Fujitsu position Paper on the EU White Paper on Artificial Intelligence

Fujitsu is one of the leading global ICT companies and the largest in Japan. We employ around 130,000 people worldwide and support customers in more than 100 countries. Fujitsu is committed to investing in R&D with Laboratories and Innovation Centers in Japan, Asia, Europe and US. We use our experience and the power of ICT to shape the future of society with our customers.

Fujitsu's Vision is to enable a **Human Centric Intelligent Society** that creates value by connecting infrastructure, empowering people and creatively defining new forms of intelligence. We are transforming to become a strong and reliable **Digital Transformation Company** by investing in our people and new key technologies such as AI, Blockchain and Quantum inspired solutions. Our ambition is to contribute to the benefit of all citizens and society in line with the **UN's Sustainable Development Goals** by supporting customers from across the public and private sectors. Investing in AI and Data is critical to achieving this.

Europe is at the heart of our global business. We employ 20,000 people and offer a full portfolio of business-technology products, solutions and services, ranging from workplace systems to datacenter solutions, managed services, and cloud-based software and solutions. In 2018[1] Fujitsu signed a long-term research and co-creation program with INRIA in Paris-Saclay to develop new AI and machine learning techniques by leveraging advanced mathematics and computing. The **Fujitsu AI Center of Excellence in France** is now operational employing a growing number of researchers and AI experts developing R&D project (including Horizon2020) adopting a co-creation approach with our customers.

General comments and recommendations

We appreciate the efforts of the European Commission in creating a common approach to AI in Europe and welcome the opportunity to share our thinking on this vital topic. Fujitsu shares the EU's commitment towards achieving Human Centric trustworthy AI[2]. Fujitsu believes it is crucial to protect the intrinsic value of human choice on suggestions and results brought by AI, and emphasize transparency and accountability for AI as corporate responsibility.

We see many **synergies with the European Strategy for Data**, which the European Commission is currently developing. One of the main reasons of AI solutions failing to deliver their full potential or not working at all are challenges related to **Data Access and Quality of Data**. It is then important to foresee complementary initiatives and policies measures in both strategies with the support of Member States and in cooperation with private sector. We appreciate the initiatives mentioned at pages 3 and 4 of this White Paper to foster a better use of Public and Industrial Data as well as infrastructures supporting the creation of **"European data pools".**

Discussions on an effective AI scheme for Europe must take into account perspectives on ethical, quality assurance and legal responsibilities. Ethical and quality assurance perspectives can be addressed through governance, management and technical measures and might vary by sector and application. A common approach for legal responsibilities will be required regardless of the sector (such as compensation for any danger to life and damage to goods caused by AI.

[1] Fujitsu Press Release 2018 - here
[2] Fujitsu Group AI Commitment 2019 - here

The White Paper references "AI based on European rules and values" such at Chapter 4, Section H, International Aspects. However, it is important to recognize that AI is used globally in different cultures and will be subject to different rules, and values. We expect the EU as one of key institutional stakeholders to play a leading role in multidimensional values in AI.

An **AI Open Source** should be the Model that the European Commission promotes in order to allow companies of all size to invest on AI for the development of new solutions in all sectors.

Legislative framework for AI

Fujitsu would like to stress the importance of **balancing innovation and regulation** in order to realize the benefits of an advanced and reliable data-driven society, while also ensuring global regulatory harmonization that avoids unnecessary fragmentation. We called it an "**AI legislative comfort zone**". One of the main reasons for AI solutions not being developed in Europe is the lack of clarity about what is possible to do and what is not. This is blocking lot of business discussions with both public and private customers that appreciate the benefit of AI solutions to solve their problems but prefer not to take risks related to regulation compliance. In this sense, **GDPR** is recognized as an important framework for privacy and security for personal data of European citizens becoming a reference in many other Countries. In the second year of implementation of this important regulation, we ask the European Commission to examine how it can improve the adoption of new AI solutions in Europe alongside other legislation and without creating barriers or competition gaps with solutions developed in other regions. This should be done in partnership with EDPB, national and international Data Protection Authorities in order to promote consistency and harmonization.

AI&Ethics and Trust:

We share the view of the European Commission that the *"lack of trust is a main factor holding back a broader uptake of AI"* as mentioned on the AI White Paper. We support this aim to realize trustworthy AI. The European Institutions, Member States and all stakeholders should work together in order to create "**An Ecosystem of Trust**" where **AI&Ethics** can have a key guiding role in the development of new solution (as set out in Fujitsu Group AI Commitment[3]). In this regard, Fujitsu had the pleasure to participate in the "Deep dive Interview" on the AI&Ethics related Assessment List Fujitsu providing ideas to make this tool effective for Companies of all size. Fujitsu Laboratories is also represented on two of AI4People's seven specialised industry-specific committees focused on developing vertical-specific frameworks aligned with promoting best practices and behaviours enabled by AI. As part of this work, Fujitsu Laboratories is developing joint use cases and banking models focused on ethical challenges of AI technologies within banking & finance sector.

Fujitsu is implementing an Open Innovation project that reflects Fujitsu's proactive participation in the development and creation of an internationally accepted framework for Trustworthy AI, as a founding member of the **AI4People multi-stakeholder forum** in Europe. This co-creation project is the first of its kind in terms of "open innovation collaborative research", and its purpose is to identify future sector requirements from a human-centric perspective, with the potential trialling of Fujitsu Laboratories of Europe's AI technologies using real data and AI models from a real bank to be exploited for the Banking & Finance sector applications.

In coherence with the principles and values of the Guidelines of the High Level Experts Group, Fujitsu supports Japanese Government's Social Principles of **Human-Centric AI**[4] and the AI principles endorsed at the G20 Ministerial Meeting in Tsukuba last year. The European Commission and Japanese Government share many common principles and should continue to work together at international level to ensure these principles are endorsed by other Countries.

[3] Fujitsu Group AI Commitment – 5 Principles here
[4] Japanese AI Strategy here

A "**Technical Trial" for AI Algorithms** could be a practical idea to create more trust in particular with Public Sector. In many cases Public Sector stops the adoption of new AI solutions because of the difficulties in showing that particular AI solution is transparent, reliable and consequently trustworthy. A shared "technical trial procedure could help in this sense.

Risk based approach:

We support the Commission's proposal to prioritize **high-risk AI applications** following a **risk-based approach** to address concerns about the use of AI. The assessment of "high risk" should be based on the existing discussions and definitions of "risks" in international standardization organizations. For sectors, such as healthcare and mobility existing sector regulations should be reviewed rather than developing new horizontal legislation for AI.

The requirements for high-risk AI applications proposed in the European Commission White Paper (quality of training data sets, the keeping of records and data, information on the purpose and the nature of AI system, robustness and accuracy of AI systems and human oversight) are crucial to the realization of trustworthy AI. However, it is currently very difficult guaranteeing this on a technical basis. We suggest applying these requirements at a reasonable level using a step-by-step approach based on a shared road map including timeframe and threshold of requirements agreed with experts. It is desirable that such a roadmap and threshold should not be unique to the EU, but that the Commission takes leadership for global coordination and harmonization.

Remote biometrics identifications

Definition and correct understanding of 'remote biometric identifications', which is listed as one of the "high-risk AI applications", has not reached a consensus and needs to be clarified and shared among stakeholders. It tends to be misunderstood as 'non-contact devices' or something which can identify a specific person for a group of 1 million people by itself. Indeed, to identify a single person, other IT system or even humans need to analyze with additional data such as addresses, and specific activities of the individuals.

Personal data which biometrics use is already covered in the GDPR, and no new AI-specific regulations are needed. On the other hand, we recognize there is legal uncertainty amongst local regulations defining the use of biometric identification for country safety and security purposes. We strongly believe **harmonization** would be beneficial. By complying with the future EU regulatory framework, we would expect that remote biometric identification solutions would benefit from more trust and legal certainty.

It would be useful to clarify the conditions for the use of remote biometric identifications and the measures to be taken during operation by providing reader-friendly guidelines. It is also helpful to give examples of measures in operation such as how to handle data of a person who happens to be caught by short distance biometric authentication (2-5 meters) because it is not realistic to obtain the consent of people in public spaces.

A voluntary labeling scheme

A voluntary labeling scheme for non-high-risk AI applications is one of the useful options for increasing trust of AI in the market. In order for such labeling systems to be widely recognized and used in the market, it is crucial to be consistent with international standards and harmonized globally.

Liability

We understand that the characteristics of AI may give rise to the case where it is difficult to trace the damage back to a person and there have to be loss compensation approaches.

Nevertheless, we believe the scope of the PL Directive should not be expanded to impose liability on AI-based technologies beyond those incorporated into the hardware. Such change of scope could leave developers of AI systems with responsibility for problems that they cannot have any control and could discourage industries from developing and using AI systems.

This issue might not be solved immediately but will need to be further discussed by taking into consideration the balance between the benefits and risks of AI in society. Fujitsu as an AI system developer and provider, is happy to discuss further with the Commission.

Innovation and investments on Skills:

A European **"lighthouse centre of research, innovation and expertise** that would coordinate these efforts and be a world reference of excellence in AI and that can attract investments and the best talents in the field" would be a good approach. It is important in this context to coordinate with Member States' initiatives in order to avoid duplication of efforts and investments and creating competition. This Centre should be focusing only on actions with clear European added value. We would appreciate more clarity about how this Centre will be funded, how private sector should be involved and what kind of research approach-priorities will be promoted (i.e. basic research, applied research or both). It is very important to create the right synergies with Member States and national AI Centres together with funding programmes like Digital Europe and Horizon Europe.

As stated on the White Paper we strongly encourage the European Commission (together with the European Parliament and Council) to heavily invest on the **Digital Europe Programme** and more broadly on the **Horizon Europe Programme**. AI solutions could be of crucial support in many clusters such as Health, Digital Industry and Mobility. "**Innovation hubs**" could be a good approach but we need the European Commission to avoid confusion with other similar initiatives like KICs and local initiatives at regional level such as Smart Specialisation and promote the right synergies. Finally, we support the idea of a Public Private Partnership on AI within the framework of Horizon Europe

Digital Europe Programme is allocating resources to digital skills. We call on the European Commission to strongly invest on this and to focus not only on "pure" digital skills but also to create multidisciplinary profiles linking AI with other complementary competences.

The EU should invest more on **communicating the benefits of AI to the whole society** at all levels. Communication Campaigns should be promoted on social media, magazines and all channels in order to reach all generations linking this to new learning opportunities. More incentives for Digital Education at all levels at school, upskilling long life learning courses would help in getting more understanding on the benefits that AI can bring. The EU should encourage AI solutions enhancing the quality of existing or new jobs and less to solutions that will just replace jobs.

Conclusion

Fujitsu strongly encourages the European Commission to pursue an effective AI Approach and Strategy for the European Market able to play a leading role at global level. The alignment of key principles for AI and new technologies between Japanese Government and European Union is an important common ground for further cooperation at international level. Fujitsu is committed to keep on working closely with both the Japanese Government and the Commission by providing comments and contributions from our experts in order to bring the view of a Global Group with strong presence in both Regions with the ultimate intent of delivering benefit for our societies and citizens.