Committee on the Environment, Public Health and Food Safety

2020/2012(INL)

28.4.2020

DRAFT OPINION

of the Committee on the Environment, Public Health and Food Safety

for the Committee on Legal Affairs

with recommendations to the Commission on a framework of ethical aspects of artificial intelligence, robotics and related technologies
(2020/2012(INL))

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(Initiative – Rule 47 of the Rules of Procedure)

United in diversity

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SUGGESTIONS

The Committee on the Environment, Public Health and Food Safety calls on the Committee on Legal Affairs, as the committee responsible,

–   to incorporate the following suggestions into its motion for a resolution:A.   Whereas the Union is founded on the ethical values stated in Article 2 of the Treaty on European Union;

B.   Whereas the artificial intelligence (AI) global leadership race, which will determine the source of ethical values and standards shaping the sector worldwide, is picking up the pace;

C.   Whereas AI solutions may benefit society in the areas of green transition, environment protection, waste management, climate change, energy management and efficiency, air quality e.g. smart grids and electro-mobility;

D.   Whereas AI can be applied to almost any field in medicine: biomedical research, exemplified by the AI-discovered antibiotic Halicin or AI contributions to new cancer therapies, medical education, clinical decision-making, personalized medicine, psychiatric diagnosis and treatment, in revolutionizing robotic prostheses and support systems, telemedicine and the overall efficiency of the health systems;

E.   Whereas current policy and ethical guidelines for AI are lagging behind ethical challenges that must be identified and mitigated, since AI has tremendous capability to threaten patient preference, safety, and privacy; whereas the boundaries between the roles of physicians and machines in patient care need to be outlined;

F.   Whereas AI solutions may benefit society in the area of food safety and Farming 2.0, where the Union holds leadership in AI applications;

1.   Stresses that the Union must undertake all necessary steps to guarantee that its ethical values, as expressed in the acquis, apply effectively to all AI areas within its territory and to promote its standards worldwide;

2.   Underlines that overregulation may hamper AI sector innovation, especially for SMEs and Start-ups; considers that hindering the Union AI sector in delivering benefits of AI applications in e.g. healthcare, environment protection and food quality to the citizens, may also bear ethical weight, especially in the context of global competition, where securing full respect of Union ethical values may pose a challenge;

3.   Welcomes the fact that the Risk-Based Approach methodology defined in the Commission White Paper of 19 February 2020[1] recognises healthcare, transport and energy as high risk sectors by default, and proposes to introduce listed AI requirements beyond existing-Union rules in these sectors, unless the manner in which AI is used does not involve significant risk; stresses that the Union AI ethical framework should address especially the above high-risk sectors;

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[1] White Paper On Artificial Intelligence - A European approach to excellence and trust, COM(2020)0065

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4. Notes that, with the rapid development of AI and the uncertainty that lies ahead, a common Union AI ethical framework will expand an ecosystem of trust as defined in the Commission White Paper, whether in environment protection, healthcare or food safety applications, thus supporting the ecosystem of excellence in legal certainty and providing effective response to the challenges yet not defined in courtrooms, management meetings or scientific laboratories;

5. Strongly supports the Commission in establishing a common Union AI ethical framework to counter the shortcomings caused by AI internal market fragmentation, including environmental, healthcare, and food safety applications, and to prevent AI double standards across Member States for AI developed in Union and beyond, inter alia in areas such as consumer data management, protection and privacy in smart grids, waste management, equal access to services, patient-doctor relationship standards, data protection and privacy, civil liability in AI-assisted public healthcare, civil liability regarding autonomous vehicles or machinery;

6. Calls for securing the full enforcement of Union legal framework on data protection and privacy, relevant notably in the healthcare AI applications and related sensitive data, to strengthen the "Right to an explanation" foreseen in Article 22 of Regulation (EU) 2016/679 of the European Parliament and of the Council (General Data Protection Regulation, (GDPR))[2] and higher interpretability requirements for high-risk AI;

7. Supports the view that the seven AI requirements identified in the Ethics Guidelines for Trustworthy AI of the High-Level Expert Group on AI constitute solid building blocks for a common Union AI ethical framework, addressing, among others, ethical aspects of AI applications in environment, health and food protection; calls for an improvement of the acquis on transparency, traceability and human oversight, which were indicated as areas in need of further improvement in the feedback given on the Guidelines by 350 organisations; furthermore, encourages the creation of the Union AI ethical framework in a spirit of openness to the works of other international partners that share Union values, e.g. to the Rome Call for AI Ethics by Pope Francis;

8. Highlights the benefits of AI for disease prevention and control, exemplified by AI predicting the COVID19 epidemic before WHO; urges the Commission to equip ECDC in its reform, which was brought about by the COVID19 crisis, with the legal framework and resources allowing for gathering necessary data independently, including, among others, AI solutions;

9. Calls for securing sufficient financing for the Union AI transformation; supports the ambitions laid out in the Commission White Paper to attract €200 billion of AI public and private investment in the next 10 years in the Union; welcomes the attention granted to deficits of AI ecosystems in less-developed regions and to the needs of SMEs and start-ups; calls on the Commission to facilitate geographically balanced access to all AI funding, including for SMEs and start-ups; stresses that the new Union objectives must not diminish Union engagement in its long standing priorities, like the CAP or Cohesion Policy.

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[2] Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).

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