LEGAL WORKSHOP
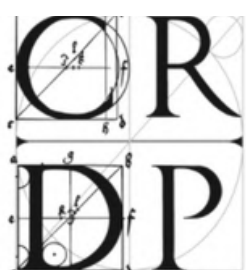## THE DIGITAL TRANSFORMATION OF THE PUBLIC SECTOR

3-5 July 2024
University of Basel

Legal Workshop

THE DIGITAL TRANSFORMATION OF THE PUBLIC SECTOR

The Legal Workshop on the Digital Transformation of the Public Sector is organised by four PhD candidates from European universities: University of Basel (Switzerland), University of Paris Nanterre (France), University of Lyon III (France) and the European University Institute (Italy). Held at the University of Basel, it aims to bring together international doctoral students working in the field of digital public law.

The workshop consists of three intensive days of research and is designed to alternate between individual presentations and group discussions. The number of participants is limited, as the main objective of the workshop is to help the doctoral students in the writing of their thesis. The diversity in the students' profiles will allow peer reviewing, feedback, and discussions, while at the same time gaining knowledge in different (but related) fields. These moments of exchange will enable PhD candidates to gain a deeper understanding of the issues raised by the use of digital technologies by the administration in each of the countries represented. Participants will have the opportunity to present their research so that everyone can benefit from their expertise.

In addition, in order to further enrich those exchanges, leading European scholars will be invited to give presentations on technical and methodological topics (e.g. introduction to AI and machine learning, methodology of legal research on emerging technologies, etc.). By inviting speakers and experts to discuss about topics related to digitisation, artificial intelligence and legal research on new technologies, the workshop aims to promote interdisciplinarity. It enables participants to gain a comprehensive understanding of the various issues involved in the digital transformation of the public sector.

In addition, the event seeks to establish a network of young researchers in the field of public digital law. It aims to foster collaboration beyond national borders and to lay solid foundations for future joint research projects.

In conclusion, the workshop is a unique opportunity for young researchers to exchange ideas, acquire interdisciplinary knowledge, and establish valuable links in the field of digital public law. It aims to contribute to the advancement of knowledge in this field while fostering international cooperation among emerging scholars.

Liliane Obrecht, Nina Lasbleiz, Clémentine Pouzet and Ludivine Stewart

Wednesday, July 3rd

University of Basel, Law Faculty, Peter Merian-Weg 8, 4002 Basel

13:30 | **Arrival at the law faculty of Basel**

13:30 - 14:00 | Welcome and Agenda for the next two days

14:00 - 14:45 | Speed Dating / get to know each other / ice breaker games

14:45 - 15:15 | **Why regulate AI ? What's behind the EU, the Council of Europe and Swiss Approach to AI regulation ?**
Prof. Dr. Nadja Braun Binder, University of Basel (Switzerland)

15:15 - 15:45 | **Technical Introduction to AI and Machine Learning**
Mélanie Gornet, PhD candidate, Télécom Paris (France)

15:45 - 16:15 | Discussions

16:15 - 16:30 | Coffee break

16:30 - 17:00 | **Methodology of legal research on emerging technologies**
Dr. Thomas Le Goff, Assistant professor of Law & Technology, Télécom Paris (France)

17:00 - 17:30 | Discussions

17:30 - 17:50 | **Tales from the frontline**
Esther Zysset & Catherine Egli, advisors and litigators in Public Law (Switzerland)

From 18:00 | **Evening program**

Dinner at the Restaurant "Le Rhin Bleu"
St. Alban-Rheinweg 195, 4052 Basel

Thursday, July 4rth

University of Basel, Law Faculty, Peter Merian-Weg 8, 4002 Basel

09:15 - 09:30

Welcome and Agenda

THESIS PRESENTATIONS #ROUND 1
> Administrative activities using Artificial Intelligence (AI)

09:35 - 09:50

Risk prevention using AI
Irit Milkes, PhD candidate, University of Barcelona (Spain)

09:50 - 10:05

Feedback and Discussions

10:10 - 10:25

Use of AI in asylum procedures
Ludivine Stewart, PhD candidate, European University Institute (Italy)

10:25 - 10:40

Feedback and Discussions

10:40 - 11:00

Coffee break

11:00 - 11:15

Administrative decision-making using AI
*Luis Lima de Oliveira, PhD candidate, University of Paris Nanterre (France)
and University of Pernambuco (Brazil)*

11:15 - 11:30

Feedback and Discussions

11:35 - 11:50

Signatures and electronic signatures in (automated) administrative procedures
Liliane Obrecht, PhD candidate, University of Basel (Switzerland)

11:50 - 12:05

Feedback and Discussions

12:15 - 13:15

Lunch break

13:20 - 14:20

GROUPS DISCUSSIONS #ROUND 1

> Presentation by Djilali Taïar on the management of the public sector's IT assets: how can the public sector limit its environmental footprint? (10 minutes)
> Discussions in groups of 4 or 5 (30 minutes)
> Feedback and general discussion from all participants (20 minutes)

14:30 - 14:45	**The consequences of new technologies for fundamental rights** *Clémentine Pouzet, PhD candidate, University of Lyon III (France)*
14:45 - 15:00	Feedback and Discussions
15:05 - 15:20	**Technical standards for AI and fundamental rights** *Mélanie Gornet, PhD candidate, Télécom Paris (France)*
15:20 - 15:35	Feedback and Discussions
15:35 - 15:55	Coffee break
16:00 - 16:15	**Administrative litigation of digital activities** *Nina Lasbleiz, PhD candidate, University of Paris Nanterre (France)*
16:15 - 16:30	Feedback and Discussions
16:35 - 16:50	**Transparency of algorithmic administrative action** *Regina Weder, PhD candidate, University of Zurich (Switzerland)*
16:50 - 17:05	Feedback and Discussions

17:10 - 18:00   **GROUPS DISCUSSIONS #ROUND 2**
> Working groups on Methodology

Group #1 : Methodological difficulties linked to the topical nature of the subject. With the participation of ***Thomas Le Goff***, Assistant professor of Law & Technology, Télécom Paris.

Group #2 : Methodological difficulties linked to the interdisciplinary nature of the subject. With the participation of ***Apollo Dauag***, habilitation candidate at the chair of Prof. Nadja Braun Binder and scientific managing director of e-PIAF (Basel).

From 18:00   **Evening program**

Dinner at the Restaurant "Ufer7"
u. Rheingasse 11, 4058 Basel

Friday, July 5th

University of Basel, Law Faculty, Peter Merian-Weg 8, 4002 Basel

09:00 - 09:15 **Welcome and Agenda**

THESIS PRESENTATIONS #ROUND 3
> Solutions for digital administrative activities respectful of fundamental rights and the environment

09:15 - 09:30 **Environmental regulation of digital technology**
Djilali Taïar, PhD candidate, University of Artois (France)

09:30 - 09:45 Feedback and Discussions

09:50 - 10:05 **Participation in the AI Era: Examining Citizens' Role in the Development of Public-Sector Artificial Intelligence**
Maria Estela Lopes, PhD candidate, European University Institute (Italy)

10:05 - 10:20 Feedback and Discussions

10:20 - 10:40 Coffee break

10:45 - 11:00 **E-government in Switzerland, a prerequisite for state automation, current situation and outlook**
Marc-Olivier Busslinger, PhD candidate, University of Geneva (Switzerland)

11:00 - 11:15 Feedback and Discussions

11:20 - 11:35 **Building a European cybersecurity law**
Hermine Cappé, PhD candidate, University of Rennes (France)

11:35 - 11:50 Feedback and Discussions

11:55 - 12:10 **Data protection and Information security**
Livio di Tria, PhD candidate, University of Lausanne (Switzerland)

12:10 - 12:25 Feedback and Discussions

12:30 - 13:30 Lunch break

13:40 - 14:40   **GROUPS DISCUSSIONS #ROUND 3**

> Presentation by Luis Lima de Oliveira on the electronic signatures in non-automated administrative procedures: issues from the Brazilian experience (10 minutes)
> Discussions in groups of 4 or 5 (30 minutes)
> Feedback and general discussion from all participants (20 minutes)

THESIS PRESENTATIONS #ROUND 4
> New technologies and legislation

14:50 - 15:05   **The consultation procedure in the digital age: an overview of Swiss practice**
Nina Laukenmann, PhD candidate, University of Basel (Switzerland)
15:05 - 15:20   Feedback and Discussions

15:25 - 15:40   **AI in the Legislative Process**
Marlène Schürch, PhD candidate, University of Zurich (Switzerland)
15:40 - 15:55   Feedback and Discussions

16:00 - 16:15   Coffee break

16:15 - 16:45   **Conclusion of the workshop (online)**
Prof. Dr. Lucie Cluzel-Métayer, University of Paris Nanterre (France)

16:45 - 17:15   Feedback on the workshop

How to stay in touch

End

GUEST SPEAKERS

Nadja Braun Binder
University of Basel

Nadja Braun Binder is Professor of Public Law at the Faculty of Law of the University of Basel and co-director of the electronic Public Institutions and Administrations Research Forum (e-PIAF). She studied law at the University of Bern, where she completed her PhDon the subject of voting secrecy. Her academic career took her to the Research Institute for Public Administration in Speyer (Germany) in 2011. In 2017, she completed her habilitation at the German University of Administrative Sciences Speyer with a thesis on European tax law and was appointed to the Faculty of Law at the University of Zurich, where she worked as an assistant professor of public law with a special focus on European democracy issues until 2019.

Her current research interests include the digital transformation of public administration, political rights and democracy.

Lucie Cluzel Métayer
University of Paris Nanterre

Lucie Cluzel-Métayer is Professor of public law at the University of Paris Nanterre, a member of the Centre de recherches sur le droit public (CRDP) and renowned for her expertise in digital public law. She is co-director of the Master's degree in Digital Law and the Doctoral School of Law and Political Science at University Paris Nanterre. Her research focuses on public service law and digital public law. She has co-edited several books, including one on the digital transformation of public services and another on elements of digital public law.

Apollo Dauag
University of Basel

Apollo Dauag is a habilitation candidate at the chair of Prof. Nadja Braun Binder and scientific managing director of the electronic Public Institutions and Administrations Research Forum (e-PIAF) at the Law Faculty of the University of Basel. He has been working as an attorney since 2013 and advises private individuals, companies and public institutions on various digital topics. His dissertation on the evidentiary aspects of civil proceedings against cloud providers was published in 2021. As part of his habilitation project with Prof. Nadja Braun Binder, he is investigating the influence of science on digital legislation in Switzerland (to the research portrait). In his role as co-leader of the digital specialist group of the Basel-Stadt Bar Association he examines the digital transformation of legal practices, and is committed to open access publications on Swiss law with Repositorium.ch.

Catherine Egli
Advisor and litigator at Public Sector Law Zurich

Catherine Egli advises and litigates in the public sector. To this end, she particularly examines the functions of the State. What is the role of the State and which tasks should be left to society? In which manner should the State manifest itself and how can the State ensure that current challenges such as digital transformation and climate change do not occur at the expense of human rights?

Before joining Public Sector Law as an Associate, Catherine studied law at the Universities of Basel, Geneva and Paris. In addition to various internships at the Criminal Court of Basel-Stadt, leading law firms and the Swiss Embassy in Washington D.C., she also worked at the Federal Office of Justice and the University of Basel before being admitted to the Swiss bar in 2023.

Thomas Le Goff
Institut Polytechnique Paris - Télécom Paris

Dr. Thomas Le Goff is an Assistant Professor of Law & Technology at Telecom Paris, Institut Polytechnique de Paris. He teaches and researches topics related to the regulation of digital technologies, data, cybersecurity and AI. His research focuses on the links between AI and sustainability, from a legal and public policy perspective. Prior to working in academia, he worked as an in-house legal counsel at Electricité de France (EDF), within the IP, digital and data legal department, where he was in charge of data protection and digital regulation expertise. Thomas graduated from University Paris Cité (PhD and Master's), University of Exeter (LLM) and University of Rennes 1 (LLB and Master's). He wrote his PhD thesis on AI regulation in the energy sector, including an in-depth analysis of the AI Act and first proposals to incorporate environmental sustainability in AI regulation.

Esther Zysset
Advisor and litigator at Public Sector Law Zurich

Esther Zysset has been practising public law for over ten years. In particular, she advises public institutions, namely in the field of higher education and religious organisations. She also has broad experience in the telecom sector and the digital economy.

Before joining Public Sector Law as partner she worked both independently as a lawyer and as associate and trainee in international law firms in Geneva (Sidley Austin LLP, Lenz &Staehelin). She was also General Counsel of SWITCH in Zurich (2012-2016), where she was responsible amongst other things for administrative law, IT, data protection and telecommunications law. In her PhD she focused on administrative contracts between the State and private entities (2021).

PARTICIPANTS

Marc-Olivier Busslinger
University of Geneva

Marc-Olivier Busslinger is a PhD candidate at the University of Geneva. His thesis focuses on e-government and federalism in Swiss law. He is interested in the digital transformation of authorities, and in the influence of digitisation on the rights of individuals. His thesis examines the tension between federalism, one of Switzerland's structuring constitutional principles, and the rationalisation of state action that justifies the digitisation of administrative processes. He is currently a member of the committee of the Swiss forum for young public law scholars.

Hermine Cappé
University of Rennes

Her name is Hermine Cappé, and she is a PhD candidate in cybersecurity law at Rennes University (France). Despite what her thesis subject might suggest, she does not consider herself a geek—unless, of course, being a huge fan of Star Wars and watching anime qualifies her as one. Her academic background is focused on public law and international public law. She shifted towards digital law and cybersecurity law during her first Master 2, exploring various topics such as artificial intelligence, blockchains, and data law. She has a passion for teaching and university research, but she also aspires to be a lawyer. She is eagerly looking forward to the discussions and individual presentations during the workshop, as she believes it will be a fulfilling experience for everyone.

Mélanie Gornet
Institut Polytechnique Paris - Télécom Paris

Mélanie Gornet is a PhD candidate. In her research, she focuses on the regulation of artificial intelligence, encompassing social, legal and technical aspects. Notably, she has been studying the relationship between technical standards, the CE marking that will be required for high-risk AI systems under the AI Act, and respect for fundamental rights. She looks at standardization initiatives around "trustworthy AI", including standards on bias and non-discrimination, and asks whether it is ever possible to certify that an AI system complies with fundamental rights? Her background is in engineering (MSc ISAE-SUPAERO in data science and AI) and political science (M2 SciencesPo in international affairs), but her PhD is interdisciplinary. Also, she is a huge rugby fan and she volunteered for feminist and LGBTQ+ associations.

Nina Laukenmann
University of Basel

Nina Laukenmann is currently working as an assistant to Prof. Nadja Braun Binder and as a cyber project manager at the DDPS. Since January 2024 she is a doctoral candidate at the Faculty of Law in Basel. She studied law at the University of Zurich (MLaw) and subsequently completed an LL.M. with a specialisation in international and transnational criminal law at the University of Amsterdam.

Maria Estela Lopez
European University Institute

Maria Estela Lopes is a Ph.D. Researcher at the European University Institute, exploring how natural and legal persons can participate in AI systems' development in the public sector. Her research delves into the intersection of administrative law, public procurement, and AI, focusing on the intricacies of the technical processes of AI development in the public sector and the significant influence of private entities in shaping public sector technology. Drawing from her academic background, including an LL.M. from the Catholic University of Portugal and a Bachelor of Laws from NOVA Law School, alongside her practical experience as a qualified lawyer in Portugal and a teaching assistant at the Catholic University of Portugal, she brings a multifaceted perspective to her research.

Irit Milkes
University of Barcelona

Irit Milkes is a lawyer and researcher at Universidad Externado de Colombia. Since 2015, she has been part of the Administrative Law Department, as a Researcher. She is pursuing a PhD in Law at the University of Barcelona, with a research focus on how both Public Administration and the private sector manage risks and engage with emerging technologies. Her research investigates risk management strategies, their enforcement mechanisms, and the legal ramifications of their application. The goal is to shed light on the fundamental role of Public Administration in safeguarding public interests amidst the challenges posed by regulation and the integration of Artificial Intelligence in public affairs.

Luis Fernando Lima de Oliveira
University of Paris Nanterre & Federal University of Pernambuco

Luis Fernando Lima de Oliveira is born in the northeast of Brazil (Recife), and living in the south (Porto Alegre), where he works as an attorney for the Ministry of Economy and Finance. He has been in France since 2020 to develop his thesis on the legal implications of artificial intelligence on administrative acts. In addition to law and scientific innovation, he is interested in the world of culture, travelling and meeting people. Thus, this legal workshop in Basel is for him an opportunity to put all these passions into practice.

Marlène Schürch
University of Zurich

Marlène Schürch is Head of IT-Law and Data Protection at the State Chancellery of the Canton of St.Gallen, PhD candidate at the University of Zurich at the Chair of Prof. Dr. Felix Uhlmann and Member of Parliament of the City of St.Gallen. She specializes in legal aspects of the digital transformation of the administration from a regulatory perspective. Her research focuses on the use of artificial intelligence in the legislative process and is part of the project "Large-Scale Political Participation" of the Swiss National Science Foundation. Marlène Schürch studied law at the University of St.Gallen (M.A. HSG) and international law at the University of Geneva (CDT) and the Fletcher School of Law and Diplomacy in Boston (LL.M.). She previously worked at the Directorate of International Law of the Federal Department of Foreign Affairs.

Djilali Taïar
University of Artois

Djilali Taïar is a PhD student at the University of Artois, in France, and he works on the consideration of digital activities under environmental law. He chosed to study environmental law in order to save human species from itself. Beside this, he loves hiking and discovering new cultures.

Livio di Tria
University of Lausanne

Livio di Tria is a partner at YBCS and is mainly active in the field of new technology law. His main areas of practice include data protection, information and communication technologies, frontier technologies and cybersecurity. He is also a lecturer at various institutions. He is writing his doctoral thesis on the right of access to personal data.

Regina Weder

University of Zurich / Center for Democracy Aarau

Regina Weder is a PhD candidate at the Center for Democracy Aarau and the University of Zurich. In her dissertation, she examines the legal requirements for the transparency of public algorithms and how transparency rules can help to control the risks of algorithmic decision-making. The functionality and risks of public algorithms always depend on their wider context and the people involved in their creation and application. Thus, in their research, she combines findings from computer science, critical data and algorithms studies with the legal regulatory debate.

LEGAL WORKSHOP TEAM

Nina Lasbleiz
University of Paris Nanterre

Nina Lasbleiz is a PhD candidate in Public and Digital Law at the University of Paris Nanterre, specializing in litigation related to the digital activities of public administrations. Her research focuses on disputes arising from the use of digital technologies by the administration and how administrative judges control these activities. This thesis allows her to explore several fascinating topics, including the right of access to the judiciary, transparency, the litigation activities of regulatory authorities, judicial review, and administrative liability. She looks forward to discussing it with you at the workshop!

Liliane Obrecht
University of Basel

Liliane Obrecht is a PhD student and research associate at the Law Faculty of the University of Basel working on the digital transformation in the public administration. Last year, she spents two months at the University of Paris Nanterre. She is currently working on two projects. Her PhD project is about the digital transformation of handwritten signatures in administrative procedures. The second project, which is affiliated with the Research Centre for Digitalization in Government and Administration (e-PIAF), is about the creation of a legal framework for artificial intelligence in Switzerland.

Clémentine Pouzet
University of Jean Moulin Lyon III

Clémentine Pouzet is a doctoral student in European law and human rights at Lyon III University in France. She holds an LL.M in European law and human rights.

She is currently working on artificial intelligence and European law under the supervision of Professor Gaëlle Marti. Her work aims to study ways of regulating artificial intelligence in order to reduce its biases, risks and negative consequences on human rights. To carry out her research, she studies both European and Council of Europe law, as well as the ethics of artificial intelligence.

Ludivine Stewart
European University Institute

Ludivine Stewart is a PhD candidate at the European University Institute, in Florence. His research project focuses on the use of AI systems in national asylum procedures in Europe and their regulation under EU law. Her thesis examines how AI systems are being integrated into the asylum process and what the implications are for ensuring fair asylum procedures. Before starting her PhD, she studied French and German law before specialising in EU law. She did an internship at the CJEU and at a law firm in Brussels specialising in EU staff cases, which confirmed her passion for EU law. In her free time she enjoys sports, especially bouldering and dancing.

TRAVEL
TO BASEL

Bâle, Suisse | © Xantana

SOME
RECOMMENDATIONS
FROM A LOCAL

Basel is a city in northwestern Switzerland on the river Rhine. Basel is Switzerland's third-most-populous city (after Zürich and Geneva), with 177,595 inhabitants within the city municipality limits.The official language of Basel is (the Swiss variety of Standard) German, and the main spoken language is the local Basel German dialect.

Basel is commonly considered to be the cultural capital of Switzerland and the city is famous for its many museums, including the Kunstmuseum, which is the first collection of art accessible to the public in the world (1661) and the largest museum of art in Switzerland, the Fondation Beyeler (located in Riehen), the Museum Tinguely and the Museum of Contemporary Art, which is the first public museum of contemporary art in Europe. Forty museums are spread throughout the city-canton, making Basel one of the largest cultural centres in relation to its size and population in Europe.

M

MUSEUMS

- Fondation Beyeler in Riehen https://www.fondationbeyeler.ch
- Kunstmuseum Basel https://kunstmuseumbasel.ch/
- Papiermühle https://www.baslerpapiermuehle.ch/
- Tinguely Museum (https://www.tinguely.ch)

Ask for student reduction =)

S

SWIMMING

Bring a waterproof bag (or buy a typical fish-swimming bag from Basel «Wickelfisch») and jump into the Rhine! But be careful: For good swimmers only. Stay close to the border.

Z

ZOO

Basel has a huge and very nice Zoo in the middle of the city center (https://www.zoobasel.ch/de/). Two minutes from the Hotel Birsighof. Ask for student reduction =)

B

BIKE

Rent a bike (e.g. https://www.basel.com/de/attraktionen/guest-bike-basel-90356f5809) and ride along the River and cross the border to France and Germany within minutes.

E

EAT

Brunch/Breakfast
- Avant Gouz (https://www.avant-gouz.com/)
- Café Frühling (https://www.cafe-fruehling.ch/)
- La manufacture (https://www.lamanufacture-restaurant.com/index.html)

Lunch/Dinner
- Klara (https://www.klarabasel.ch/)
- Thai Square (https://www.thaisquare.ch/)
- Vito Pizza (https://www.vito.ch/)
- Burger at La manufacture (https://www.lamanufacture-restaurant.com/index.html)
- Food Court: Markthalle (https://altemarkthalle.ch/)

All the Bars at the Rhine River also serve food. I recommend you though to get some take away (e.g. from Vito Pizza or MANOR Food (https://www.manor.ch/de/store-finder/store/bas)) and enjoy the evening at the Rivers Border. Thats how the locals do! =)

D

DRINK

In the summer you will find plenty of nice bars directly at the Rhine Rivers Border:

- Flora Buvette (https://www.ufer7.ch/de/buvette7-flora-am-rhy/)
- Walther Buvette (https://waltherbasel.ch/de)
- Fähri Bödeli (https://faehriboedeli.ch/)
- Hafen (https://www.basel.com/de/attraktionen/hafen-a55b2a03c5), not directly in the city center
- Sandoase (https://www.sandoase.ch/), not directly in the city center

Rooftop Bars:

- Amber Bar (https://amber-bar.ch/)
- Helvetia Bar (https://www.b1-rooftop.ch/)

C

CHILL & TAKE A BREAK

- St. Johann Park (https://www.stadtgaertnerei.bs.ch/stadtgruen/park-gruenanlagen/st.-johanns-park.html), they also have a nice Coffeeshop and Snack Bar (Kleiner Wassermann)
- Kannenfeldpark (https://www.stadtgaertnerei.bs.ch/stadtgruen/park-gruenanlagen/kannenfeldpark.html)
- Botanischer Garten Basel (https://botgarten.unibas.ch/de/)

INFORMATION

Adress:
University of Basel, Law Faculty
Peter Merian-Weg 8
4002 Basel

How to get there:
From Basel Main Railway Station
About 10 minutes by foot from Basel Main Railway Station (Basel SBB) or 4 minutes by public transportation.

From airport(s)
Closest airport: Basel Euroairport, about 30 minutes
About 1:30 hours from Zurich Airport

Contact & Information:
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