Consultation on the White Paper on Artificial Intelligence - A European Approach

Fields marked with * are mandatory.

Introduction

Artificial intelligence (AI) is a strategic technology that offers many benefits for citizens and the economy. It will change our lives by improving healthcare (e.g. making diagnosis more precise, enabling better prevention of diseases), increasing the efficiency of farming, contributing to climate change mitigation and adaptation, improving the efficiency of production systems through predictive maintenance, increasing the security of Europeans and the protection of workers, and in many other ways that we can only begin to imagine.

At the same time, AI entails a number of potential risks, such as risks to safety, gender-based or other kinds of discrimination, opaque decision-making, or intrusion in our private lives.

The <u>European approach for AI</u> aims to promote Europe's innovation capacity in the area of AI while supporting the development and uptake of ethical and trustworthy AI across the EU. According to this approach, AI should work for people and be a force for good in society.

For Europe to seize fully the opportunities that AI offers, it must develop and reinforce the necessary industrial and technological capacities. As set out in the accompanying European strategy for data, this also requires measures that will enable the EU to become a global hub for data.

The current public consultation comes along with the <u>White Paper on Artificial Intelligence - A European</u> <u>Approach</u> aimed to foster a European ecosystem of excellence and trust in AI and a Report on the safety and liability aspects of AI. The White Paper proposes:

- Measures that will streamline research, foster collaboration between Member States and increase investment into AI development and deployment;
- Policy options for a future EU regulatory framework that would determine the types of legal requirements that would apply to relevant actors, with a particular focus on high-risk applications.

This consultation enables all European citizens, Member States and relevant stakeholders (including civil society, industry and academics) to provide their opinion on the White Paper and contribute to a European approach for AI. To this end, the following questionnaire is divided in three sections:

- Section 1 refers to the specific actions, proposed in the White Paper's Chapter 4 for the building of an ecosystem of excellence that can support the development and uptake of AI across the EU economy and public administration;
- Section 2 refers to a series of options for a regulatory framework for AI, set up in the White Paper's Chapter 5;
- Section 3 refers to the Report on the safety and liability aspects of AI.

Respondents can provide their opinion by choosing the most appropriate answer among the ones suggested for each question or suggesting their own ideas in dedicated text boxes.

Feedback can be provided in one of the following languages: <u>BG | CS | DE | DA | EL | EN | ES | ET | FI | FR | HR | HU | IT | LT | LV | MT | NL | PL | PT | RO | SK | SL | SV</u>

Written feedback provided in other document formats, can be uploaded through the button made available at the end of the questionnaire.

The survey will remain open until 14 June 2020.

About you

- * Language of my contribution
 - Bulgarian
 - Croatian
 - Czech
 - Danish
 - Dutch
 - English
 - Estonian
 - Finnish
 - French
 - Gaelic
 - German
 - Greek
 - Hungarian
 - Italian
 - Latvian
 - Lithuanian
 - Maltese
 - Polish
 - Portuguese
 - Romanian
 - Slovak
 - Slovenian
 - Spanish
 - Swedish

- *I am giving my contribution as
 - Academic/research institution
 - Business association
 - Company/business organisation
 - Consumer organisation
 - EU citizen
 - Environmental organisation
 - Non-EU citizen
 - Non-governmental organisation (NGO)
 - Public authority
 - Trade union
 - Other
- * First name

* Surname

* Email (this won't be published)

Organisation name

255 character(s) maximum

Informatics Europe

Organisation size

- Micro (1 to 9 employees)
- Small (10 to 49 employees)
- Medium (50 to 249 employees)
- Large (250 or more)

Transparency register number

255 character(s) maximum

Check if your organisation is on the transparency register. It's a voluntary database for organisations seeking to influence EU decisionmaking.

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Country of origin

Please add your country of origin, or that of your organisation.

- Afghanistan
- Åland Islands
- Djibouti
 - Dominica
- LibyaLiechtenstein

Saint Martin

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- Saint Pierre and Miguelon Albania Dominican Lithuania Saint Vincent \bigcirc Republic and the Grenadines Ecuador Luxembourg ۲ Algeria \bigcirc Samoa American Macau ۲ \bigcirc Egypt San Marino Samoa Andorra ۲ El Salvador ۲ Madagascar ۲ São Tomé and Príncipe Angola Malawi Saudi Arabia \odot Equatorial \bigcirc Guinea Anguilla ۲ Eritrea Malaysia Senegal \bigcirc Antarctica ۲ Estonia Maldives ۲ Serbia Antigua and ۲ 🔍 Mali ۲ Seychelles Eswatini Barbuda Argentina ۲ Ethiopia ۲ Malta \bigcirc Sierra Leone Armenia ۲ Falkland Islands \bigcirc Marshall ۲ Singapore Islands Aruba ۲ **Faroe Islands** Martinique \odot Sint Maarten Australia \odot Fiji Mauritania \bigcirc Slovakia ۲ Finland Mauritius ۲ Austria Slovenia France Azerbaijan \bigcirc ۲ Mayotte \bigcirc Solomon Islands ۲ Bahamas ۲ French Guiana ۲ Mexico \bigcirc Somalia Bahrain French ۲ South Africa Micronesia \bigcirc Polynesia Bangladesh French Moldova ۲ South Georgia Southern and and the South Antarctic Lands Sandwich Islands Barbados Gabon Monaco South Korea Belarus Georgia Mongolia \bigcirc South Sudan Belgium \bigcirc Germany Montenegro \bigcirc Spain Belize Sri Lanka ۲ Ghana Montserrat \bigcirc ۲ Benin \bigcirc Gibraltar Morocco Sudan Bermuda $^{\circ}$ Greece Mozambique \bigcirc Suriname Bhutan Myanmar \bigcirc Greenland Svalbard and /Burma Jan Mayen Bolivia Grenada Namibia Sweden Bonaire Saint ۲ Switzerland Guadeloupe Nauru Eustatius and Saba Bosnia and \bigcirc Guam \bigcirc Nepal \odot Syria Herzegovina Botswana Guatemala Netherlands Taiwan New Caledonia ۲ Tajikistan
- Bouvet Island
- Brazil
- \odot Guernsey ۲ Guinea

New Zealand

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British Indian	Guinea-Bissau	Nicaragua	Thailand
Ocean Territory British Virgin 	Guyana	Niger	The Gambia
Islands		5-	
Brunei	Haiti	Nigeria	Timor-Leste
Bulgaria	Heard Island	Niue	Togo
	and McDonald		
	Islands		· · · ·
Burkina Faso	Honduras	Norfolk Island Northern	Tokelau
Burundi	Hong Kong	Northern Mariana Islands	Tonga
Cambodia	Hungary	 North Korea 	Trinidad and
Gamboula	rungury		Tobago
Cameroon	Iceland	North	Tunisia
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Canada	India	Norway	Turkey
Cape Verde	Indonesia	Oman	Turkmenistan
Cayman Islands	Iran	Pakistan	Turks and
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Central African Republic	Iraq	Palau	Tuvalu
Chad	Ireland	Palestine	Uganda
 Chile 	Isle of Man	Panama	 Ukraine
China	Israel	Papua New	Onited Arab
		Guinea	Emirates
Christmas	Italy	Paraguay	United
Island		-	Kingdom
Clipperton	Jamaica	Peru	United States
Cocos (Keeling)	Japan	Philippines	United States
Islands			Minor Outlying Islands
Colombia	Jersey	Pitcairn Islands	 Uruguay
 Comoros 	 Jordan 	 Poland 	 US Virgin
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Congo	Kazakhstan	Portugal	Uzbekistan
Cook Islands	Kenya	Puerto Rico	Vanuatu
Costa Rica	Kiribati	Qatar	Vatican City
Côte d'Ivoire	Kosovo	Réunion	Venezuela
Croatia	Kuwait	Romania	Vietnam
Cuba	Kyrgyzstan	Russia	Wallis and
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Curaçao	Laos	Rwanda	Western Sahara
Cyprus	Latvia	Saint	Yemen
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Czechia	Lebanon	0	Zambia

		Saint Helena Ascension and Tristan da Cunha	
Democratic Republic of the	Lesotho	Saint Kitts and Nevis	Zimbabwe
Congo Denmark	Liberia	Saint Lucia	

* Publication privacy settings

The Commission will publish the responses to this public consultation. You can choose whether you would like your details to be made public or to remain anonymous.

Anonymous

Only your type of respondent, country of origin and contribution will be published. All other personal details (name, organisation name and size, transparency register number) will not be published.

Public

Your personal details (name, organisation name and size, transparency register number, country of origin) will be published with your contribution.

I agree with the personal data protection provisions

Section 1 - An ecosystem of excellence

To build an ecosystem of excellence that can support the development and uptake of AI across the EU economy, the White Paper proposes a series of actions.

In your opinion, how important are the six actions proposed in section 4 of the White Paper on AI (1-5: 1 is not important at all, 5 is very important)?

	1 - Not important at all	2 - Not important	3 - Neutral	4 - Important	5 - Very important	No opinion
Working with Member states	O	0	O	۲	0	0
Focussing the efforts of the research and innovation community	0	0	0	0	۲	O
Skills	0	0	0	0	۲	0
Focus on SMEs	0	0	۲	0	0	0
Partnership with the private sector	0	0	۲	0	0	0
Promoting the adoption of Al by the public sector	O	0	O	۲	0	0

Are there other actions that should be considered?

500 character(s) maximum

A regeneration of the knowledge transfer process is needed, promoting entrepreneurship in the scientific community and creating companies led by experts, with deep knowledge of the technology and its implications. Currently, few business leaders are trained to lead transformation processes involving these technologies. Attention needs to be paid to both technology development and the understanding of the impact of AI on European society. Early deployment is not essential.

Revising the Coordinated Plan on AI (Action 1)

The Commission, taking into account the results of the public consultation on the White Paper, will propose to Member States a revision of the Coordinated Plan to be adopted by end 2020.

In your opinion, how important is it in each of these areas to align policies and strengthen coordination as described in section 4.A of the White Paper (1-5: 1 is not important at all, 5 is very important)?

	1 - Not important at all	2 - Not important	3 - Neutral	4 - Important	5 - Very important	No opinion
Strengthen excellence in research	0	0	0	0	۲	0
Establish world-reference testing facilities for AI	0	0	0	۲	0	0
Promote the uptake of AI by business and the public sector	0	۲	0	0	0	0
Increase the financing for start-ups innovating in AI	0	۲	0	0	0	0
Develop skills for AI and adapt existing training programmes	O	0	0	0	۲	0
Build up the European data space		0	0	۲	0	0

Are there other areas that that should be considered?

500 character(s) maximum

Promoting early uptake of technology before the implications of this technology are understood is dangerous. A need exists for a balance and broad analysis of the impact of AUI by a broad collection of experts that include members from societal, legal and ethical communities in addition to technologists and business leaders.

A united and strengthened research and innovation community striving for excellence

Joining forces at all levels, from basic research to deployment, will be key to overcome fragmentation and create synergies between the existing networks of excellence.

In your opinion how important are the three actions proposed in sections 4.B, 4.C and 4.E of the White Paper on AI (1-5: 1 is not important at all, 5 is very important)?

	1 - Not important at all	2 - Not important	3 - Neutral	4 - Important	5 - Very important	No opinion
Support the establishment of a lighthouse research centre that is world class and able to attract the best minds	O	۲	0	O	O	©
Network of existing AI research excellence centres	0	0	0	۲	0	O
Set up a public-private partnership for industrial research	0	0	O	۲	0	O

Are there any other actions to strengthen the research and innovation community that should be given a priority?

500 character(s) maximum

To specialize the training at any education level, based on teaching staff with digital native profiles and with real experience, especially at university level where exists less adoption of technology. That will permit to evolve to multidisciplinary research teams crucial for the future.

Give more freedom to research of innovation actions that are now depending on the topics of specific calls. Efforts should be made to strengthen existing centres, rather than creating new lighthouse centres.

Focusing on Small and Medium Enterprises (SMEs)

The Commission will work with Member States to ensure that at least one digital innovation hub per Member State has a high degree of specialisation on AI.

In your opinion, how important are each of these tasks of the specialised Digital Innovation Hubs mentioned in section 4.D of the White Paper in relation to SMEs (1-5: 1 is not important at all, 5 is very important)?

	1 - Not important at all	2 - Not important	3 - Neutral	4 - Important	5 - Very important	No opinion
Help to raise SME's awareness about potential benefits of Al	0	0	۲	0	0	0
Provide access to testing and reference facilities	0	0	O	۲	0	O
Promote knowledge transfer and support the development of AI expertise for SMEs	0	O	0	۲	O	o
Support partnerships between SMEs, larger enterprises and academia around AI projects	0	0	۲	0	0	0
Provide information about equity financing for AI startups	0	0	۲	0	0	O

Are there any other tasks that you consider important for specialised Digital Innovations Hubs?

500 character(s) maximum

DIH must be created once the ecosystem is established and they should represent a source of innovation and not an elitist environment difficult to reach by SMEs. Therefore, DIH must be created to address the challenges proposed by the SME. That will enable their connection from the beginning. In general, it is the task of the European community to help citizens and enterprises to understand the impact of deploying AI technology, rather than promoting the technology itself.

Section 2 - An ecosystem of trust

Chapter 5 of the White Paper sets out options for a regulatory framework for AI.

In your opinion, how important are the following concerns about AI (1-5: 1 is not important at all, 5 is very important)?

1 - Not important at all	2 - Not important	3 - Neutral	4 - Important	5 - Very important	No opinion	
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Al may endanger safety	0		\odot		۲	\odot
AI may breach fundamental rights (such as human dignity, privacy, data protection, freedom of expression, workers' rights etc.)	O	۲	0	۲	۲	۲
The use of AI may lead to discriminatory outcomes	0	0	0	۲	0	0
AI may take actions for which the rationale cannot be explained	0	0	0	0	۲	۲
AI may make it more difficult for persons having suffered harm to obtain compensation	0	0	0	۲	0	O
Al is not always accurate	0	0	0	۲	0	۲

Do you have any other concerns about AI that are not mentioned above? Please specify:

500 character(s) maximum

We should not focus on problems of AI itself, but problems on training data. If data is safe, also AI will. It's important to know how to use AI. We should not limit AI, but to make sure that its potential users exploit it with competence.

There will be temptations to deploy AI technology to solve short-term societal problems, but these 'solutions' may have unwanted long-term consequences. We should not rush to adopt technological solutions that compromise existing social and legal protections

Do you think that the concerns expressed above can be addressed by applicable EU legislation? If not, do you think that there should be specific new rules for AI systems?

- Current legislation is fully sufficient
- Current legislation may have some gaps
- There is a need for a new legislation
- Other
- No opinion

If you think that new rules are necessary for AI system, do you agree that the introduction of new compulsory requirements should be limited to high-risk applications (where the possible harm caused by the AI system is particularly high)?

- Yes
- No
- Other
- No opinion

Other, please specify:

500 character(s) maximum

Low/mid-risk applications can result in side effects which can end up generating profound negative social changes such as inequality or discrimination.

A short-term focus on high-risk needs to be broad enough to encompass various forms of risk that may also include non-high-risk areas.

The definition of high-risk application may change over time, then it is important to reason on requirements case by case. It is not possible to distinguish between high-risk and not high-risk applications.

If you wish, please indicate the AI application or use that is most concerning ("high-risk") from your perspective:

500 character(s) maximum

One of the most concerning area is the economic one, especially in sectors of access to resources, financing and other benefits that may be affected by hidden demographic values that AI can detect and amplify, generating a greater gap in sectors that are already vulnerable and that the society tries to protect by positively biasing the decisions that affect them.

In your opinion, how important are the following mandatory requirements of a possible future regulatory framework for AI (as section 5.D of the White Paper) (1-5: 1 is not important at all, 5 is very important)?

	1 - Not important at all	2 - Not important	3 - Neutral	4 - Important	5 - Very important	No opinion
The quality of training data sets	O	0	O	0	۲	O
The keeping of records and data	©	O	O	O	۲	0
Information on the purpose and the nature of AI systems	O	0	O	۲	0	O
Robustness and accuracy of AI systems	0	0	O	۲	0	0
Human oversight	0	0	0	0	۲	0
Clear liability and safety rules	©	O	O	O	۲	٢

In addition to the existing EU legislation, in particular the data protection framework, including the General Data Protection Regulation and the Law Enforcement Directive, or, where relevant, the new possibly mandatory requirements foreseen above (see question above), do you think that the use of remote biometric identification systems (e.g. face recognition) and other technologies which may be used in public spaces need to be subject to further EU-level guidelines or regulation:

- No further guidelines or regulations are needed
- Biometric identification systems should be allowed in publicly accessible spaces only in certain cases or if certain conditions are fulfilled (please specify)
- Other special requirements in addition to those mentioned in the question above should be imposed (please specify)
- Use of Biometric identification systems in publicly accessible spaces, by way of exception to the current general prohibition, should not take place until a specific guideline or legislation at EU level is in place.
- Biometric identification systems should never be allowed in publicly accessible spaces
- No opinion

Please specify your answer:

Without being completely against the use of this technology, the identification of citizens should never be carried out autonomously, but must be done with a prior and justified request for such recognition, with the explicit consent of the citizen and regulated in the legislation. Otherwise a large number of fundamental citizen rights can be violated.

Do you believe that a voluntary labelling system (Section 5.G of the White Paper) would be useful for AI systems that are not considered high-risk in addition to existing legislation?

- Very much
- Much
- Rather not
- Not at all
- No opinion

Do you have any further suggestion on a voluntary labelling system?

500 character(s) maximum

Voluntary labelling has led to consumer misinformation rather than any testable, verifiable labelling of approaches. Benefits should be encouraged and citizens should be educated in a way that it would be positive and desirable that all AI systems were registered. The certification of these systems must be transparent and consistent with their purpose, but without flooding of bureaucracy and barriers to innovation in order to prevent the standard from becoming a design imposition or requirement.

What is the best way to ensure that AI is trustworthy, secure and in respect of European values and rules?

- Compliance of high-risk applications with the identified requirements should be self-assessed ex-ante (prior to putting the system on the market)
- Compliance of high-risk applications should be assessed ex-ante by means of an external conformity assessment procedure
- Ex-post market surveillance after the AI-enabled high-risk product or service has been put on the market and, where needed, enforcement by relevant competent authorities
- A combination of ex-ante compliance and ex-post enforcement mechanisms
- Other enforcement system

No opinion

Please specify any other enforcement system:

500 character(s) maximum

High-risk systems must be validated before starting their development, that is, the use of data for this purpose must be identified and authorized if it has not been previously authorized.

Do you have any further suggestion on the assessment of compliance?

500 character(s) maximum

It is essential than pan-European compliance rules be established and monitored, with the possibility of Citizen/enterprise feedback. A watchdog agency that monitors compliance and which can enforce legislation is needed to build confidence and enable the resolution of compliance conflicts.

Section 3 – Safety and liability implications of AI, IoT and robotics

The overall objective of the safety and liability legal frameworks is to ensure that all products and services, including those integrating emerging digital technologies, operate safely, reliably and consistently and that damage having occurred is remedied efficiently.

The current product safety legislation already supports an extended concept of safety protecting against all kind of risks arising from the product according to its use. However, which particular risks stemming from the use of artificial intelligence do you think should be further spelled out to provide more legal certainty?

- Cyber risks
- Personal security risks
- Risks related to the loss of connectivity
- Mental health risks

In your opinion, are there any further risks to be expanded on to provide more legal certainty?

500 character(s) maximum

Machine learning may lead to the identification of false positive and negatives. This implies that there is a risk associated to any automated choice. Opacity of AI shouldn't be addressed a-posteriori as described at page 9 of the document. Instead, it should be addressed in such a way that the risks associated to this opacity are eliminated or at least kept under control. In general, the level of required risk protection mechanisms should depend on the way a certain piece of technology is used.

Do you think that the safety legislative framework should consider new risk assessment procedures for products subject to important changes during their lifetime?

- Yes
- No

Do you have any further considerations regarding risk assessment procedures?

500 character(s) maximum

Risk assessment procedures should run continuously during the lifetime of critical systems as it happens for any technological product subject to deterioration. While, apparently, software does not deteriorate, aspects concerning architectural drift and erosion apply also to traditional software and should be considered as very critical factors that may determine a reduction in the safety of the product. This issue is not only related to AI software but to any piece of long-living software.

Do you think that the current EU legislative framework for liability (Product Liability Directive) should be amended to better cover the risks engendered by certain AI applications?

- Yes
- No
- No opinion

Do you have any further considerations regarding the question above?

500 character(s) maximum

Citizens must be educated to understand the basic operation of these stochastic systems to be aware that malfunction can be developed.

Software can be assembled or developed by third parties. This supply chain is critical as it can determine a change in the software while this is running and outside the control of both the software owner and its producer. For this reason, new liability mechanisms should be considered to identify the parties that can change dynamically during software operation.

Do you think that the current national liability rules should be adapted for the operation of AI to better ensure proper compensation for damage and a fair allocation of liability?

- Yes, for all AI applications
- Yes, for specific AI applications
- No
- No opinion

Please specify the AI applications:

Specially applications that may put people's health and safety at risk.

Not only AI applications but any software suffers from the dynamic changes in the liable parties. Changes may also involve hardware components and the interplay between hardware and software.

Do you have any further considerations regarding the question above?

500 character(s) maximum

The attributions of liability must be clear from the beginning and always fall on a natural or legal person.

Thank you for your contribution to this questionnaire. In case you want to share further ideas on these topics, you can upload a document below.

You can upload a document here:

The maximum file size is 1 MB Only files of the type pdf,txt,doc,docx,odt,rtf are allowed

Contact

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