-ended website blocking injunctions might be opposed on the grounds of lack of opportunity to contest the precise contours of the order, details of which are left to an ISP to determine.

### **Publications**

- Mireille Hildebrandt, [The issue of bias. The Framing Powers of Machine Learning](#), in Marcello Pelillo, Teresa Scantamburlo (eds.) *Machines We Trust. Perspectives on Dependable AI* (MIT Press) 2021
- Mireille Hildebrandt, 'Algometrisch strafrecht: spiegel of echoput. Kunstmatige intelligentie in het strafrecht', *Delikt en Delinkwent*, 2021

- Mireille Hildebrandt, '[Preface on navigable and unregulable cyberspace\(s\)](#)', in Georgia Bevilacqua (ed.), [Human Security in Navigable Spaces: Common Challenges and New Trends](#) (AssIDMer - Cahiers de l'Association Internationale du Droit de la Mer) 2021

## Presentations

### *Upcoming:*

- On 13 October 2021, Mireille Hildebrandt will give a tutorial on 'Law for computer scientists' at the 'Advance course on AI (ACAI) on Human Centered AI'. More information [here](#).
- On 5 October 2021, Mireille Hildebrandt will deliver a keynote on 'AI liability and the ideologies of traditional law and economics' at the opening conference of the ZiF research group at the University of Bielefeld. More information [here](#).
- On 27 October 2021, Mireille Hildebrandt will deliver the opening keynote 'Written and coded 'speech acts'. Never the twain shall meet?' at the of the sixth edition of the "History and Philosophy of Computing" international conference (HaPoC), organized by the Turing center of the ETH Zürich. More information [here](#)

### *Past:*

- On 21 September 2021, Mireille Hildebrandt delivered a keynote on the AI Act and Tailored AI systems at the 1st TAILOR conference. More information and slides [here](#).
- On 8-11 September 2021, Emilie van den Hoven attended the 16th annual European Society of International Law (ESIL) conference 'Changes in International Lawmaking: Actors, Processes, Impact'. During a pre-conference event of the newly established ESIL Interest Group on international law and technology, she presented a draft paper on normativity in technology and (international) law and its relation to 'international computational law'
- On 2 September 2021, Mireille Hildebrandt delivered a keynote on 'Defining AI systems from the perspective of law and the rule of law' at the workshop 'The culture of Trustworthy AI. Public debate, education, practical learning. Abstract and slides available [here](#).
- On 30 July, Pauline McBride delivered a presentation to the Scottish Society for Computers and Law and the Faculty of Advocates on 'The Role of Lawyers in an Era of Computational Law'. The presentation offered an introduction to the work of COHUBICOL and highlighted the need for lawyers to understand the implications of legal tech for the way in which law is practised and experienced.

## Added resources to the website:

Under [bibliography](#) we added e.g. (check it out in the Zotero database):

- An interesting exercise in NLP, tracing the use of different terms for what is often called 'legal technologies', see Salmerón-Manzano, 'Legaltech and Lawtech: Global Perspectives, Challenges, and Opportunities', *Laws*, 2021, doi: 10.3390/laws10020024.
- A small set of seminal works on the interaction between AI and International Law, the research domain of Emilie van den Hoven, e.g. Deeks, 'High-Tech International Law', *George Washington Law Review*, 2020; Burri, 'International Law and Artificial Intelligence', 2017. doi: 10.2139/ssrn.3060191; Cummings, Roff, Cukier, Prakilas, Bryce, 'Artificial Intelligence and International Affairs. Disruption Anticipated', Chatham House. The Royal Institute of International Affairs, 2018.  
<https://www.chathamhouse.org/2018/06/artificial-intelligence-and-international-affairs/1-introduction-artificial-intelligence>

Under [key resources](#) we added e.g. [JURI SAYS](#), which predicts pending cases of the European Court of Human Rights based on prior case law

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