



2020/2012(INL)

7.4.2020

DRAFT OPINION

of the Committee on Foreign Affairs

for the Committee on Legal Affairs

with recommendations to the Commission on framework of ethical aspects of artificial intelligence, robotics and related technologies

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Rapporteur for opinion (*): Urmas Paet

(*) Associated committee – Rule 57 of the Rules of Procedure

(Initiative – Rule 47 of the Rules of Procedure)

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SUGGESTIONS

The Committee on Foreign Affairs calls on the Committee on Legal Affairs, as the committee responsible:

- to incorporate the following suggestions into its motion for a resolution:
 1. Highlights that the security and defence policies of the European Union and its Member States are guided by the principles of the United Nations Charter, and by a common understanding of the universal values of the inviolable and inalienable rights of the human person, of freedom, of democracy, of equality and of the rule of law; highlights that all defence-related efforts within the Union framework respect these universal values whilst promoting peace, security and progress in Europe and in the world;
 2. Stresses that a Union framework regulating the use of artificial intelligence (AI)-enabled systems in defence must respect all applicable legal regimes, in particular the international humanitarian law and the international human rights law, and be in compliance with Union law, principles and values; calls on the Union to assess the inherent AI-related risks with regard to the application of Union law, and foresee necessary adjustment and enforcement where needed;
 3. Considers that current and future defence-related activities within the Union framework will draw on AI, on robotics and autonomy, and on related technologies and that the Union must assume leading role in research and development of AI systems in defence field; believes that the use of AI-enabled applications in defence offer number of direct benefits such as higher quality collected data, greater situational awareness, increased speed for decision-making, as well as greater reliability of military equipment; recalls that AI systems are also becoming key elements in countering emerging security threats;
 4. Highlights that, based on a human-centric approach, the Union follows a path of responsibility, of protecting our citizens, and of defending our values, whilst seizing the opportunities that those technologies offer;
 5. Underlines that the Union must be at the forefront of mastering those technologies by establishing well defined processes for their use, for understanding the related ethical aspects and for fostering an effective international regulatory framework that contains the inherent risks of these technologies and prevents use for malicious purposes; those include in particular unintended harm to persons, be it material or immaterial, such as breach of fundamental rights;
 6. Stresses that for any defence application of AI enabled systems, the Union should set technical and organisational standards to ensure their resilience against cyber-attacks and digital influence, as well as their compliance with the highest possible trustworthiness standards as regards the collection and exploitation of operational data;
 7. Highlights the need to adopt clear safety and security provisions and requirements for AI-systems in defence, and carry our regular tests and verifications across the entire life cycle; underlines the necessity of ensuring compliance with applicable standards and

obtained certifications where AI modifies e.g. through machine learning the functionality and behaviour of systems in which it is integrated, in order to ensure full traceability of decisions made with involvement of AI;

8. Stressed that all AI-systems in defence must have a concrete and well-defined domain of use and must be endowed with the ability to detect and disengage or deactivate deployed systems should they move from their domain of use or engage in any escalatory or unintended action;
9. Underlines that the entire responsibility for the decision to design, develop, deploy and use AI-systems must rest on human operators and the human-in-the-loop principle must also be applied to the command and control of AI-enabled systems; stresses that AI-enabled systems must allow the military leadership to assume its full responsibility and exercise the necessary level of judgment for taking lethal or large-scale destructive action by means of such systems;
10. Underlines that the Union must promote understanding the military implications of AI, of robotics and of autonomy; considers that the Union needs to promote the acquisition of the necessary skills and knowledge on technology development processes and operational methods throughout the supply chain and over the full lifecycle of AI-enabled military capabilities;
11. Stresses the need to overcome the current fragmentation within the Union as regards national AI-related law, research, innovation and expertise in the area of AI, which puts in jeopardy the internal market and the objective to ensure trustworthy and secure development of AI in Europe; in this respect welcomes the inclusion of AI-related projects under the European Industrial Development Programme (EDIDP); believes that the future European Defence Fund (EDF) and the Permanent structured cooperation (PESCO) also offer well adapted frameworks for future AI-related projects that would help to better streamline Union efforts in this field;
12. Calls on the European Commission and on the VP/HR to present, also as part of an overall approach, a sectoral AI strategy for defence-related activities within the Union framework, that should propose a consistent regulatory approach spanning from the inception of AI-enabled systems to their military uses; calls on the Council, the European Commission and on the VP/HR to enter in a structured dialogue with the European Parliament to that end.