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Section 1 Articles

Cinematic Experience in the Digital Age: addressing regulatory challenge, *Jacopo Fortuna – Nicoletta Patti*

EU data protection liability: the exemption clause ex art. 82 GDPR under the European Court of Justice interpretation and the limits of harmonisation, *Andrea Blatti*

Section 2

Special issue on "Towards a multilevel and interdisciplinary assessment for a safer use of digital services and AI-based products", edited by *D. Amram - C. Novara - M. Ratti*

TABLE OF CONTENTS

Section 1

JACOPO FORTUNA and NICOLETTA PATTI, Cinematic Experience >>1
in the Digital Age: addressing regulatory challenges

ANDREA BLATTI, EU data protection liability: the exemption clause >>53
ex art. 82 GDPR under the European Court of Justice interpretation
and the limits of harmonisation

Section 2

Special issue on "*Towards a multilevel and interdisciplinary assessment for a safer use of digital services and AI-based products*", edited by D. Amram - C. Novara - M. Ratti

DENISE AMRAM, CINZIA NOVARA AND MATILDE RATTI, >>103
Introduction

NICOLETTA PATTI, VERONICA PUNZO AND ROBERTA ROMANO, >>107
Child vulnerabilities in the digital environment: comparative
insights and operational guidelines

SARA RIGAZIO, Yes, we can...and we must! changing the narrative >>173
of children's rights protection in the digital environment through a
child-centered approach. the lesson from the u.k. children's code

ALBERTO JACI, Minor's contractual autonomy in the digital >>203
ecosystem: legal protection and self-determination in private law

FEDERICA CASAROSA AND LAVINIA VIZZONI, Let's play together: >>217
fair rules for minor video gamers a research agenda

SARA TIBIDÒ, NADIA SPATARI, SARA LILLI and MARIA VITTORIA >>237
ZUCCA, A story of and for children: the lifecycle loop of child
rights-based AI

MATILDE RATTI, Il minore nell'era dell'intelligenza artificiale: >>266
questioni aperte sul metodo di gestione del rischio

"SECTION II"

SPECIAL ISSUE

*Towards a multilevel and interdisciplinary assessment for a
safer use of digital services and AI-based products*

Edited by D. Amram, C. Novara, M. Ratti

INTRODUCTION TO THE SPECIAL ISSUE ON "TOWARDS A MULTILEVEL AND INTERDISCIPLINARY ASSESSMENT FOR A SAFER USE OF DIGITAL SERVICES AND AI-BASED PRODUCTS"

Denise Amram, Cinzia Novara, Matilde Ratti

Abstract

This is a short introduction to a special issue resulting from research conducted in the last two years, dealing with the development of a multilevel assessment for digital services and AI-based products with the lenses of children's rights.

Keywords

Digital services – AI Systems – Children's Rights.

Introduction

In the last years, the EU Commission approved a series of legislative initiatives aiming to address the fundamental rights and societal values within the new mechanisms imposed by the digitalisation of services and products.

Starting from the approval of the EU Regulation n. 2016/679 on General Data Protection Regulation, pursuing to the EU Regulation n. 2022/2065 on Digital Services Act, and the EU Regulation n. 2024/1689 on AI Act, the so-called risk-based approach has become part of the current compliance procedures both for private organisation and public institutions. This encouraged an interdisciplinary dialogue aiming to translate into organisational and technical measures considering the level of protection and the nature of the activities carried out on a case-by-case basis.

At the same time, users are required to develop tailored technical and soft skills to become everyday more aware and responsible consumers, or data subjects, or users of a given digital service or product.

In this complex context, we decided to investigate the urgency to take in due consideration the vulnerabilities that especially younger users may face every day, while dealing with new technologies and / or within the digital environment.

The initial legal challenge immediately required to be completed by an interdisciplinary approach, opening to the psycho-educational and relational dynamics in order to better address the stratification of possible scenarios and the corresponding implications both in terms of risks and opportunities and policy-making contribution. Users, in fact, may play a proactive role, or being just a passive character, depending on the nature of the given service or product, on the age, grade of autonomy, personal skills and competence, and also on the relational and educational frame they are living in.

Our research dealt with the analysis of the regulatory framework to be compared with practical scenarios and empirical data generated through tailored participatory activities. From the multilevel assessment, interpretative gaps and enablers allowed to draft and validate policy and recommendations for a safer use of digital services and products applied to different stakeholders - including policy-makers, professionals, economic operators, families, and the target group (*i.e.* children) - considering the ethical-legal-technical frameworks, as well as the needs emerging from the psycho-educational domain.

The first paper of this special issue illustrates and comments the developed policies and recommendations under a comparative law perspective (N. Patti, V. Punzo, R. Romano “*Child Vulnerability in the Digital Environment: Comparative Insights and Operational Guidelines*”). In addition, in order to extend the open discussion on the project outcomes, we collected a series of articles selected through a call for papers launched within the project life-cycle among the relevant scientific communities.

We selected proposals concerning possible comparative and private law perspectives addressed both to the economic stakeholders (services providers, digital platforms, AI-based systems developers and deployers), and to the target group (children) and their families, dealing with the empowerment of children’s fundamental rights (S.

Rigazio “*Yes, We Can.. and We Must! Changing the Narrative of Children’s rights Protection in the Digital Environment through a Child-Centred Approach. The lesson From the UK Children’s Code*”), looking also at the contractual dimension of private law relationships (A. Jaci “*Minors’ Contractual Autonomy in the Digital Ecosystem: Legal Protection and Self-Determination in Private Law*”), and the playful one (F. Casarosa – L. Vizzoni “*Let’s play together: fair rules for minor video gamers*”). Finally, the fourth paper deals with the life-cycle design of an AI-based product, providing insights from an ethical-legal and technical perspective (S. Tibidò, N. Spatari, S. Lilli, and M.V. Zucca “*A Story of and for Children: The Lifecycle Loop of Child Rights-Based AP*”).

The special issue is completed with a systematic reconstruction of the challenges faced and the methodologies developed in the project, oriented to properly review the legal measures adopted at international, European, and national levels for children’s protection in the digital environment, with specific regard to the use of AI (M. Ratti “*Il minore nell’era dell’intelligenza artificiale: questioni aperte sul metodo di gestione del rischio*”).

We are grateful to all the contributors as they raised original analysis to propose interpretations for a safer digital environment and a more responsible use of new technologies, by encouraging actions aiming to promote and enhance children’s rights.

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