

STOA - C4AI

Al legislative overview

European Parliament and beyond

March 2024

An overview of European Parliament resolutions and other EU policy documents related to artificial intelligence (Al)

European Parliament - adopted resolutions

Artificial Intelligence Act

COD Resolution 13-02-2024; IMCO Rapporteur: Brando BENIFEI (S&D; IT), LIBE Rapporteur: Dragoș TUDORACHE (Renew, RO)

his regulation aims to ensure that fundamental rights, democracy, the rule of law and environmental sustainability are protected from high risk AI, while boosting innovation and making Europe a leader in the field. The rules establish obligations for AI based on its potential risks and level of impact.

Digitalisation and Administrative Law

Draft INL Resolution 22-11-2023 JURI Rapporteur: Karen MELCHIOR (Renew; DK)

Parliament requested the Commission to urgently submit a legislative proposal, on the basis of Article 298 TFEU, for a regulation on an open, efficient and independent European Union administration so that it can be adopted before the second half of the new legislative term, following the recommendations set out in the Annex hereto. They also request the Commission to take into account the advancement of digitalisation and its impact on the Union's administration and administrative procedure.

European Data Act: Harmonised rules on fair access to and use of data

COD Resolution 27-11-2023; ITRE Rapporteur: Pilar del CASTILLO VERA (EPP; ES)

The Data Act establishes rules on sharing data generated by the use of connected products or related services (e.g. Internet of Things, industrial machines) and allows users to access the data they generate. It provides for new rules specifying who can access and use data generated within the EU across all economic sectors.

Chips Act

Final Act adopted: 13-09-2023; ITRE Rapporteur: Dan NICA (S&D; RO)

The EU Chips Act proposes to build on Europe's strengths and address outstanding weaknesses, to develop a thriving semiconductor ecosystem and resilient supply chain, while setting measures to prepare, anticipate and respond to future supply chain disruptions.

2030 Policy Programme "Path to the Digital Decade

COD Resolution 24-11-2022 - ITRE Rapporteur: Martina DLABAJOVÁ (Renew, CZ)

The "Path to the Digital Decade" aims to ensure that the European Union achieves its objectives and targets towards a digital transformation of our society and economy in line with the EU's values, reinforcing our digital leadership and promoting human centred, inclusive and sustainable digital policies empowering citizens and businesses. The objective is to deliver the EU's digital transformation in line with this vision by establishing a clear, structured and collaborative process to achieve such result.

Mental Health in the Digital World of Work

INI Resolution 05-07-2022 - EMPL Rapporteur: Maria WALSH (EPP; IRL)

The Commission is invited to propose a legislative framework to establish minimum requirements for telework without prejudicing the working conditions of teleworker and a directive setting minimum standards and conditions to ensure that all workers are able to effectively exercise their right to disconnect, and to regulate the use of existing and new digital tools for work purposes. To tackle the digital divide in Europe, Members called for more targeted investment in digital skills provision, especially for the most digitally excluded groups.

European Data Governance Act

COD Resolution 30-05-2022 - ITRE Rapporteur: Angelika NIEBLER (EPP; DE)

The proposed regulation aims to promote the availability of data for use, increasing trust in data intermediaries and strengthening data sharing mechanisms across the EU.

Artificial Intelligence in a Digital Age

INI Resolution 03-05-2022 - AIDA Rapporteur: Axel VOSS (EPP; DE)

The report provides a holistic approach for a common, long-term position that highlights the EU's key values and objectives relating to AI in the digital age that ensures that the digital transition is human-centric and consistent with the EU Charter of Fundamental Rights. The report first defines the European approach to AI and reiterates its importance within the digital transformation. Instead of focusing on threats, a human-centric approach to AI based on our values will use AI for its benefits and give us the competitive edge to frame AI regulation on the global stage. Rather than an unpredictable and fully autonomous system, with the right rules, safeguards and regulations, AI is merely a tool for data processing that can revolutionize systems for the good of society. The report analyses the future impact of AI in the digital age, balancing its benefits towards certain risks on the EU economy, in particular on health, infrastructure, sustainability, transport, agriculture, energy, defence, industry, democracy, egovernment, employment, skills and education.

Single Market for Digital Services (Digital Services Act)

COD Resolution 20-01-2022 - IMCO Rapporteur: Christel SCHALDEMOSE (S&D: DK)

Digital services are an important backbone of our economy, bringing new opportunities for both consumers and businesses, using the various digital services on a daily basis. At the same time digital services have created serious challenges and risks. The nature, scale and importance of digital services for the economy and society have changed dramatically since the current legislation was put into place. An updated regulatory framework on digital services, establishing clear responsibilities is necessary to address these challenges and to ensure a level playing field in the digital Single Market and a safer digital space for the users.

Digital Markets Act

COD Resolution 15-12-2021 - IMCO Rapporteur: Andreas SCHWAB (EPP; DE)

The Digital Markets Act (DMA) builds on the horizontal Platform to Business Regulation, and aims at ensuring a contestable and fair digital sector, with a view to promoting innovation, high quality of digital products and services, fair and competitive prices, as well as a high quality and choice for business and end users in the digital sector. The DMA blacklists certain practices used by large platforms acting as "gatekeepers" and enables the Commission to carry out market investigations and sanction non-compliant behaviours. The adopted text sets new obligations and prohibitions directly applicable to such platforms, with a view to ensuring fair and open markets.

Artificial intelligence in criminal law and its use by the police and judicial authorities in criminal matters INI Report 06-10-2021 - LIBE Rapporteur: Petar VITANOV (S&D; BG)

Next to its benefits, AI entails a number of potential risks, such as opaque decision-making, different types of discrimination, intrusion into our private lives, challenges to the protection of personal data, human dignity, and the freedom of expression and information. These potential risks are aggravated in the sector of law enforcement and criminal justice, as they may affect the presumption of innocence, the fundamental rights to liberty and security of the individual and to an effective remedy and fair trial.

<u>Fair working conditions, rights and social protection for platform workers - New forms of employment linked to digital development</u>

INI Resolution 16-09-2021 - EMPL Rapporteur: Sylvie BRUNET (Renew, FR)

Platform workers are usually officially classified as self-employed, although they do not have the level of professional independence of self-employed workers. As a result of this erroneous classification, many platform workers do not enjoy social protection, employment rights or health and safety provisions equivalent to those provided by an employment contract or employment relationship in their Member State.

Establishing the European High Performance Computing Joint Undertaking

NLE Resolution 24-06-2021; ITRE Rapporteur: Maria da Graça CARVALHO (EPP; PT)

Proposal for the European High Performance Computing Joint Undertaking to maintain and advance Europe's leading role in supercomputing and quantum computing.

<u>Promoting gender equality in science, technology, engineering, and math (STEM) education and careers</u>

INI Resolution 10-06-2021 - FEMM Rapporteur: Susana SOLÍS PÉREZ (Renew; ES)

Raising the profile of women in science, technology, engineering and mathematics and women's professional contributions can establish patterns of success to follow and ultimately lead to more inclusion and gender equality.

The EU's Cybersecurity Strategy for the Digital Decade

RSP Resolution 10-06-2021 - ITRE Rapporteur: Cristian-Silviu BUŞOI (EPP, RO)

The resolution welcomes the initiatives outlined by the Commission in the joint communication entitled 'The EU's Cybersecurity Strategy for the Digital Decade and calls for the promotion of the development of secure and reliable network and information systems, infrastructure and connectivity across the Union.

Digital Green Certificate - Union citizens

COD Resolution 09-06-2021 - LIBE Rapporteur: Juan Fernando LÓPEZAGUILAR (S&D; ES)

The regulation seeks to lay down a framework for the issuance, verification and acceptance of interoperable certificates on COVID-19 vaccination, testing and recovery for the purpose of facilitating the holders' exercise of their right to free movement during the COVID-19 pandemic.

<u>Digital Green Certificate - third-country nationals</u>

COD Resolution 09-06-2021 - LIBE Rapporteur: Juan Fernando LÓPEZ AGUILAR (S&D; ES)

The proposal aims to facilitate the movement of third country nationals within the EU during the COVID-19 pandemic by establishing a common framework for the issuance, verification and acceptance of interoperable certificates of vaccination, testing and recovery from COVID-19.

<u>European Cybersecurity Industrial, Technology and Research Competence Centre and Network of National Coordination Centres</u>

COD Resolution 19-05-2021 - ITRE Rapporteur: Rasmus ANDRESEN (Greens; DE)

The objectives of the proposed Regulation would be to strengthen the Union's competitiveness and capabilities in cybersecurity, and to reduce its digital dependency by improving the uptake of cybersecurity products, processes and services developed within the Union.

Shaping the digital future of Europe: removing barriers to the functioning of the digital single market and improving the use of AI for European consumers

INI Resolution 20-05-2021 - IMCO Rapporteur: Deirdre CLUNE (EPP; IRL)

The use of artificial intelligence (AI) brings many benefits but also risks and raises concerns about the ethics, scope and transparency of the collection, use and dissemination of personal data. There is a need to strengthen public trust in AI by providing for respect of fundamental rights, consumer protection, data protection and data security as a default, as well as by encouraging innovation in Europe.

Artificial intelligence in education, culture and the audio-visual sector

INI Resolution 19-05-2021 - CULT Rapporteur: Sabine VERHEYEN (EPP; FR)

To understand concretely how Alcurrently affects these sectors and how future technological advances in Al will affect them further over the next decade.

Digital Europe programme 2021–2027

COD Resolution 29-04-2021 - ITRE Rapporteur: Valter FLEGO (Renew, CR)

The objectives of the Programme are to support and accelerate the digital transformation of the European economy, industry and society and to bring its benefits to European citizens, public administrations and businesses across the Union. In addition, to strengthen Europe's competitiveness in the global digital economy while contributing to bridging the digital divide across the Union and reinforcing the Union's strategic autonomy.

Shaping Digital education policy

INI Resolution 25-03-2021 - CULT Rapporteur: Victor NEGRESCU (S&D; RO)

The report calls for the creation of an Al and robotics initiative in the field of digital education. We also need to identify solutions for fast and reliable internet and quality digital education in educational establishments, in non-formal settings and at home.

A European strategy for data

INI Resolution 25-03-2021 - ITRE Rapporteur: Miapetra KUMPULA-NATRI (S&D; FI)

The European data strategy will be a crucial step in building a data society that respects EU rights and values, in defining the conditions for the data economy, and in establishing the EU's leading role. The COVID-19 crisis has highlighted the role of and need for high-quality, real-time databases, information and data sharing, as well as shortcomings in the infrastructure and interoperability of solutions across Member States. The resolution stressed the vital role of the principle of free movement of data within the EU in realising the full potential of the data-driven economy.

Closing the digital gender gap: women's participation in the digital economy

INI Resolution 21-01-2021 - FEMM Rapporteur: Maria da Graça CARVALHO (EPP; PT)

This report aims to address the root causes of the existing digital gender gap, reflect on the data available and propose concrete measures and actions to promote women and girls' participation in the digital economy.

The right to disconnect

INL Resolution 21-01-2021 - EMPL Rapporteur: Alex AGIUS SALIBA (S&D; MT)

The rapporteur concludes that it is necessary to introduce safeguards at EU level to ensure a minimum level of protection for workers in the new digital world of work.

Artificial intelligence: questions of interpretation and application of international law in so far as the EU is affected in the areas of civil and military uses and of state authority outside the scope of criminal instice

INI Resolution 19-01-2021 - JURI Rapporteur: Gilles LEBRETON (IND; FR)

The impressive advances in artificial intelligence (AI) pose a challenge for international law, both public and private, and more broadly for the authority of states. As the framing of legal provisions to govern AI has become one of the EU's priorities, the European Parliament cannot ignore this issue. This report seeks to address the main aspects concerned.

A new industrial strategy for Europe

INI Resolution 25-11-2020 - ITRE Rapporteur: Carlo CALENDA (S&D: IT)

To propose an industrial strategy with two distinct phases: the first aimed at industrial recovery, and the second at reconstruction and transformation.

Digital Services Act: adapting commercial and civil law rules for commercial entities operating online

INL Resolution 20-10-2020 - JURI Rapporteur: Tiemo WÖLKEN (S&D; DE)

To reinforce the single market for digital services and help provide smaller businesses with the legal clarity and level playing field they need.

Digital Services Act and fundamental rights issues posed

INI Resolution 20-10-2020 - LIBE Rapporteur: Kris PEETERS (EPP; BE)

Members stress that fundamental rights, such as the protection of privacy and personal data, the principle of non-discrimination, as well as freedom of expression and information, need to be ingrained at the core of a successful and durable EU policy on digital services.

Digital Services Act: Improving the functioning of the Single Market

INL Resolution 20-10-2020 - Alex AGIUS SALIBA (S&D; MT)

In the context of the Commission's commitment to present a new DSA package, this report aims to provide indications on the reform of the e-Commerce Directive, and the specific recommendations on the critical elements of such reform and the possible scope and content of the future DSA.

Framework of ethical aspects of artificial intelligence, robotics and related technologies

INL Resolution 20-10-2020 - JURI Rapporteur: Ibán GARCÍA DEL BLANCO (S&D; ES)

This Regulation aims to extend supervision to all areas of this highly complex technology. It includes provisions on the development, implementation and evolution of technology through machine-learning or deep-learning. Special emphasis is placed on prevention when dealing with technologies defined as 'high risk', i.e. those highly likely to cause negative externalities and/or those requiring the use of sensitive materials that warrant special protection.

Civil liability regime for artificial intelligence

INL Resolution 20-10-2020 - JURI Rapporteur: Axel VOSS (EPP; DE)

Parliament calls on the Commission to propose a regulation laying down rules for the civil liability claims of natural and legal persons against operators of AI-systems.

Intellectual property rights for the development of artificial intelligence technologies

INI Resolution 20-10-2020 - JURI Rapporteur: Stéphane SÉJOURNÉ (Renew, FR)

At a time when artistic creation by Al is becoming more common, we seem to be moving towards an acknowledgement that an Al-generated creation could be deemed to constitute a work of art based on the creative result rather than the creative process. A failure to protect Al-generated creations could leave the interpreters of such creations without rights, as the protection afforded by the system of related rights implies the existence of copyright on the work being interpreted.

<u>Digital Finance: emerging risks in crypto-assets - regulatory and supervisory challenges in the area of financial services, institutions and markets</u>

INL Resolution 08-10-2020 - ECON Rapporteur: Ondřej KOVAŘÍK (Renew, CZ)

Members reiterated that digital finance, which plays a key role in developing financial activities, shall be integral to the success of the Capital Markets Union (CMU) through increasing financing options for companies and citizens, as well as investment options. They stressed the increased need for a review of measures relating to the regulation of digital finance, taking particular account of the growing importance of this sector in the context of the COVID-19 pandemic.

<u>Automated decision-making processes: Ensuring consumer protection, and free movement of goods and services</u>

RSP Resolution 12-02-2020 - IMCO Rapporteur: Petra DE SUTTER (Greens; BE)

The rapid technological advances taking place in the fields of AI present a number of challenges for consumer protection, and a common EU approach to the development of automated decision-making processes would help to mitigate the associated risks while helping the EU to promote its approach and values worldwide.

Enabling the digital transformation of health and care in the Digital Single Market; empowering citizens and building a healthier society

RSP Resolution 18-12-2019 ENVI Rapporteur Bartosz ARŁUKOWICZ (EPP; PL)

The progressive digitalisation of society will increasingly lead patients, caregivers, healthcare professionals and potentially all the actors in the healthcare chain to face the challenges of using information technology and the digital infrastructure of patient records, raising questions of personal data security and privacy. The resolution stresses that citizens have the right to access and share their personal health data in accordance with the General Data Protection Regulation in order to obtain better healthcare, and should be able to expect that this data be available in a timely manner and in a format that is layperson-friendly.

Taking stock of the follow-up taken by the EEAS two years after the EP Report on EU strategic communication to counteract propaganda against it by third parties

INI Resolution 13-03-2019 - AFET Rapporteur: Anna FOTYGA (ECR; PL)

This report suggested developing a legal framework at both EU and international level for tackling hybrid threats, including cyber and information warfare that would allow for a robust response by the Union covering targeted sanctions against those responsible for orchestrating these campaigns.

Autonomous driving in European transport

INI Resolution 15-01-2019 Rapporteur: Wim van de CAMP (EPP; NL)

Europe should react much more proactively to the rapid evolution of this sector, encourage initiatives and promote strict safety requirements for users.

Autonomous weapon systems

INI Resolution 12-09-2018

Parliament called for the adoption of an EU common position on lethal autonomous weapon systems that ensures meaningful human control over the critical functions of weapon system.

Language equality in the digital age

INI Resolution 11-09-2018

Members regretted the fact that, owing to a lack of adequate policies in Europe, there is currently a widening technology gap between well-resourced languages and less-resourced languages. More than 20 European languages are in danger of digital language extinction. Parliament pointed to the increasing digitalisation of European society, which is leading to disparities in access to information, particularly for the low skilled, the elderly, people on low incomes and people from disadvantaged backgrounds. It remarked that language technologies currently do not play a role in the European political agenda, despite the fact that respect for linguistic diversity is enshrined in the Treaties.

Civil law rules on robotics

INL Resolution 16-02-2017

Members considered it essential, in the development of robotics and AI, to guarantee that humans have control over intelligent machines at all times and that special attention should be paid to the possible development of an emotional connection between humans and robots – particularly in vulnerable groups.

Respect for private life and the protection of personal data in electronic communications

COD Resolution 20-10-2017

Providers of electronic communications networks and services may process electronic communications data only if it is technically necessary to achieve the transmission of the communication, for the duration necessary for that purpose.

European Parliament - on-going procedures

A European Digital Identity Framework

Draft COD Report 29/02/2024; Decision by Parliament, 1st reading; In negotiation.; ITRE Rapporteur. Romana JERKOVIĆ (S&D; CR)

Citizens will be able to prove their identity and share electronic documents from their European Digital Identity wallets with the click of a button on their phone. They will be able to access online services with their national digital identification, which will be recognised throughout Europe. Very large platforms will be required to accept the use of European Digital Identity wallets upon request of the user, for example to prove their age. Use of the European Digital Identity wallet will always be at the choice of the user.

Al Liability Directive

Draft COD Report; JURI Rapporteur: Axel VOSS (EPP; DE)

The objective of this proposal is to promote the rollout of trustworthy AI to harvest its full benefits for the internal market. It does so by ensuring victims of damage caused by AI obtain equivalent protection to victims of damage caused by products in general. It also reduces legal uncertainty of businesses developing or using AI regarding their possible exposure to liability and prevents the emergence of fragmented AI-specific adaptations of national civil liability rules.

Cyber Resilience Act

Draft COD Report at plenary in 11/03/2024; ITRE Rapporteur: Nicola DANTI (Renew; IT)

Two main objectives were identified aiming to ensure the proper functioning of the internal market: create conditions for the development of secure products with digital elements by ensuring that hardware and software products are placed on the market with fewer vulnerabilities and ensure that manufacturers take security seriously throughout a product's life cycle; and create conditions allowing users to take cybersecurity into account when selecting and using products with digital elements.

INI - Own initiative procedure

NLE - Non-legislative enactments

INL - Legislative initiative procedure

RSP - Resolutions on topical subjects

COD - Ordinary legislative procedure (ex-codecision procedure)

This publication is intended a working document that links to key policy documents from the European Parliament and European Commission. It includes major policy reports, including resolutions, communications and legislative proposals on AI and related topics. While we endeavour to keep it up to date, it is not guaranteed to be comprehensive. You may contact the authors at stoa@europarl.europa.eu.