

June 11, 2020

Dear Commission President von der Leyen,  
Dear Executive Vice President Vestager,  
Dear Commissioner Breton,

AI is today at the heart of large consumer online platforms such as Facebook or Google. We observe that despite the numerous advantages and benefits of the currently dominant technology and AI platforms, they have several fundamental incentive misalignments that might only be addressable by competent and thoughtful regulatory intervention:

1. The ability and incentive to deploy confusing and bureaucratic user interfaces to cover over and obtain inauthentic consent for ongoing problematic data collection practices;
2. Significant incentives for optimisation and design decisions that may be contrary to users' and citizens' interests, that can be driven by advertising-based business models or anti-competitive market objectives;
3. An overall impact of AI technology and platforms on society that is unpredictable, non-transparent, and only accountable through heroic efforts by a small number of journalists and civil organisations that happen to be sophisticated enough and lucky enough to spot problematic trends.

## Opportunities for Europe

### 1 Database and Model Transparency

The white paper should outline an ambitious way forward building on database and model transparency. This proposal draws some inspiration from the practice of clinical trial registration in drug discovery.

- Database Transparency - transparency of the schemas of databases used in AI

Create new transparency rules about large scale data collection, by requiring companies that store records for more than [X million affected] European citizens to publish the schemas of the databases that are used to hold and process data.

- Model Transparency - transparency of AI optimisation processes

Experimental proposed rule: any engineer or engineering team who pushes an experiment using AI to users that could subsequently be deployed to production for more than [X million affected] European citizens needs to produce an entry in a "experiment database" for that company. The entry should include: the nature of the change (such as

a change of objective function or new ML model that it is being tested), the goal of the experiment and measures used to assess it, and also be populated with the number of affected users or devices, the size of measured effects or results, and information on whether the experiment was discontinued or deployed (either partially or across the whole product).

These databases should be available to European regulatory institutions [at time lag X] and to civil society and the public [at time lag Y] in order to ensure that AI companies and platforms are accountable for the optimisation goals and processes that they put in place. The length of time lags should reflect the balance between intellectual property protection and effectiveness of regulation.

## 2 Incentive Alignment with Users' Chosen Values

The two large business models that are driving AI and platform development at present are advertising and direct sales of private good products and services. There are much smaller scale platforms and AI systems that are supported by crowd funding, donation, or by public or philanthropic project-oriented funding.

Europe has an opportunity to try to diversify and reduce the imbalance between the first two types of funding and other types. Europe has a tradition of successful public funding of major institutions, which might be a relevant option to consider for AI development; it could also consider policy initiatives to enhance new funding or business models that would be better aligned with public interest and European values, which could include public funding, crowdfunding, expanded philanthropic funding, procurement strategies, or other pathways to a European vision of private-sector AI excellence. The most complex question in particular for a constructive and enriching role for public funding is the question of allocation. Government institutions themselves are not well positioned to do a significantly better job than Silicon Valley, but they could create incentives *for platforms to better align with values that are explicitly chosen by their users*, whether those might be: time well spent, promotion of healthier democratic conversation, reduced environmental footprint, more equitable interaction with the global tax system, or other goals that come to be recognised in the years ahead.

The new approaches should empower individuals and could take inspiration from Czech gambling regulation which requires operators to allow users to set their own limits for cost and time spent of a given time period).

For social media promotion this could include giving users access to a control panel for ranking and recommendation algorithms. Eg. for social news feeds: how much do you want to see social updates about events in your communities? How much do you want to see agreeing and disagreeing political content, [or content on different topics and of different types]? How much do you want downweighting based on fact checking reports and/or assessments of rhetorical

approaches in texts? Or for platform-wide media recommendations: what are the goals of your viewing? Humour? Education?

### 3 Trust Evaluation Framework: Defining Trust as a Multi-dimensional Construct

Despite talking about trustworthy AI, we argue that the EC white paper does not practically consider trust as the multi-dimensional phenomenon that it is. Furthermore, we propose that there's a need for a trust evaluation framework. The trust evaluation framework should take into consideration key inputs, outputs, and processes relevant for trustworthiness. It is also crucial to involve users in the trust assessment. The EC should build a system for trust monitoring based on the multidimensional approach. The factors that will influence the trust process include the questions reflected in the figure below.

#### Implications for measures of trust

The different elements discussed above, and shown in Figure 2, point toward a great many factors to be considered for a multi-dimensional measure of trust. We divide these into five research questions for our analysis:

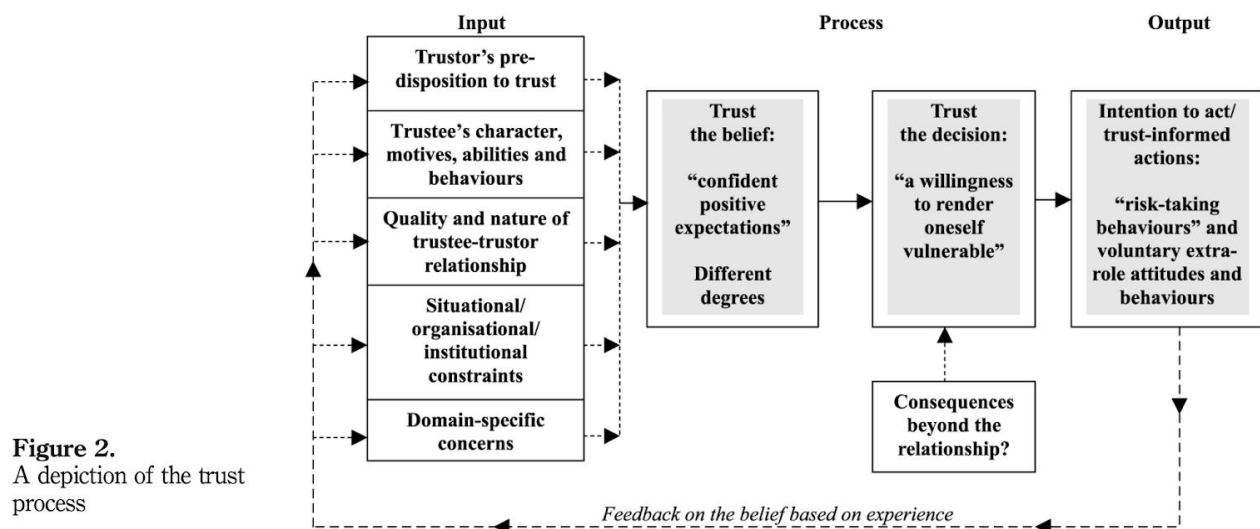


Figure 2.  
A depiction of the trust process

Source: Dietz, Graham & Den Hartog, Deanne. (2006). *Measuring Trust Inside Organizations*. *Personnel Review*. 35. 557-588. 10.1108/00483480610682299.

### 4 Post-covid19 Fiscal Stimulus

The white paper admits that Europe has a weak position in consumer online platforms. However, in numerous cases it is the business-to-consumer platforms, rather than business-to-business applications that have paramount influence on our societies. This includes potentially negative impacts on European societies and even the European way of life and

democratic principles which lie in its center. We urge the Commission to build on the Recovery plan for Europe and the Enhanced European Innovation Council pilot and create ambitious post-coronavirus fiscal stimulus. With the aim to build an 'ecosystem of excellence', the stimulus should support innovation and provide incentives to accelerate adoption of EU-made solutions based on AI. The efforts should be also focused on improving the European position in consumer platform markets. This is crucial in order to tackle the current competitive disadvantage regarding access to data. Even where the processing of information moves from the cloud to the edge, without local platforms and control of application stacks, the EU will be unable to train new AI models and innovate at the same rate as the United States and China. We urge the Commission to add a new dedicated level to the ecosystem of excellence targeted at the development of business-to-consumer solutions powered by AI. It is also an important prerequisite for reaching the goals set in the section H. International aspects, in particular regarding export of European values across the world.

The white paper rightly stresses that AI is used by the platforms to prioritise information in the user stream and to perform content moderation. As we outline in other parts of this document, the current business models are not necessary fully in line with the promotion of European values. Therefore, post-covid19 fiscal stimulus should incentivise the development and scaling of consumer platforms. It could be built around a multi-tier approach. The first tier would be aimed at identification of innovative solutions (up to 100000 EUR per project). The second tier would focus on building fully functional minimum-viable-products (MVPs, up to 1000000 EUR per project) with at least X active European users. The third tier should focus on scaling and market penetration with the aim to reach Y active users.

Regards,

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