

Video-based AAL technologies and balancing of interests

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Presentation plan

- 1) Research questions
- 2) Research plan
- 3) Progress till May 2022
- 4) Progress till April 2023
- 5) Plan of action

Research questions

- 1) Who are stakeholders and what are their interests?
- 2) Are there conflicts of interests? How they are currently regulated?
- 3) What is balance, and why to seek it?
- 4) What are available methods of balancing?

Research plan

1) Delimitation of research:

- a) Video-based AAL technologies for senior citizens at private homes
- b) European law (EU law and ECHR)

2) Stakeholders and their interest

3) Conflicts of interests, and how they are currently regulated

Research plan

- 4) Exploration of the concept of balance in legal context
 - a) No single method
 - b) Four main understandings: equilibrium, perfect proportion, avoiding of domination, compromise.
- 5) Available methods of balancing
 - e.g. information obligation, participatory design of technology and of the law, (fundamental) rights, privacy by design

Progress till the 1st visuAAL seminar (May 2022)

- 1) Narrowing the geographical, jurisdictional, and technological scope: video-based AAL technologies for senior citizens at private homes in Europe, in the context of the EU law.
- 2) Conceptual work on the meaning of interest and balance.

Progress since the 1st visuAAL seminar (May 2022)

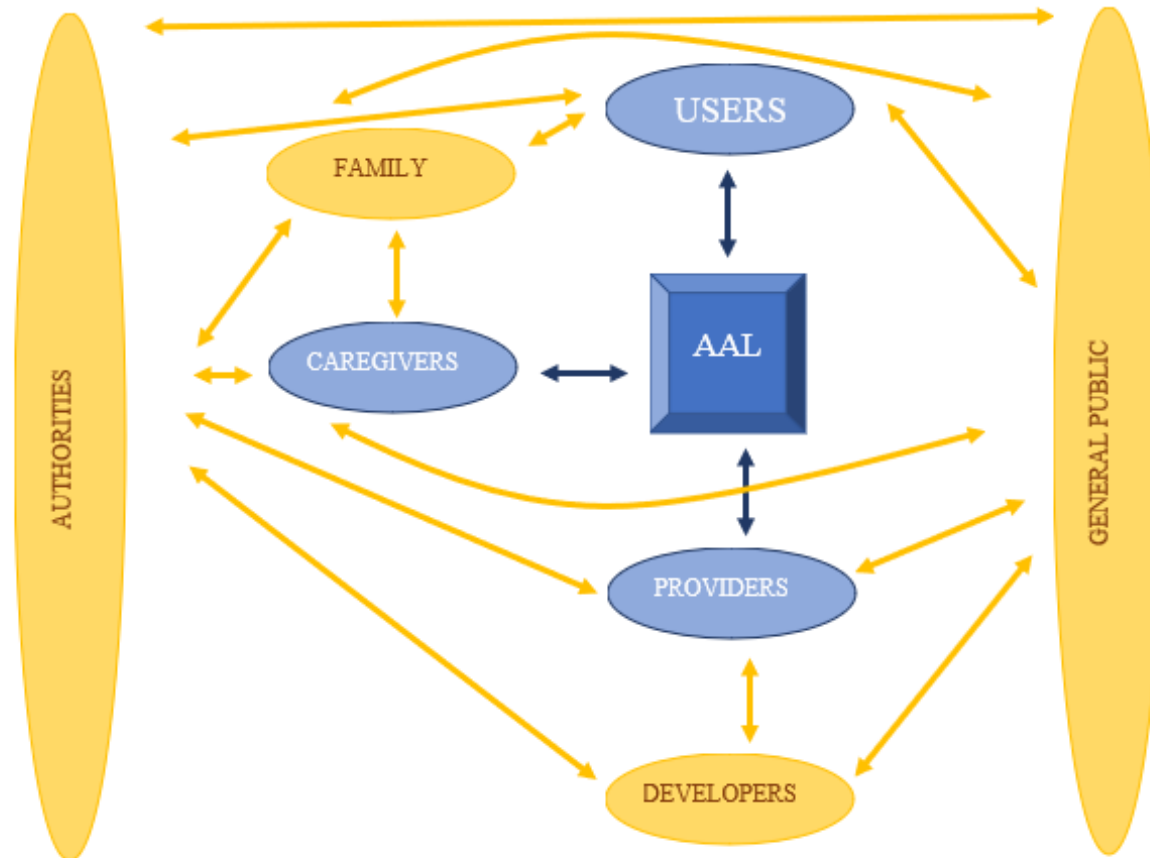
- 1) Identifying and characterising stakeholders, and recognising users as the main stakeholder.
- 2) Mapping users' interests.
- 3) Investigating potential conflicts of interests between users and other stakeholders.

Identifying stakeholders – stakeholders in the law

GDPR
Data Subjects
Controllers
Processors
Recipients
3rd Party

AI Act
Provider
User
Operator (provider, user, authorised representative, importer, distributor)
Distributor
Notified Body
National Supervisory Authority
People interacting with AI

Identifying stakeholders – phenomenological approach



1. Users
2. Caregivers
3. Providers
4. Families
5. Developers
6. General public
7. Authorities

Mapping users' interests

1. Quality of AAL
2. Quality of life
3. Autonomy
4. Privacy
5. Security
6. Liability
7. Effective remedies (or as a part of liability?)
8. Economic interests

Being informed as the main interest of users

1. Prerequisite for other interests to be met
2. Impact on implementation of AAL (effective using of technology and acceptance)

Potential conflicts of interests

- 1) Autonomy v health – if user cannot be informed
- 2) Information about processing personal data v trade secret
- 3) Information about the logic of the system v trade secret
- 4) Costs of providing information and its impact

Conferences

- „Robots and the Europe’s Digital Decade – A Talk About the EU Policy Towards Robots” - 31st IEEE International Conference on Robot & Human Interactive Communication, 2022.
- „Information Obligation as a Balancing Tool in the Context of Active and Assisted Living”, Joint International Conference on Digital Inclusion, Assistive Technology & Accessibility - ICCHP-AAATE 2022
- „Balance of interest and AAL” - ACM Conference on Fairness, Accountability, and Transparency 2022
- „European Digital Rights – Human Rights for a Digital Age?” – 38th Annual CSUN Assistive Technology Conference, 2023
- „Multilayer Information Obligation & Why We Need It” - 38th Annual CSUN Assistive Technology Conference.

Publications

- „Information Obligation as a Balancing Tool in the Context of Active and Assisted Living” [in:] ICCHP-AAATE 2022 Open Access Compendium "Assistive Technology, Accessibility and (e)Inclusion" Part II, pp. 260-269, 2022
- „Active Assisted Living – legal tectonic plates. White paper on the legal framework for video-based assisted technologies” – visuAAL deliverable (coauthor)
- „Position paper on ethical, legal and social challenges linked to audio- and video-based AAL solutions” – GoodBrother deliverable (coauthor)

Webinars

- "Can we agree on what privacy means? Philosophical, legal, and social context,, - visuAAL webinar (with Alexander Hick and Tamara Mujirishvili)
- "Privacy - empirical bites,, - visuAAL webinar (with Alexander Hick and Tamara Mujirishvili)

Short term research plans

- 1) Identifying and characterising available methods of balancing.
- 2) Investigating how balance is sought in legal practice, and in the context of technological companies – 2nd secondment.
- 3) Researching whether it's possible and desirable to formulate a general strategy of balancing, and what is the role of the law in it.

Timeline

Aim	Time	Status
1 st version Chapter Introduction	May 2022	✓
1 st secondment – RWTH Aachen	August 2022	✓
1 st version Chapter Balance	December 2022	✓
1 st version Chapter Stakeholders	February 2023	✓
1 st version Chapter Conflicts	April 2023	⌚
2 nd secondment – JP Infonet, Stockholm	June 2023	
2 nd version Chapter Balance	July 2023	
2 nd version Chapter Introduction	October 2023	

Aim	Time	Status
2 nd second secondment – TU Wien/ CogVis	December 2023	
1 st version Chapter Balancing Mechanism	December 2023	
2 nd version Chapter Stakeholders	February 2024	
2 nd version Chapter Conflicts	March 2024	
2 nd version Chapter Balancing Mechanisms	April 2024	
1 st version Chapter Conclusions	June 2024	
2 nd version Chapter Conclusions	July 2024	
Manuscript ready	October 2024	
Defence	April 2025	