N°4	Building trust in human-centric artificial intelligence COM(2019) 168 final EESC 2019/1830 – INT/877 547th Plenary Session – October 2019 Rapporteur: Franca SALIS-MADINIER (GR.II-FR) DG CNECT - Commissioner BRETON

Points of the European Economic and Social Committee opinion considered essential	European Commission position
1.3. The EU should, in particular, promote the development of AI systems that focus on specific applications to speed up the ecological and climate transition.	The Commission recognises the potential of artificial intelligence (AI) in dealing with ecological and climate challenges, as stated inter alia in the Communication on artificial intelligence for Europe of April 2018[46] and in the White Paper on artificial intelligence that was adopted on 19 February 2020[47]. The Commission is putting a similar emphasis on climate policy in its work internally[48]. More broadly, as outlined in its new digital strategy, the Commission believes that the twin challenge of a green and digital transformation has to go hand-in-hand and AI is a key technology to contribute to a sustainable, climate-neutral and resource-efficient economy[49]. To build on the current efforts and strengthen its focus, the Commission will follow a mission-based approach in its research funding. Four out of the five defined mission areas are focusing on climate and environment. They are: Adaptation to climate change including societal transformation; Climate-neutral and smart cities; Healthy oceans, seas, coastal and inland waters; and Soil health and food. Artificial intelligence is poised to contribute to these missions.
1.4. It is important to identify which challenges can be met by means of codes of ethics, self-	A need for coordinated action on the regulatory framework on artificial intelligence has been

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[46] COM(2018) 237 final.
[47] COM(2020) 65 final
[48] See European Commission Digital Strategy - A digitally transformed, user-focused and data-driven Commission, C(2018) 7118 final.
[49] COM(2020) 67 final.

regulation and voluntary commitments and which need to be tackled by regulation and legislation supported by oversight and, in the event of non-compliance, penalties. AI systems must always comply with existing legislation.	identified in the Coordinated Plan on artificial intelligence of December 2018[50] and in the White Paper on artificial intelligence of February 2020[51]. The White Paper also put forward proposals on a European approach to artificial intelligence, including its human and ethical implications.
1.7. The EESC stresses that trustworthy AI presupposes that humans have control of machines and that citizens are informed about its uses. AI systems must be explainable or, where this is not possible, citizens and consumers must be informed about their limitations and risks.	Explainability of artificial intelligence is an important topic that is mentioned in the White Paper on artificial intelligence and listed among the challenges for robotics and artificial intelligence in the document 'Orientations towards the first Strategic Plan – implementing the research and innovation framework programme Horizon Europe'. Furthermore, the High-Level Expert Group on artificial intelligence raised the importance to inform citizens and consumers about the limitations and risks of AI systems. The Commission is currently evaluating the results of the work of the Expert Group.
1.9. The EESC calls for the development of a robust certification system based on test procedures that enable companies to state that their AI systems are reliable and safe. The transparency, traceability and explainability of algorithmic decision-making processes are a technical challenge which needs to be supported by EU instruments such as Horizon Europe.	The aim for any future Commission policy on artificial intelligence is to strike the right balance between innovation and protection of Europeans. One of the mechanisms to achieve this is through standards and certification. The Commission is working together with a number of organisations to address questions related to potential standardisation in artificial intelligence. Questions related to ethical, legal and societal issues are already included in calls for proposals for research in artificial intelligence-related topics in the Horizon 2020 framework programme and will remain important in future programmes such as Horizon

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[50] COM(2018) 795 final.
[51] COM(2020) 65 final

	Europe.
1.10. The EESC urges the Commission to review the General Data Protection Regulation (GDPR) and related legislation on a frequent basis in the light of developments in technology.	Pursuant to Article 97 of the General Data Protection Regulation[52], the Commission shall submit to the European Parliament and to the Council a report on the evaluation and review of the Regulation by 25 May 2020 and every four years thereafter. The report of 2020 will provide a broad assessment of the implementation of General Data Protection Regulation over the first two years of its application. Moreover, the Commission is closely following the application of the General Data Protection Regulation on a continuous basis.
1.12. The EESC believes that oversight of AI systems may not be sufficient to define who is responsible and build trust. The EESC recommends that, as a priority, clear rules be drawn up assigning responsibility to natural persons or legal entities in the event of non-compliance. The EESC also calls on the Commission, as a priority, to examine the fundamental question of the insurability of AI systems.	To conduct a thorough analysis of the issue of responsibility and liability in relation to artificial intelligence, the Internet of Things and other emerging digital technologies, the Commission set up a dedicated expert group on 'Liability and New Technologies'. The 'New Technologies' formation of the expert group recently published an expert report on the subject[53]. The Commission has analysed this report and published its own report on the safety and liability implications of artificial intelligence, the Internet of Things and robotics[54] in February 2020[55].
1.13. The EESC proposes developing, for companies which comply with the rules, a European trusted-AI Business Certificate based partly on the assessment list put forward by the high-level experts' group on AI (high-level group).	The Commission acknowledges the relevance of the Trustworthy AI Policy and Investment Recommendations presented by the High-Level Expert Group on artificial intelligence (AI HLEG), as well as other similar documents proposing an EU certification of artificial intelligence systems. Commission services are

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[52] Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (Text with EEA relevance); OJ L 119, 4.5.2016, p. 1–88.

[53] https://ec.europa.eu/transparency/regexpert/index.cfm?do=groupDetail.groupMeetingDoc&docid=36608

[54] Report from the Commission to the European Parliament, the Council and the European Economic and Social Committee: Report on the safety and liability implications of Artificial Intelligence, the Internet of Things and robotics, COM(2020) 64 final.

[55] COM(2020) 65 final

	currently analysing in detail the individual recommendations including the High-Level Expert Group's on artificial intelligence's recommendation 5.3.
5.1. In a global context, AI regulation must go beyond Europe's borders. Europe should promote a broad consensus on AI in the G7 and G20 and keep up bilateral dialogue so that a majority of countries can participate in AI standardisation processes and verify their relevance on a regular basis.	Coordination of artificial intelligence-related activities among the Commission and other international stakeholders is ongoing, not only in the G7 and G20, but also within the Organisation for Economic Co-operation and Development (OECD) and on a bilateral level. Furthermore, the Commission is involved in discussions on artificial intelligence standardisation with a number of organisations.