

Volume 13 | Issue 3 | September 2022

ISSN 1867-299X

EJRR

EUROPEAN JOURNAL OF RISK REGULATION

At the Intersection of Global Law, Science and Policy



CAMBRIDGE
UNIVERSITY PRESS

EUROPEAN JOURNAL OF RISK REGULATION

At the Intersection of Global Law, Science and Policy

The European Journal of Risk Regulation is a leading peer-reviewed interdisciplinary journal published quarterly, connecting scholars and practitioners since 2009. How are risks to citizens' health, safety, privacy and the environment regulated across policy domains globally? Which regulatory responses to offer in times of uncertainty and societal contestation? As the pace of change accelerates, and as risk interconnections deepen, the journal explores classic and emerging risk phenomena, ranging from new technologies, environmental degradation, pharmaceuticals, food and other consumer products, to financial regulation, natural disasters and terrorism. It features research articles, current developments and reports, analyses of decisions by national and international courts and book reviews by pre-eminent scholars and practitioners from around the world. EJRR is addressed at academics, professionals, policy-makers and all those involved or interested in the global risk landscape

Editor-in-Chief

Alberto Alemanno, HEC Paris, France

Deputy Editors-in-Chief

Enrico Bonadio, University of London, UK
Adam Burgess, University of Kent, UK
Pascal Cardonnel, Court of Justice of the European Union, Luxembourg

Senior Editors

Vigijlenca Abazi, Maastricht University, The Netherlands
Kristian Cedervall Laut, University of Copenhagen, Denmark
Merijn Chamon, Maastricht University, The Netherlands
Elaine Fahey, City, University of London, UK
Amandine Garde, University of Liverpool, UK

Case Commentary Editors

Marta Morvillo, University of Amsterdam, The Netherlands
Oliver Bartlett, Maynooth University, Ireland

Editorial Board

Lorenzo Allio, allio I rodrigo Consulting, Switzerland
Alessandra Arcuri, Erasmus University, Rotterdam, The Netherlands
Lucas Bergkamp, Interlex NV, Belgium
Andrea Bertolini, Scuola Superiore Sant'Anna, Italy
Susana Borrás, Copenhagen Business School, Denmark
Morten Broberg, University of Copenhagen, Denmark
Thomas Burri, University of St. Gallen, Switzerland
Fabrizio Cafaggi, European University Institute, Italy
Ignacio Carreño García, FrantiVergano – European Lawyers, Belgium
Merijn Chamon, Maastricht University, The Netherlands
Sweta Chakraborty, Institute on Science for Global Policy, USA
Anniek de Ruijter, University of Amsterdam, The Netherlands
Michael Faure, Maastricht University, The Netherlands
Manuel Alejandro Gómez, Florida International University, USA
Lukasz Gruszczynski, Polish Academy of Sciences, Poland
Ragnar Löfstedt, King's College London, UK

Editorial Advisory Board

Carl Baudenbacher, President of the EFTA Court, Luxembourg; & University of St. Gallen, Switzerland
Nicolas de Sadeleer, Saint-Louis University, Brussels, Belgium
José Esteve Pardo, University of Barcelona, Spain
Hans-W. Micklitz, European University Institute, Italy

Managing Editor

Cliff Wirajendi, HEC Paris, France

Stijn Smismans, Cardiff University, UK
Maria Weimer, University of Amsterdam, The Netherlands

Alexia Herwig, University of Antwerp, Belgium
Anne-Lise Sibony, University of Louvain, Belgium
Alessandro Spina, European Commission, Belgium
Marjolein van Asselt, Maastricht University, The Netherlands
Arnaud van Waeyenberge, HEC Paris, France

Editors

Ludivine Petetin, Cardiff University, UK
Mary Dobbs, Maynooth University, Ireland

Benn McGrady, World Health Organisation; & Georgetown University, USA

Jacqueline Peel, University of Melbourne, Australia
Simon Planzer, University of St.Gallen, Switzerland
Sara Poli, University of Pisa, Italy

Kai Purnhagen, Wageningen University and Research, The Netherlands

Claudio Radaelli, University of Exeter, UK
Andrea Renda, Centre for European Policy Studies, Belgium
David Restrepo-Amariles, HEC Paris, France
Colin Scott, University College Dublin, Republic of Ireland
Gianluca Sgueo, European Parliament, Belgium
Hideaki Shiroshima, University of Tokyo, Japan
Geert van Calster, University of Leuven, Belgium
Ellen Vos, Maastricht University, The Netherlands
Jonathan B. Wiener, Duke University, USA
Matteo M. Winkler, HEC Paris, France

Jacques Pelkmans, Centre for European Policy Studies, Belgium
Francis Snyder, Paul Cézanne University Aix-Marseille III, France
Cass R. Sunstein, Harvard University, USA
David J. Vogel, University of California, Berkeley, USA
Vern R. Walker, Hofstra University, USA

EUROPEAN JOURNAL OF RISK REGULATION

TABLE OF CONTENTS

Volume 13, Issue 3

SYMPOSIUM ON ALGORITHMIC REGULATION AND ARTIFICIAL INTELLIGENCE RISKS

- 357 Artificial Intelligence Risks and Algorithmic Regulation
Pedro Rubim Borges Fortes, Pablo Marcello Baquero and David Restrepo Amariles
- 373 The Spread of Legal Tech Solutionism and the Need for Legal Design
Siddharth Peter de Souza
- 389 The Risks of Trustworthy Artificial Intelligence: The Case of the European Travel Information and Authorisation System
Charly Derave, Nathan Genicot and Nina Hetmanska
- 421 From Poisons to Antidotes: Algorithms as Democracy Boosters
Paolo Cavaliere and Graziella Romeo

ARTICLES

- 443 A Corporate Governance Approach to Cybersecurity Risk Disclosure
Elif Kiesow Cortez and Martijn Dekker
- 464 Public and Private Enforcement in European Union Food Law
Kai P. Purnhagen and Alexandra Molitorisová
- 477 Governing Fake News: The Regulation of Social Media and the Right to Freedom of Expression in the Era of Emergency
Donato Vese
- 514 Expansion of the Low-Risk Substances in the Framework of the European Pesticide Regulation (EC) No 1107/2009
Diane C. Robin and Patrice A. Marchand

CASE ANNOTATION

- 532 The Use of Copyrighted Technical Standards in the Operationalisation of European Union Law: The Status Quo Position of the General Court in Public.Resources.Org (T-185/19)
Marie Gérardy

BOOK REVIEW

- 538 The Politics of Legal Expertise in EU Policy-Making
by Päivi LEINO-SANDBERG, Cambridge: Cambridge University Press, 2021
Sergio Alonso de León