

# **THE RIGHT TO A REMEDY AGAINST AN AUTOMATED DECISION AND THE EUROPEAN REGULATORY APPROACH**

## ***Course syllabus***

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### **1ST CHAPTER: WHY SHOULD AUTOMATED DECISIONS BE CONTESTED?**

#### **§1 AI malfunction is a general issue of this technology**

#### **§2 Risks of infringement of fundamental rights**

- A) In the public sector
- B) In the private sector

### **2D CHAPTER: WHY AUTOMATED DECISIONS ARE SO DIFFICULT TO CONTEST?**

#### **§1 The ideological reasons of AI's incontestability**

- A) The scientism of some technicians
- B) The Libertarianism of the business leaders
- C) The digital solutionism of some politicians

#### **§2 The legal difficulties of challenging an AI decision**

- A) The need to expand the right to class action
- B) The need to guarantee the right to transparency

**3TH CHAPTER: HOW COULD THE EUROPEAN AI REGULATION GUARANTEE THE  
RIGHT TO A REMEDY?**

**§1 How does the European projects address the issue of the right to a remedy?**

- A) The Council of Europe project
- B) The European Union project

**§2 What should be promoted to strengthen the effectiveness of the right to a remedy against an automated decision?**

- A) The challenge of the legal definition of AI
- B) The challenge of a risk-based method of regulation