

## **"(Re-)Defining Transparency: Technology vs. Data Protection".**

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I am going to discuss possible ways to correlate technological progress with public demand for transparency in light of data protection law in Europe. The transparency principle is one of the main principles of personal data processing under the GDPR. However, the understanding of the transparency by the European law-makers at the time of drafting the GDPR does not meet the realities of rapidly emerging technologies, especially the AI.

The problem not only exists within the dimension of data protection law: nowadays, the opacity of the AI is one of the cornerstones of related public discussions. The claim for the transparency mainly comes from the market demand, as the interpretability of the AI is possibly one of the biggest wishes of its end users. Hence, neither developers themselves nor lawyers have yet brought the meaning of the transparency or interpretability into accordance. What we all know for sure, is that, currently, the interpretability of the AI comes at a cost of its accuracy. So, as long as the so-called “black box” has not been “cracked”, users will need to make trade-offs either in terms of interpretability or in terms of accuracy. At this point, giving the data subject the autonomy to decide between accuracy and interpretability may satisfy both sides.

How do we define transparency under the GDPR? Does transparency in data protection mean interpretability of technology? Shall interpretability become a disposable right? My article aims to find possible answers to these questions.