HUMAN RIGHTS AND EQUALITY INSTITUTION OF TÜRKİYE

ARTIFICIAL INTELLIGENCE AND HUMAN RIGHTS

Fact Sheet No: 7
October 2022

Artificial intelligence (AI), a term coined by emeritus Stanford Professor John McCarthy in 1955, is defined as **the science and engineering of making intelligent machines.**[1] However, it should be noted that there is no widely accepted definition of AI today, and different definitions may be encountered in different contexts.[2] According to European Commission[3] : **AI refers to systems that display intelligent behaviour by analysing their environment and taking actions – with some degree of autonomy – to achieve specific goals.** AI can also be defined as a tool that will significantly improve human capital by developing numerous new teaching models to educate the labour force.[4]

An implementation of AI is **machine learning.** It gives computers the ability to learn from experience and get better with time, without having to be explicitly programmed.

Deep Learning is a subset of machine learning that can be used to tackle more challenging tasks.

A type of machine learning called **neural networks** is influenced by the human brain. It is crucial for resolving issues with artificial intelligence.

"It can be stated that artificial intelligence technology, which has the potential to reshape every aspect of our lives, has a significant potential in securing human rights. Evaluating this potential and minimizing the risks that may arise is essential. **Artificial intelligence technology carries some vital risks especially in terms of 'security, democracy, and human dignity'. Therefore, the ethical problems of LegalAI practices should be taken seriously and evaluated under an ethical framework that supports human values and dignity. Indeed,** the onto-juridic justification of human rights, which conceptualizes demands for rights and freedoms, is essentially an ethical justification. In a sense, the legitimacy of all claims based on human rights is based on ethics. **Use of artificial intelligence is closely linked to basic principles such as 'privacy, health, security, freedom, dignity, autonomy, self-determination and non-discrimination'.** It is seen that all of these are issues that also contain ethical concerns."[5] For this reason, all relevant international institutions and organizations have advisory or regulatory studies in this field.

1.John McCarthy, Marvin Minsky, Nathaniel Rochester and Claude Shannon, A Proposal for the Dartmouth Summer Research Project on Artificial Intelligence, (August 1955) http://jmc.stanford.edu/articles/dartmouth/dartmouth.pdf

2.The High-Level Expert Group on AI, an independent expert group established by the European Commission, expanded and proposed to use the above definition of AI in the document titled A Definition of AI: Main Capabilities and Disciplines. The following is the proposed definition: ***"AI systems are software (and possibly also hardware) systems designed by humans that, given a complex goal, act in the physical or digital dimension by perceiving their environment through data acquisition, interpreting the collected structured or unstructured data, reasoning on the knowledge, or processing the information, derived from this data and deciding the best action(s) to take to achieve the given goal.*** *AI systems can use symbolic rules or learn a numeric model, and they can also adapt their behaviour by analysing how their previous actions affect the environment. AI as a scientific discipline encompasses a variety of approaches and techniques, including machine learning (of which deep learning and reinforcement learning are specific examples), machine reasoning (which includes planning, scheduling, knowledge representation and reasoning, search, and optimization), and robotics (which includes control, perception, sensors and actuators, as well as the integration of all other techniques into cyber-physical systems)" https://ec.europa.eu/futurium/en/ai-alliance-consultation.1.html*

3.European Council, Communication from the Commission to the European Parliament, Artificial Intelligence for Europe, (April 2018) 237 final.
https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM%3A2018%3A237%3AFIN

4.European Parliament, Economic impacts of artificial intelligence (AI) (July 2019)

5.Muharrem Kılıç, "Ethical-Juridical Inquiry Regarding the Effect of Artificial Intelligence Applications on Legal Profession and Legal Practices", John Marshall Law Journal, Spring 2021, Vol. XIV, No. 2, p.214-215.
https://www.johnmarshall.edu/lawreview/wp-content/uploads/2021-AJMLS-Spring-Journal-XIV2-Muharrem-Kilic.pdf

I. HARD LAW
A-GENERAL DATA PROTECTION REGULATION (GDPR)[6], 2016

Although AI is not explicitly addressed in the GDPR, many of its provisions are pertinent to it and some of them are even put to the test by the new methods of processing personal data that AI has made possible. It is true that there is a conflict between the traditional data protection standards, data minimization, special handling of sensitive data, restrictions on automated choices, and the full use of AI and big data. It then involves gathering enormous amounts of data about people and their social relation ships and processing that data for goals that were not quite clear at the time of acquisition. However, there are approaches to understanding, putting into practice, and developing data protection principles that are in line with the useful applications of AI and big data.[7]

Article 22 of General Data Protection Regulation (GDPR) is most relevant to AI.[8] According to the first paragraph of Article 22; **the data subject shall have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning him or her or similarly significantly affects him or her.**

This provision does not provide for a right to object to automated decision-making. If the data subject does not object to it, automated decision-making is in general allowable. The provision rather states a prohibition upon controllers; when one of the exceptions in second paragraph of Article 22 does not exist, automatic decisions affecting data subjects are prohibited.[9] One of these exceptions is explicit consent.[10]

The decision can be given as a concrete example in which the Italian Data Protection Authority Garante imposed a fine of 2.6 million Euros due to the algorithmic management of the drivers in the system used by Foodinho, owned by the international retail delivery company Glovo.[11] The money to be paid to the workers who make the order delivery is automatically calculated by the application according to the criteria determined by Foodinho, and there is also a scoring mechanism for the workers. Garante indicated the violation of the principles in the GDPR, the illegality arising from the evaluation and reputation mechanisms used by the system and revealed that there is a risk of discrimination arising from the registration and evaluation algorithms that Foodinho applies for workers. As a result of the examination conducted by Garante, it was stated that Foodinho violated the right of drivers specified in Article 22 of GDPR.[12]

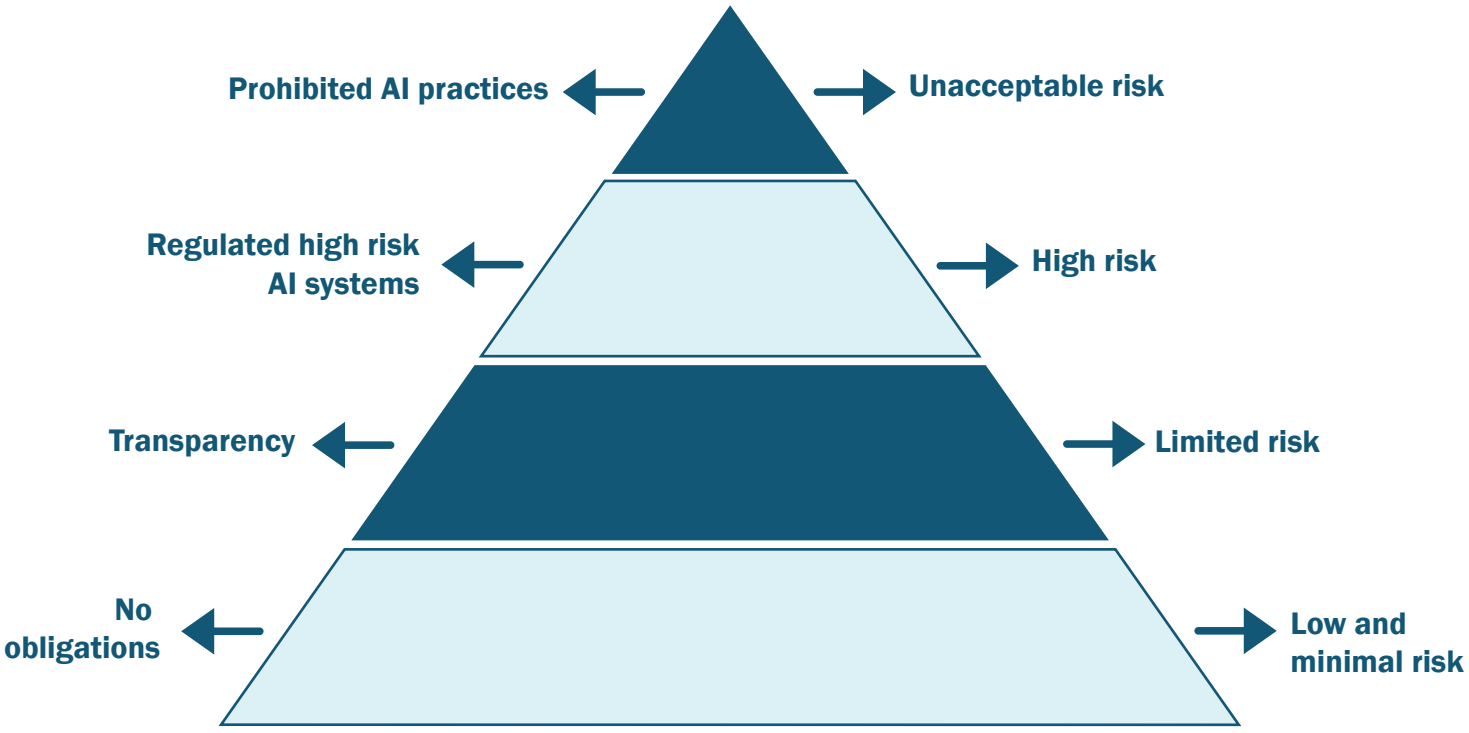
Protections against non-discriminatory automated decision-making are addressed under the GDPR before, during, and after data processing. Data science specialists concur that monitoring is urgently needed because big data-related technologies are not currently held accountable.[13]

6.https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016R0679
7.https://www.europarl.europa.eu/RegData/etudes/STUD/2020/641530/EPRS_STU(2020)641530_EN.pdf
8.https://www.europarl.europa.eu/RegData/etudes/STUD/2020/641530/EPRS_STU(2020)641530_EN.pdf
9.https://www.europarl.europa.eu/RegData/etudes/STUD/2020/641530/EPRS_STU(2020)641530_EN.pdf
10.The others are as follows: if the decision is necessary for entering into, or performance of, a contract between the data subject and a data controller or if the decision is authorised by Union or Member State law to which the controller is subject and which also lays down suitable measures to safeguard the data subject's rights and freedoms and legitimate interests.
11.https://www.garanteprivacy.it/home/docweb/-/docweb-display/docweb/9677611
12.Att. Ali Bastem, "Summary of Decision- Italy Data Protection Authority Garante Penalizes Foodinho for Algorithmic Management of Drivers", Law in the Age of Artificial Intelligence, ISTANBUL BAR Informatics Law Commission, Artificial Intelligence Working Group, July 2021, Issue: 10
https://www.istanbulbarosu.org.tr/files/komisyonlar/yzcg/2021temmuzbulten.pdf
13.https://fra.europa.eu/sites/default/files/fra_uploads/fra-2018-focus-big-data_en.pdf

B-PROPOSAL FOR A REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL LAYING DOWN HARMONISED RULES ON ARTIFICIAL INTELLIGENCE (ARTIFICIAL INTELLIGENCE ACT) AND AMENDING CERTAIN UNION LEGISLATIVE ACTS[14] , 2021

The European Commission unveiled a new proposal for an AI Act in April 2021. Although there is no single definition of AI is accepted, the European Commission considers the Notion of an AI system should be more clearly defined to ensure legal certainty. Because of that, in the Article 3 of Artificial Intelligence Act proposal, "artificial intelligence system" was defined as **"...software that is developed with [specific] techniques and approaches and can, for a given set of human-defined objectives, generate outputs such as content, predictions, recommendations, or decisions influencing the environments they interact with."**[15]

The general objective of the proposed AI Act is "to ensure the proper functioning of the single market by creating the conditions for the development and use of trustworthy AI systems in the Union". From the proposed AI Act, it can be understood that the new AI framework, adopt a risk-based approach to address the concern that fundamental rights and safety of users may be adversely affected. Therefore, AI systems are distinguished as unacceptable risk, high risk, limited risk, and low or minimal risk.[16]



14.https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A52021PC0206
15.https://www.europarl.europa.eu/RegData/etudes/BRIE/2021/698792/EPRS_BRI(2021)698792_EN.pdf
16.https://www.europarl.europa.eu/RegData/etudes/BRIE/2021/698792/EPRS_BRI(2021)698792_EN.pdf

II. SOFT LAW

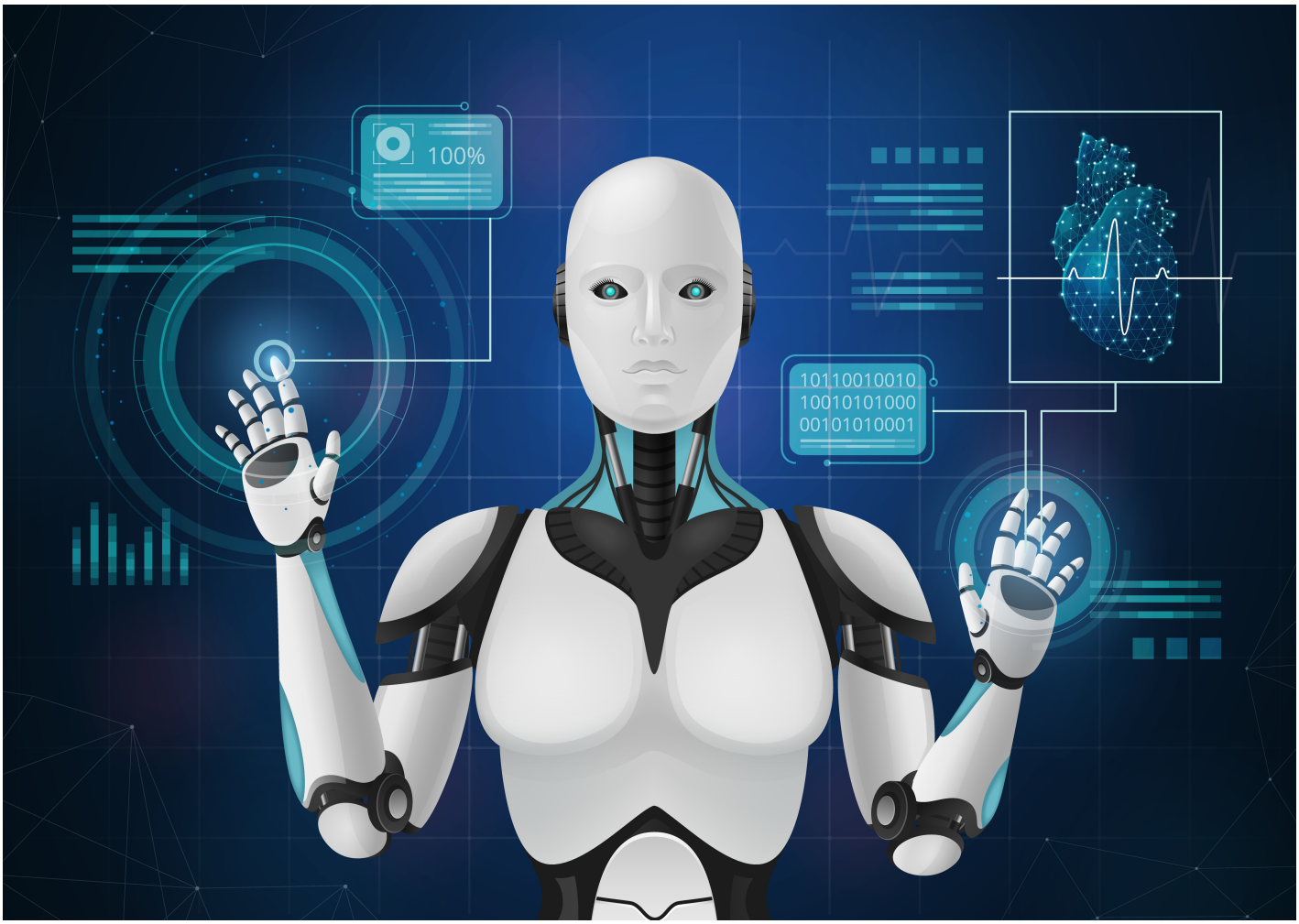
A-EUROPEAN UNION (EU) DECLARATION ON ARTIFICIAL INTELLIGENCE[17], 2018

EU member states signed EU Declaration on Artificial Intelligence and this Declaration builds on the achievements and investments of Europe in AI as well as the progress towards the creation of a Digital Single Market. The participating Member States agree to cooperate on several matters and **ensuring an adequate legal and ethical framework, building on EU fundamental rights and values, including privacy and protection of personal data, as well as principles such as transparency and accountability** is among them.[18]

B-ETHICS GUIDELINES FOR TRUSTWORTHY AI[19], 2019

Ethics Guidelines for Trustworthy AI published in April 2019. This document was written by the High-Level Expert Group on AI. The aim of this Guidelines is to promote trustworthy AI. As stated in the Guidelines, trustworthy AI has 3 components which should be met, as belows:

1. **It should be lawful,** complying with all applicable laws and regulations,
2. **It should be ethical,** ensuring adherence to ethical principles and values,
3. **It should be robust,** both from a technical and social perspective, since, even with good intentions, AI systems can cause unintentional harm.[20]



17.https://ec.europa.eu/jrc/communities/sites/default/files/2018aideclarationatdigitaldaydocxpdf.pdf
18.https://ec.europa.eu/jrc/communities/en/node/1286/document/eu-declaration-cooperation-artificial-intelligence
19.https://ec.europa.eu/futurium/en/ai-alliance-consultation.1.html
20.https://ec.europa.eu/futurium/en/ai-alliance-consultation.1.html

In the Guidelines, the importance of the approach to AI ethics based on the fundamental rights enshrined in the EU Treaties, the EU Charter and international human rights law, was highlighted. These set foundations to determine abstract ethical principles and values which can be implemented in the context of AI. The fundamental rights which counted in the Guidelines to be particularly suitable to cover AI systems as follows[21]:

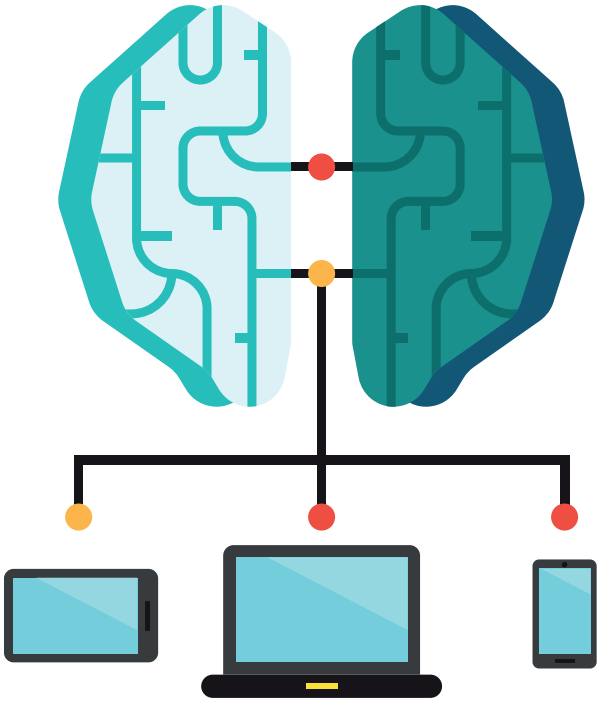
- **Respect for human dignity**
- **Freedom of the individual**
- **Respect for democracy, justice and the rule of law**
- **Equality, non-discrimination and solidarity**
- **Citizens' rights**

In the light of that approach, based on fundamental rights, 4 basic principles were put forward that AI practitioners should always strive to adhere to them. These are as follows[22]:

- **Respect for human autonomy**
- **Prevention of harm**
- **Fairness**
- **Explicability**

According to these principles 7 concrete requirements that AI systems should meet to achieve Trustworthy AI, were put forward. These requirements are as follows[23]:

- **Human agency and oversight**
- **Technical robustness and safety**
- **Privacy and data governance**
- **Transparency**
- **Diversity, non-discrimination and fairness**
- **Societal and environmental wellbeing**
- **Accountability**



21.https://ec.europa.eu/futurium/en/ai-alliance-consultation.1.html
22.https://ec.europa.eu/futurium/en/ai-alliance-consultation.1.html
23.https://ec.europa.eu/futurium/en/ai-alliance-consultation.1.html

C-RECOMMENDATION CM/REC(2020)1 OF THE COMMITTEE OF MINISTERS TO MEMBER STATES ON THE HUMAN RIGHTS IMPACTS OF ALGORITHMIC SYSTEMS[24], 2020

The Council of Europe adopted this document which includes specific **Guidelines on addressing the human rights impacts of algorithmic systems.**[25] These guidelines are designed to advise States, and public and private sector actors, in all their actions regarding the design, development and ongoing deployment of algorithmic systems.

D-THE TORONTO DECLARATION: PROTECTING THE RIGHT TO EQUALITY AND NON-DISCRIMINATION IN MACHINE LEARNING SYSTEMS[26], 2018

The signatories of the Toronto Declaration call for public and private sector actors to fulfil their obligations and responsibilities under human rights laws and standards for non-discrimination in the use of machine learning systems. The preamble of the Toronto Declaration begins with the following paragraph which reflects the philosophical basis and purpose of the Declaration: **As machine learning systems advance in capability and increase in use, we must examine the impact of this technology on human rights. We acknowledge the potential for machine learning and related systems to be used to promote human rights, but are increasingly concerned about the capability of such systems to facilitate intentional or inadvertent discrimination against certain individuals or groups of people. We must urgently address how these technologies will affect people and their rights. In a world of machine learning systems, who will bear accountability for harming human rights?**

E-OECD'S RECOMMENDATION OF THE COUNCIL ON ARTIFICIAL INTELLIGENCE[27],2019

The G20 and the EU later acknowledged the Recommendation on Artificial Intelligence, which makes recommendations to countries on the topics of **"research and development", "digital ecosystem", "regulatory framework", "AI field experts", "labour market", and "international cooperation."** It was passed in order to strengthen the global AI policy ecosystem that promotes human rights, democracy and ethical values. Recommendation also includes ideas for international collaboration on trustworthy AI.[28]

This document established principles for responsible stewardship of trustworthy AI. These are the fallow principles:

- **Inclusive growth, sustainable development and well-being**
- **Human-centred values and fairness**
- **Transparency and explainability**
- **Robustness, security and safety**
- **Accountability**

Furthermore, the OECD established the "OECD Network of Experts on AI (OECD ONE AI)" to facilitate international cooperation between AI-focused initiatives and organizations, as well as to exchange information between experts in different geographies.[2]

24.https://search.coe.int/cm/pages/result_details.aspx?objectid=09000016809e1154
25.https://equineteurope.org/wp-content/uploads/2020/06/ai_report_digital.pdf
26.https://www.amnesty.org/en/documents/pol30/8447/2018/en/
27.https://legalinstruments.oecd.org/en/instruments/OECD-LEGAL-0449
28.https://cbddo.gov.tr/SharedFolderServer/Genel/File/TR-UlusalYZStratejisi2021-2025.pdf
29.https://cbddo.gov.tr/SharedFolderServer/Genel/File/TR-UlusalYZStratejisi2021-2025.pdf

F-COUNCIL OF EUROPE COMMISSIONER UNBOXING ARTIFICIAL INTELLIGENCE: 10 STEPS TO PROTECT HUMAN RIGHTS[30], 2019

A practical guide called **Unboxing Artificial Intelligence: 10 Steps to Protect Human Rights** was revealed by the Commissioner for Human Rights. In this guide, it was stated that the recommendations are addressed at member states, but the principles concern anyone who significantly influences – directly or indirectly – the development, implementation or effects of an AI system. Titles of 10 steps in this guide are as belows:

- **Human rights impact assessment**
- **Public consultations**
- **Obligation of member states to facilitate the implementation of human rights standards in the private sector**
- **Information and transparency**
- **Independent oversight**
- **Non-discrimination and equality**
- **Data protection and privacy**
- **Freedom of expression, freedom of assembly and association, and the right to work**
- **Remedies**
- **Promotion of "AI literacy"**

A checklist with do's and don'ts was also added to the guide. Do's and don'ts for non-discrimination and equality are as follows:

- **DO prevent and mitigate discrimination risks of the use of AI systems for groups that have an increased risk of their rights being disproportionately impacted by it.**
- **DO apply the highest level of scrutiny when using AI systems in the context of law enforcement, especially to avoid profiling of individuals belonging to specific groups.**
- **DO NOT use AI systems or allow third parties to use AI systems that discriminate or lead to discriminatory outcomes.**

G-WHITE PAPER ON ARTIFICIAL INTELLIGENCE - A EUROPEAN APPROACH TO EXCELLENCE AND TRUST[31], 2020

The European Commission's White Paper on AI seeks to outline policy alternatives for achieving the twin goals of boosting AI adoption and addressing the hazards associated with some applications of this cutting-edge technology.
Risks to fundamental rights are highlighted in the White Paper on AI as one of the primary issues of concern. It recognizes that the use of AI can affect the values on which the EU is founded and lead to breaches of fundamental rights, be it as a result from flaws in the overall design of AI systems, or from the use of data without correcting possible bias.
The National Human Rights Institutions can conduct monitoring operations on the impact of artificial intelligence on fundamental rights and engage in advocacy efforts in this area, according to a contribution made by ENNHRI to the White Paper on AI. Additionally, it is stated that a manual for approaching AI research from a human rights perspective would be created in the future.[32]

30.https://rm.coe.int/unboxing-artificial-intelligence-10-steps-to-protect-human-rights-reco/1680946e64
31.https://ec.europa.eu/info/sites/default/files/commission-white-paper-artificial-intelligence-feb2020_en.pdf
32.http://ennhri.org/wp-content/uploads/2020/06/ENNHRI-letter_White-Paper-AI.pdf

H- SUBMISSION BY ENNHRI TO THE ZERO DRAFT CONVENTION ON ARTIFICIAL INTELLIGENCE, HUMAN RIGHTS, DEMOCRACY, AND THE RULE OF LAW[33], 2022

ENNHRI is made up of more than 40 independent NHRIs established by constitution or law to protect and promote human rights in accordance with the United Nations Paris Principles and the Council of Europe Committee of Ministers Recommendation 2021/1. ENNHRI prioritises the promotion and protection of human rights, democracy, rule of law and artificial intelligence (AI). ENNHRI submitted in the context of observer status at **COE CAI while developing a Convention on artificial intelligence, human rights, democracy, and the rule of law ('AI Convention'). This contribution is very important in terms of considering the opinion of the NHRIs in a convention drawn up at the Council of Europe level on a transcendent issue.**

There are 5 main points of the submission.

- **Broad Scope of the Convention, Securing Human Rights, Universal Ethical Principles and a Human Centric Approach**
- **Adequate Prohibited Practices & Human Rights Impact Assessment**
- **Strong Independent Oversight at National and Council of Europe Level**
- **Reinforced Multi-Stakeholder Participation & Public Consultation**
- **Strengthened Responsibilities of the Public and Private Sector**

According to the submission by ENNHRI the need for a sufficiently broad scope of application of the AI Convention is crucial. The Convention should not only protect against risks to individual fundamental rights, but also protect against risks of (collective) discrimination, failure to respect the values of social justice, and societal risks, which include but are not limited to risks to the environment, language, culture, democracy, and rule of law. The Convention should be made future-proof by using technology-neutral language wherever possible.

Moreover, ambiguous terminology that unduly restricts the scope of the AI Convention should be replaced by more precise terminology.

Even so, the submission emphasized that the scope of the AI Convention and restrictions on the exercise of rights provided in the AI Convention should be in line with existing CoE Conventions, in particular the European Convention of Human Rights (ECHR) and European Court of Human Rights (ECtHR) jurisprudence.

The AI Convention should complement and refine human rights obligations in the area of AI and should be without prejudice to the level of protection afforded under already existing human rights obligations.

33.https://ennhri.org/wp-content/uploads/2022/09/ENNHRI-submission-zero-draft-CoE-Convention-on-AI-Human-Rights-and-Rule-of-Law.pdf

III. AI AND HUMAN RIGHTS

A-Non-discrimination Principle

In a world evolving from a 'hunter-gatherer' society to a 'super-intelligent' society, humanity is witnessing a new 'digital age' in which the globalization and rapid evolution of digital technologies lead to social transformations. However, in the global world evolving towards new reflexive experiences, it remains unclear how human beings will be positioned and interpreted in this radical change and transformation wheel.[34]

These radical transformations caused by technological development make the basic principles of law such as "justice, autonomy, accountability, transparency, legality, non-discrimination and the rule of law" increasingly vulnerable.[35]

Discrimination is a major issue of concern when it comes to the use of artificial intelligence.[36] Particularly, as for minorities and underrepresented groups, AI systems replicate existing prejudices and produce disparities in society. Many AI systems use and evaluate data related to social features, occupation, race, health, and skin colour to contribute to user decisions and suggestions, which seriously discriminates against the underprivileged persons and groups.[37]

For example; Tay was an AI chatter bot that was originally released by Microsoft Corporation via Twitter on March 23, 2016. Unexpectedly, the bot began to post inflammatory and offensive tweets and because of that Microsoft shut down the service only 16 hours after its launch. These tweets included racist and sexually-charged messages. That example shows how important is to direct machine learning in a way that does not discriminate within the scope of ethical principles.[38]

However, it is also stated that using algorithms in specific situations and fields can help by lowering prejudice and stereotyping, and algorithmic data analysis can result in findings that can eradicate biased views. In this regard, it is predicted that more equal systems may be created in situations where humans have subjective prejudices with the right application of AI. Legislation and other restrictions on AI that establish ethical standards seek to avoid negative effects of AI and enable reliable AI.[39]

B-Right to Privacy

In a variety of ways, the operation of AI systems can encourage and amplify privacy invasions and other forms of interference with rights. Included in this are completely new applications as well as aspects of AI systems that amplify, aggravate, or encourage interference with the right to privacy, most notably through increasing the gathering and use of personal data. Many people utilize AI techniques to look for patterns in human behaviour. The correct data sets can be used to make inferences about things like how many residents of a neighbourhood are likely to visit a specific place of worship, what television programs they might enjoy, and even roughly when they wake up and go to bed.[40]

34.Muharrem Kılıç, "Transhumanistic Representations of the Legal Reason and Onto-robotic Existence Forms", Adalet Dergisi, 2021, No.66, p. 23, https://dergipark.org.tr/tr/download/article-file/1778101
35.Ibid., p. 48.
36.https://fra.europa.eu/sites/default/files/fra_uploads/fra-2020-artificial-intelligence_en.pdf
37.Minh Tuan Dang, Human Rights and Law in the Age of Artificial Intelligence, Journal of Legal, Ethical and Regulatory Issues, 24(S4), (2021) https://www.abacademies.org/articles/human-rights-and-law-in-the-age-of-artificial-intelligence-12420.html
38.https://en.wikipedia.org/wiki/Tay_(bot)
39.https://fra.europa.eu/sites/default/files/fra_uploads/fra-2020-artificial-intelligence_en.pdf
40.https://www.ohchr.org/en/calls-for-input/2021/right-privacy-digital-age-report-2021

C-Freedom of Expression

Processing of personal data via AI systems must be done legally, fairly, and openly. Additionally, personal information must have been gathered for clear, unambiguous, and lawful purposes, and its processing must further those purposes or at the very least not be inconsistent with them. It is forbidden to handle data for ill-defined, ambiguous, or vague reasons, as indicated by the reference to specific purposes. In order to ensure that all rights, freedoms, and interests are balanced in each situation, including the right to the protection of personal data on the one hand and the protection of other rights on the other hand, between the interests of the data subject and the controller it is important to understand what constitutes a legitimate purpose.[41]

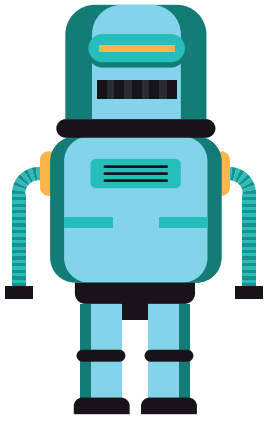
The legacy of content curation on the Internet is extended and improved by the application of AI, which offers more sophisticated and effective ways to curate and personalize information for users at a scale that is beyond the capability of traditional media. The prevalence of specific forms of AI-assisted curation raises questions about how it will affect people's ability to create and develop ideas.

For instance, a small number of technological firms assert that they control the great bulk of web search requests. Consumers find it very challenging to opt out of the algorithmic ranking and curating of search results due to corporate domination of the market, and users may be led to assume that the results represent the most pertinent or objective information on a certain topic.[42]

D-Freedom of Assembly and Association

The right to freedom of assembly and association may be exercised and enjoyed with the help of the internet, especially social networking sites. These platforms provide many opportunities for people to participate more fully in political, social, and cultural life. The activity of algorithms on social media platforms as well as the abundance of individually identifiable data on persons that is available may, of course, also be used to track and identify people. **This may result in the automatic exclusion of specific people or groups from calls for assemblies, which could have a significant negative effect on the right to assemble.[43]**

Human rights law and practice have long recognized the importance of the freedom to assemble and association. The internet has made it difficult to define what constitutes association and assembly in online, nevertheless. At first appearance, freedom to assemble and association online appears to be based on internet access, preventing people from using the internet to exercise their human rights. Similar to how AI may be used to limit freedom to assemble and association online, internet censorship and shutdowns are other methods.[44]



41.https://rm.coe.int/cets-223-explanatory-report-to-the-protocol-amending-the-convention-fo/16808ac91a
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44.Cameran Ashraf Artificial intelligence and the rights to assembly and association, Journal of Cyber Policy, 5(2), (2020) https://www.tandfonline.com/doi/pdf/10.1080/23738871.2020.1778760?needAccess=true

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https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM%3A2018%3A237%3AFIN

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