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Answer given by Mr Breton
on behalf of the European Commission
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In its Communication of April 2019 and White Paper on artificial intelligence (AI), the Commission outlined its approach to developing a trustworthy AI. While the use of AI brings a wide range of benefits, certain developments will come with risks, including of an ethical nature. The White Paper seeks to address these concerns by proposing a risk-based approach for regulating AI, categorising it to be high-risk if both the sector and the intended use involve significant risks to fundamental rights, consumer rights and safety. These criteria, and the increased scrutiny linked to the qualification of AI as “high risk” could apply to all uses of AI, including in the area of culture. Furthermore, a study announced in the Creative Europe 2020 work programme, to be completed in 2021, will look into the links between AI and cultural sectors and explore how AI can be developed in ways that respects Europe’s cultural diversity and ethical values.

The Commission is gathering evidence to support future EU policymaking to determine if, and how, intellectual property rights (IPR) could apply to AI-generated outputs. In October 2019 the Commission launched a dedicated one-year study titled ‘Trends and Developments in Artificial Intelligence - Challenges to the IPR Framework’. It will examine three priority domains - pharmaceutical research, science and journalism. Furthermore, in February 2020 the Commission published a call for tenders for a “Study on Copyright and New technologies: copyright data management and Artificial Intelligence”. The study, expected by Spring 2021, should look into the questions related to the production of cultural outputs by or with the assistance of AI. The first study under Creative Europe is complementary to these two studies.