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**Input to the Consultation on the European Commission's
White Paper on Artificial Intelligence**

The Role of Open Technologies in AI Development and Uptake in Europe

OpenForum Europe (OFE) welcomes the opportunity to provide input to the Consultation on Artificial Intelligence in the light of the European Commission's White Paper on Artificial Intelligence: a European approach to excellence and trust published on 19 February 2020. Our input to this consultation is focused on our specific areas of expertise, which include Open Standards and Open Source. We strongly believe that openness can help achieve the twin objective of promoting the uptake of AI and of addressing the risks associated with certain uses of this new technology.

Artificial Intelligence is a rapidly evolving technological area which has a potentially far reaching benefit and impact on society and digital landscape in Europe, thus we strongly agree that it should be a subject of multilateral stakeholder debate. At the outset, it is crucial to have an appropriate framework creating a level-playing field and allowing an open market on Artificial Intelligence evolve and technology uptake, while giving all stakeholders the opportunity to reap benefits of this fast-growing field.

We support the Commission in its efforts focusing on high-risk applications, which should be addressed in the first instance. Classification of such applications requires broad stakeholder dialogue and participation. It is worth considering if such a process might be carried out within a standardisation process, e.g. based on some feasibility and requirements study and analyses.

Outside of the realm of high-risk applications, voluntary labelling for AI systems could potentially be useful, but any such scheme would require references to publicly available specifications and open standards and needs to be cohesive. Proliferation of different schemes can lead to confusion, be counter-productive to the aim of enhancing trust, and should be avoided.

Standards play a key role for accelerating digitalisation across all sectors. Standards are developed in open and transparent processes, represent the state-of-the-art of research and technology and are based on consensus of all stakeholders involved. We believe that they are of high relevance for any technological area that includes data collection and post-processing, thus are crucial for ensuring a fair and beneficial AI landscape.

We point to the New Legislative Framework as a source of technical regulation. The NLF builds on the interplay of standards as voluntary means to achieve and demonstrate compliance and provides a clear framework on regulatory and policy requirements. The way to voluntarily achieve and demonstrate compliance with standards moreover ensures that the state-of-the-art is the basis for compliant technologies and that this gets regularly maintained and updated. Moreover, open standardisation allows all stakeholders to properly plan for the implementation of the respective requirements. Presumption of conformity, finally, allows for a fast and safe access to the single European market.

Several major standards are already in development to address needs, in particular in SC42 and IEEE, as well as the CEN-CENELEC Focus Group that is looking at the Roadmap for AI Standardisation in Europe. Moreover, there are national activities regarding AI standardisation such as the German Roadmap on AI Standardisation.

Key topics addressed in these standardisation efforts include trustworthiness, transparency, data quality and avoiding data bias. European values are also being considered, including those pinpointed in the recommendations from the High Level Expert Group on Artificial Intelligence. We believe ensuring safeguarding those values can be achieved based on broad stakeholder consensus and open standards, which will also help to create trust and to respond to possible risks. Based on this work activities can be planned to ensure that respective standards get adopted as European standards.

Regarding the safety legislative framework, some changes may be needed in testing and assessment, certification and monitoring of systems which use adaptive methods. As standards for these procedures are under development, we encourage to look into them while further exploring possible options within the current legal frameworks. Moreover, a dialogue with all stakeholders for prioritising the work in this area would be very useful.

Furthermore, we want to highlight the role of Open Source in Artificial Intelligence developments and innovation. Major activities are in progress in several Open Source projects and foundations. Consider, for example, the Linux Foundation AI working on ethics, in particular on trustworthiness and transparency of Artificial Intelligence systems. We believe that Open source developers, vendors and user organisations are important to consider and consult in a broad stakeholder dialogue in addition to standardisation.

On a bigger scale, OFE recommends to have a broad analysis on how standards and open source can support key policy requirements and what opportunities and challenges they might pose. We think that this approach presents a tangible way forward, ensuring participation of diverse stakeholders and a consensus-based future framework for Artificial Intelligence developments.

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