

REVIEWS AND ANNOTATIONS

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The new issue of Prague Law Faculty's open-source electronic periodical offers a set of working papers on various topics. The following provides a general outline of their content. Their full versions can be downloaded free of charge from <http://www.prf.cuni.cz>

Dominik Ilichman contributed a paper titled **European Approach to Algorithmic Transparency**. Author claims that while artificial intelligence offers many benefits for European citizens and companies, it also poses potential risks that need to be addressed. Ensuring that AI is human-centric, ethical, sustainable, and respects fundamental rights and values is critical. The opaqueness of AI and the lack of transparency in decision-making can make it difficult to detect and demonstrate potential violations of laws and to safeguard fundamental rights. As a result, algorithmic transparency is essential to ensure that decisions made by AI systems do not violate our basic rights. The EU has taken steps to enhance algorithmic transparency, including through the Digital Services Act, GDPR, Consumer Rights Directive, Platform to Business Regulation, and the proposed AI Act. By improving algorithmic transparency, the EU can maximize the benefits of AI while minimizing its risks and ensuring that it aligns with the values and principles of European society. The paper examines some of the mechanisms under the current union legal framework and seeks to show to what extent they contribute to this sought-after transparency.

Jan Kregl's article bears the title **Gun-Jumping and EU Merger Control - Selected Issues and Types of Problematic Conduct**. His text seeks to address the problem of gun-jumping on the EU level as a dynamic and topical issue of EU merger control. Gun-jumping has lately gained considerable attention within the area of EU competition law as the European Commission toughened its enforcement of this anti-competitive conduct, imposing heavy fines and delving into complex cases. While the subject-matter is still evolving as we are now awaiting the appeal decision of the Court of Justice in the landmark Altice case, certain conclusions can be drawn based on the existing case-law. This text has the intention to analyse the issue of gun-jumping on the EU level and break down the interpretation of relevant EUMR provisions by the Commission and the CJEU. Furthermore, the article seeks to identify the different types of gun-jumping conduct as established by the decision-making practice. In the conclusion, the author emphasizes that the case law examined in his article demonstrates that the Commission is really willing to probe all this merger related conduct quite precisely once it gets suspicious of EUMR infringements possibly being committed. Considering this Commission's growing appetite to interfere in the merger process, over the last few years, gun-jumping definitely went from a scarce phenomenon to a grave transactional aspect that is to be taken into account seriously by both the signing parties and their legal representatives.

Václav Šmejkal treated in his contribution the topic of **The Car-Generated Data Regime as an Urgent Challenge for EU Law**. The issue of what will be the mode of the data that today's connected cars accumulate has become a critical one for the entire automotive sector and its related supply and service industries. If quanta of highly usable data remain largely with car manufacturers, they will become gatekeepers and the entire aftermarket will either fall into complete dependence on them or lose the ability to innovate and compete. Aftermarket leaders and EU institutions are working to ensure that this data is shared from manufacturers to other supply and service providers. However, the most sensitive data is of a personal nature and its widespread sharing in the name of open competition may conflict with the right to privacy and the protection of drivers' personal data. Protecting both competition and data at the same time can be awfully expensive, with negative impacts on consumption and available mobility. This paper seeks to explain this straitjacket of three not en-

tirely consistent requirements and to show the possibilities for emerging legislation within its framework. It shows that there are not only convincing arguments but also strong lobbies behind each of the demands, which makes finding a compromise solution even more difficult. At the end of the analysis, a solution is proposed which, taking into account all the constraints, appears to be the least detrimental to the preservation of all protected rights and legitimate interests. In author's view a specifically regulated market should be created for in-vehicle data, at the centre of which will be the specialized subjects of licensed and closely supervised data companies.

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