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

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#### 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 Approach</u> aimed to foster a European ecosystem of excellence and trust in Al and a Report on the safety and liability aspects of Al. 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 Al.

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:

 $\frac{\mathsf{BG}\,|\,\mathsf{CS}\,|\,\mathsf{DE}\,|\,\mathsf{DA}\,|\,\mathsf{EL}\,|\,\mathsf{EN}\,|\,\mathsf{ES}\,|\,\mathsf{ET}\,|\,\mathsf{FR}\,|\,\mathsf{HR}\,|\,\mathsf{HU}\,|\,\mathsf{IT}\,|\,\mathsf{LT}\,|\,\mathsf{LV}\,|\,\mathsf{MT}\,|\,\mathsf{NL}\,|\,\mathsf{PL}\,|\,\mathsf{PT}\,|\,\mathsf{RO}\,|\,\mathsf{SK}\,|\,\mathsf{SL}\,|\,\mathsf{S}\,|\,\mathsf{V}}{\mathsf{V}}$ 

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.

Polish

Portuguese

About you	
Language of my contribution	
Dalgarian	
Ordanari	
Czech	
Danish	
Dutch	
English	
Estonian	
Finnish	
French	
Gaelic	
German	
Greek	
Hungarian	
Italian	
Latvian	
Lithuanian	
Maltese	

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)  *Scope International Local National Regional  Organisation name		Romanian
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  Image: Surname International Local National Regional  *Organisation name		Slovak
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)  Scope International Local National Regional  *Organisation name		Slovenian
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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)  *Scope  International  Local  National  Regional  *Organisation name		
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Non-EU citizen Non-governmental organisation (NGO) Public authority Trade union Other  First name  Surname  Email (this won't be published)  Scope International Local National Regional  Organisation name	_	
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*Organisation size			
Micro (1 to 9 emp	oloyees)		
Small (10 to 49 e	• ,		
Medium (50 to 24	19 employees)		
Large (250 or mo	ore)		
Transparency register	number		
255 character(s) maximum  Check if your organisation is on the	e <u>transparency register</u> . It's a volun	ntary database for organisations	seeking to influence EU decision-
making.			
*Country of origin			
Please add your country of origin,			
Afghanistan	Djibouti	Libya	Saint Martin
Aland Islands	Dominica	Liechtenstein	Saint Pierre
O A11	<b>0</b> D		and Miquelon
Albania	Dominican	Lithuania	Saint Vincent
	Republic		and the
Algeria	Ecuador	Luxembourg	Grenadines  Samoa
<ul><li>Algeria</li><li>American</li></ul>		<ul><li>Macau</li></ul>	San Marino
Samoa	Egypt	Iviacau	San Manno
Andorra	El Salvador	Madagascar	São Tomé and
Alidona	Li Gaivagoi	Madagaodai	Príncipe
Angola	Equatorial	Malawi	Saudi Arabia
3	Guinea		
Anguilla	Eritrea	Malaysia	Senegal
Antarctica	Estonia	Maldives	Serbia
Antigua and	Eswatini	Mali	Seychelles
Barbuda			
Argentina	Ethiopia	Malta	Sierra Leone
Armenia	Falkland Islands	Marshall	Singapore
		Islands	
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Aruba	Faroe Islands	Martinique	Sint Maarten
Australia	Fiji	Mauritania	Slovakia
Austria	Finland	Mauritius	Slovenia
Azerbaijan	France	Mayotte	Solomon
			Islands
Bahamas	French Guiana	Mexico	Somalia
Bahrain	French	Micronesia	South Africa
	Polynesia		
Bangladesh	French	Moldova	South Georgia
	Southern and		and the South
	Antarctic Lands		Sandwich
			Islands
Barbados	Gabon	Monaco	South Korea
Belarus	Georgia	Mongolia	South Sudan
Belgium	Germany	Montenegro	Spain
Belize	Ghana	Montserrat	Sri Lanka
Benin	Gibraltar	Morocco	Sudan
Bermuda	Greece	Mozambique	Suriname
Bhutan	Greenland	Myanmar	Svalbard and
		/Burma	Jan Mayen
Bolivia	Grenada	Namibia	Sweden
Bonaire Saint	Guadeloupe	Nauru	Switzerland
Eustatius and			
Saba			
Bosnia and	Guam	Nepal	Syria
Herzegovina			
Botswana	Guatemala	Netherlands	Taiwan
Bouvet Island	Guernsey	New Caledonia	Tajikistan
Brazil	Guinea	New Zealand	Tanzania
British Indian	Guinea-Bissau	Nicaragua	Thailand
Ocean Territory			
British Virgin	Guyana	Niger	The Gambia
Islands			
Brunei	Haiti	Nigeria	Timor-Leste
Bulgaria	©	Niue	Togo

Heard Island and McDonald Islands

0	Burkina Faso	Honduras	0	Norfolk Island	0	Tokelau
0	Burundi	Hong Kong		Northern		Tonga
				Mariana Islands		
0	Cambodia	Hungary		North Korea		Trinidad and
						Tobago
0	Cameroon	Iceland		North		Tunisia
				Macedonia		
0	Canada	India		Norway		Turkey
0	Cape Verde	Indonesia		Oman		Turkmenistan
0	Cayman Islands	Iran		Pakistan		Turks and
						Caicos Islands
0	Central African	Iraq		Palau		Tuvalu
	Republic					
0	Chad	Ireland		Palestine		Uganda
0	Chile	Isle of Man		Panama		Ukraine
0	China	Israel		Papua New		United Arab
				Guinea		Emirates
0	Christmas	Italy		Paraguay		United
	Island					Kingdom
0	Clipperton	Jamaica		Peru		<b>United States</b>
0	Cocos (Keeling)	Japan		Philippines		<b>United States</b>
	Islands					Minor Outlying
						Islands
0	Colombia	Jersey		Pitcairn Islands		Uruguay
0	Comoros	Jordan	0	Poland		US Virgin
						Islands
0	Congo	Kazakhstan	0	Portugal		Uzbekistan
0	Cook Islands	Kenya		Puerto Rico		Vanuatu
0	Costa Rica	Kiribati	0	Qatar		Vatican City
0	Côte d'Ivoire	Kosovo		Réunion		Venezuela
0	Croatia	Kuwait		Romania		Vietnam
0	Cuba	Kyrgyzstan		Russia		

			Wallis and
			Futuna
Curação	Laos	Rwanda	Western
			Sahara
Cyprus	Latvia	Saint	Yemen
		Barthélemy	
Czechia	Lebanon	Saint Helena	Zambia
		Ascension and	
		Tristan da	
		Cunha	
Democratic	Lesotho	Saint Kitts and	Zimbabwe
Republic of the		Nevis	
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 <u>personal data protection provisions</u>

## 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	0	©	0	©	©	0
Focussing the efforts of the research and innovation community	0	0	0	0	0	0
Skills	0	0	0	0	0	0
Focus on SMEs	0	0	0	0	0	0
Partnership with the private sector	0	0	0	0	0	0
Promoting the adoption of AI by the public sector	0	0	0	0	0	0

## Are there other actions that should be considered?

500 character(s) maximum		

## 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	0	0
Establish world-reference testing facilities for Al	0	0	0	0	0	0
Promote the uptake of AI by business and the public sector	0	0	0	0	0	0
Increase the financing for start-ups innovating in AI	0	0	0	0	0	0
Develop skills for AI and adapt existing training programmes	0	0	0	0	0	0
Build up the European data space	0	0	0	0	0	0

#### Are there other areas that that should be considered? 500 character(s) maximum 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 Al (1-5: 1 is not important at all, 5 is very important)? 1 - Not 2 - Not 3 -4 -5 - Very No important important Neutral Important important opinion at all Support the establishment of a lighthouse research centre that is world class and able to attract the best minds Network of existing AI research excellence centres Set up a public-private partnership for industrial research Are there any other actions to strengthen the research and innovation community that should be given a priority? 500 character(s) maximum

#### 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 AI	0	0	0	0	0	0
Provide access to testing and reference facilities	0	0	0	0	0	0
Promote knowledge transfer and support the development of AI expertise for SMEs	0	0	0	0	0	0
Support partnerships between SMEs, larger enterprises and academia around AI projects	0	0	0	0	0	•
Provide information about equity financing for Al startups	0	0	0	0	0	0

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

5	00 character(s) maximum

## Section 2 - An ecosystem of trust

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

## 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
Al may endanger safety	0	0	0	0	0	0
Al may breach fundamental rights (such as human dignity, privacy, data protection, freedom of expression, workers' rights etc.)	•	0	0	•	•	•

The use of AI may lead to discriminatory outcomes	0	0	0	0	0	0	
Al may take actions for which the rationale cannot be explained	0	0	0	0	0	0	
Al may make it more difficult for persons having suffered harm to obtain compensation	•	•	•	•	•	•	
Al is not always accurate	0	0	0	0	0	0	

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

500 character(s) maximum		

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

Other, please specify

500 charac	cter(s) maximur	77			

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  Do you agree with the approach to determine "high-risk" Al applications proposed in Section 5.B of the White Paper?  Yes No Other No opinion  Other, please specify:  500 character(s) maximum	Additional Comments	
Do you agree with the approach to determine "high-risk" Al applications proposed in Section 5.B of the White Paper?  Yes  No Other No opinion Other, please specify:	500 character(s) maximum	
Do you agree with the approach to determine "high-risk" Al applications proposed in Section 5.B of the White Paper?  Yes  No Other No opinion Other, please specify:		
Do you agree with the approach to determine "high-risk" Al applications proposed in Section 5.B of the White Paper?  Yes No Other No opinion Other, please specify:	Other, please specify:	
proposed in Section 5.B of the White Paper?  Yes No Other No opinion Other, please specify:	500 character(s) maximum	
<ul><li>No</li><li>Other</li><li>No opinion</li></ul> Other, please specify:		
Other No opinion Other, please specify:	Yes	
No opinion Other, please specify:	O No	
Other, please specify:	Other	
	No opinion	
500 character(s) maximum	Other, please specify:	
	500 character(s) maximum	
If you wish, please indicate the Al application or use that is most concerning	If you wish, please indicate the Al applic	cation or use that is most concerning
("high-risk") from your perspective:	("high-risk") from your perspective:	
500 character(s) maximum	500 character(a) maximum	

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	0	0	0	0	0	0
The keeping of records and data	0	0	0	0	0	0
Information on the purpose and the nature of AI systems	0	0	0	0	0	0

Robustness and accuracy of AI systems	0	©	0	©	©	0
Human oversight	0	0	0	0	0	0
Clear liability and safety rules	0	0	0	0	0	0

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 sp	ecify your an	swer:		

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

- Very much
- Much
- Rather not
- Not at all

Do you have any further suggestion on a voluntary labelling system 500 character(s) maximum	m?
Sub Character(S) maximum	
What is the best way to ensure that Al is trustworthy, secure and ir of European values and rules?	n respect
Compliance of high-risk applications with the identified requirement be self-assessed ex-ante (prior to putting the system on the market Compliance of high-risk applications should be assessed ex-ante to of an external conformity assessment procedure  Ex-post market surveillance after the Al-enabled high-risk product has been put on the market and, where needed, enforcement by recompetent authorities  A combination of ex-ante compliance and ex-post enforcement medical conforcement system	et) by means or service elevant
□ No opinion	
Please specify any other enforcement system:	
500 character(s) maximum	
Do you have any further suggestion on the assessment of complia	nce?
500 character(s) maximum	

## 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
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
No opinion
TWO OPITIION
Do you have any further considerations regarding risk assessment
procedures?
500 character(s) maximum
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 Al applications?
© Yes
No
No opinion
•
Do you have any further considerations regarding the question above?
500 character(s) maximum

allocation of liability?	
Yes, for all Al applications	
Yes, for specific AI applications	
No	
No opinion	
Please specify the AI applications:	
Do you have any further considerations regarding the question above?  500 character(s) maximum	

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

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