Artificial intelligence – ethical and legal requirements

Atos Feedback – 8 Sep 2020

Atos welcomes the opportunity to respond to the Inception Impact Assessment proposed by the European Commission on the proposed legal act on Artificial Intelligence.

Atos supports implementing policies aiming at mitigating the risks associated with AI applications. We believe that a non-legislative approach would not meet this objective, and conversely that mandatory requirements, especially if applied indiscriminately to all applications, are not economically and technically effective.

Please find below our comments on each presented option.

EU "soft law" (non-legislative) approach (option 1)

We believe that a totally non-binding approach would not be sufficient to ensure sufficient security.
In the framework of current existing legislation, we recommend imposing a standard for high-risk applications to ensure that they comply with the 7 principles for an ethical AI defined by the Commission. This could be done by first defining a common risk repository and then classifying applications evaluated within this repository,

Setting up a voluntary labelling scheme (option 2)

Atos supports the creation of voluntary labels.
The creation of labels (for example one label for each of the seven principles of the European Commission for an ethical artificial intelligence), based on an evaluation template defined by the Commission, can be envisaged, making it possible to highlight the characteristics of an application on the AI axes of trust proposed by the Commission.
The label would be awarded after analysis by a competent European structure - to be created, if necessary - and which could also define and manage the standards for applications identified as critical.

In particular, Atos recommends this label be used as a selection criterion in the context of public or private procurement processes, in order to be able to rule out solutions that do not respect the commitments linked to the label, and therefore do not offer all the desired guarantees for the user.

This approach would make it possible to reveal the potential threats posed by existing solutions and potentially become a growth lever for complying solutions, becoming a competitive asset for their developers. Conversely, in the absence of global standards, not adopting this labelling approach could prevent the efforts made by both European and non-European AI actors on ethical dimensions, from being valued.

Regulations and requirements relating to high-risk AI, specific applications or all AI (options 3 and 4)

Atos advises against imposing specific requirements for all AI applications as presented in option 3c. Atos recommends taking into account the notions of the impact (or severity) of a damage and the probability that this damage will occur.

It should be noted that regulation is necessary but not sufficient to enhance the value of ethically compliant assets beyond the Union. Standards and labels could make it possible to promote the specificities of these solutions in other geographies or contexts not subject to European regulations.