

Regulating Technological Development at the Intersection of Science and Law

Workshop in the framework of the RoboLaw project

Regulation is defined as the intentional influencing of a subject's behavior. Law is for certain the most obvious example of this, but other mechanisms achieve the same result: moral and social norms, authorities and institutions, market and organizations to name a few.

Because of the extreme diversity of the fields, which may require an external intervention to attain desired outcomes or to prevent undesired consequences, over the past decades the importance of alternative approaches has been stressed, and labels such as "smart regulation", "responsive regulation" or "passive regulation" were elaborated to depict a wider array of tools to be used to tackle this task. In particular some areas of modern socio-economic interaction seem to require a switch from a command-and-control legislation and enforcement, typical of the classical democratic setting, to a kind of co-regulation and participatory governance of the legislative process involving external players, who do not belong to the State institutions called to intervene.

Technological innovation certainly represents a case in point. Not only does it develop in a transnational context, being the purport of the cooperation of articulated research teams spread over the globe, but it is also, by its very nature, a cross-boundary-phenomenon, which runs across jurisdictions most often extremely distant from one another, even with respect to axiological choices.

Hence a traditional hard law approach frequently appears to be inadequate, while soft law may be preferable. The workshop, articulated in two panels, will address this issue, both from a theoretical and a case-scenario perspective.

The first panel deals with the possible dimensions of technology regulation, considering the nature and role of technical standardization and transnational private regulation, thus aiming at providing a definition of technical norms as opposed to legal norms and ethical norms, even in a European and comparative perspective. The second panel focuses on the current use of these diverse regulatory tools in some relevant fields, intended as case-studies: Agri-food technologies, ICT's, telecommunications, environmental protection and emerging technologies.

Finally the differences between soft and hard law, legal norms and technical standards, with regard to the capacity to produce a viable and satisfactory "legislative outcome", will be addressed.

Scientific Board:

E. Stradella (University of Pisa, stradella@mail.jus.unipi.it)
A. Carnevale (SSSA)
L. Nocco (SSSA)
A. Bertolini (SSSA)
A. Di Carlo (SSSA)
V. Casamassima (SSSA)
F. Azzarri (SSSA)
A. Pini (SSSA)
E. Palmerini (SSSA, e.palmerini@sssup.it)

Secretariat:

P. Salvini (SSSA, Project Manager)
A.Nucci (alessandra.nucci@sssup.it)
V. Cioni (v.cioni@sssup.it)

This workshop is organised in the framework of the RoboLaw project, funded in the Seventh Framework Programme [FPT 2007-2013] under Grant Agreement n. 289092.

www.robotlaw.eu



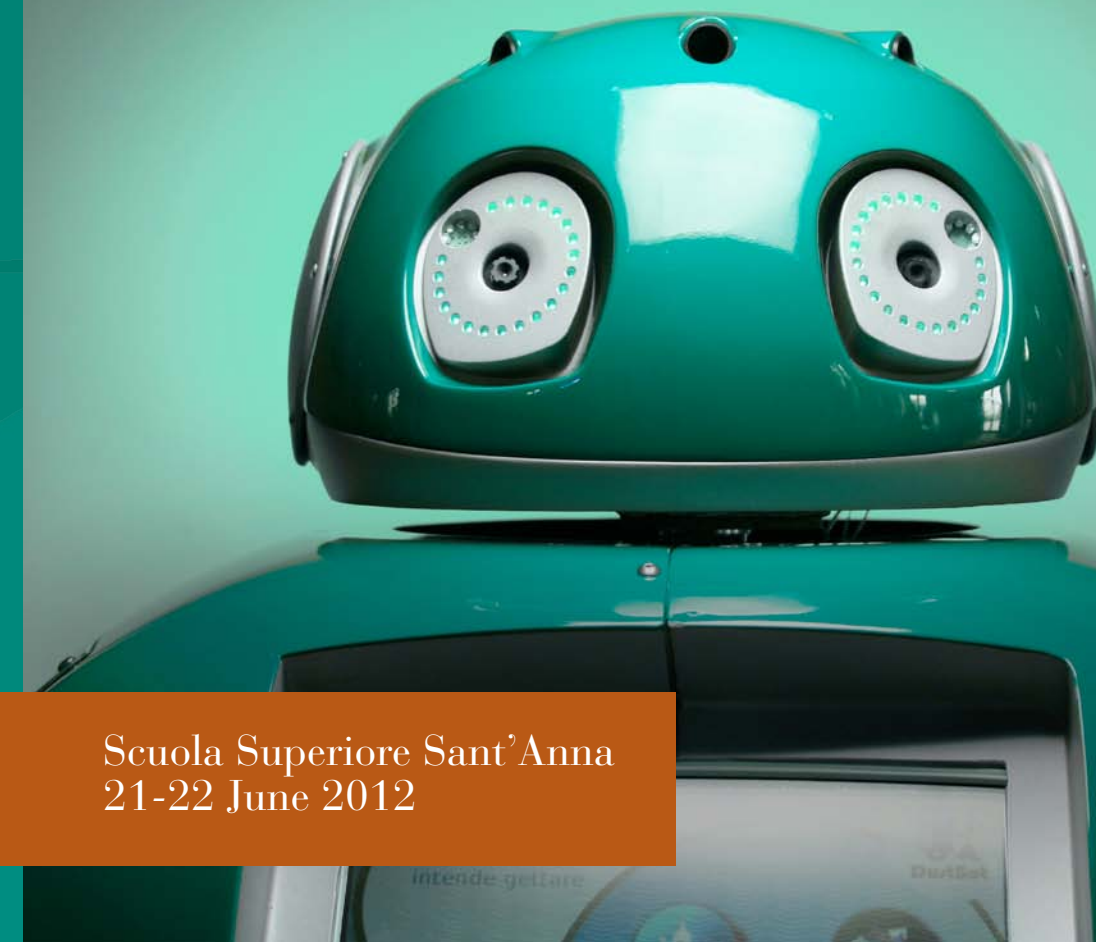
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Scuola Superiore
Sant'Anna
di Studi Universitari e di Perfezionamento

Piazza Martiri della Libertà 33, PISA | www.sssup.it

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PROGRAMME

Thursday 21st June, h. 14.30, Room 3

- Welcome: Emanuele Rossi, Director Dirpolis Institute
- Introduction: Erica Palmerini (Scuola Superiore Sant'Anna, Project Coordinator)

First Panel

Regulating Technology: Theoretical Perspectives

- Chair: Paolo Dario (Scuola Superiore Sant'Anna)

Stefano Rodotà (University of Rome "La Sapienza"),
Technology and Regulation: A Two-way Discourse

Bert-Jaap Koops (TILT, Tilburg University),
Multiple Dimensions of Technology Regulation: An Overview

Fabrizio Cafaggi (European University Institute),
Technical Standardization and Transnational Private Regulation

Astrid Zei (University of Rome "La Sapienza"),
Rule of Law at Stake: The Increasing Role of Private Norms and Standards in the European Legal System

Amedeo Santosuosso (University of Pavia, ECLT),
Is there a Need for a General Theory of Law and Technology?

- Discussion

Friday 22nd June, h. 9.30, Room 6

- Welcome: Maria Chiara Carrozza, Rector Scuola Superiore Sant'Anna

Second Panel

Regulating Technology: A Case-Scenario Approach

- Chair: Paolo Carrozza (Scuola Superiore Sant'Anna)

Eleonora Sirsi (University of Pisa),
Agri-food Technologies and the Law

Alessandra Arcuri (European University Institute),
Risk Regulation: Comparing Alternative Regulatory Paradigms

Anton Vedder (TILT, Tilburg University),
Regulating Robotic Technologies: The Problems of Legitimacy and Acceptance of Robots

Marco D'Ostuni (Cleary Gottlieb Steen & Hamilton, LLP),
Communication Technologies and the Law

Michele Passaro (Independent Regulatory Authority for Electricity and Gas),
Technical Regulation and the Role of Independent Regulatory Authorities: The Case of the Regulatory Authority for Electricity and Gas

Gurvinder S. Virk (University of Gävle, ISO),
The Role of Standardization in the Regulation of Robotic Technologies

- Discussion