AMENDMENTS
1 - 204

Draft report
Tudor Ciuhodaru
(PE652.625v01-00)

Artificial intelligence in criminal law and its use by the police and judicial authorities in criminal matters
(2020/2016(INI))
Amendment 1
Patrick Breyer
on behalf of the Verts/ALE Group

Motion for a resolution
Citation 1

— having regard to the Treaty of the European Union, in particular Articles 2 and 6, and the Treaty on the Functioning of the European Union,

Amendment

— having regard to the Treaty of the European Union, in particular Articles 2 and 6, and the Treaty on the Functioning of the European Union, in particular Article 16,

Or. en

Amendment 2
Patrick Breyer
on behalf of the Verts/ALE Group

Motion for a resolution
Citation 2

— having regard to the Charter of Fundamental Rights of the European Union,

Amendment

— having regard to the Charter of Fundamental Rights of the European Union, in particular Article 6, Article 7, Article 8, Article 11, Article 12, Article 13, Article 20, Article 21, Article 24, and Article 47 thereof;

Or. en

Amendment 3
Paul Tang

Motion for a resolution
Citation 2

— having regard to the Charter of Fundamental Rights of the European Union,

Amendment

— having regard to the Charter of Fundamental Rights of the European Union
Union, in particular Articles 7 and 8

Amendment 4
Patrick Breyer
on behalf of the Verts/ALE Group

Motion for a resolution
Citation 4

— having regard to the Council of Europe Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (ETS 108),

Amendment
— having regard to the Council of Europe Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (ETS 108), and its amending protocol ("Convention 108+");

Amendment 5
Laura Ferrara, Sabrina Pignedoli

Motion for a resolution
Citation 4 a (new)

Motion for a resolution

— having regard to the 'European Ethical Charter on the Use of Artificial Intelligence in Judicial Systems and their environment', adopted by the European Commission for the Efficiency of Justice (CEPEJ) of the Council of Europe on 3 December 2018¹ a,

Amendment

¹ a https://rm.coe.int/ethical-charter-en-for-publication-4-december-2018/16808f699c

Or. it

Or. en
Amendment 6  
Kris Peeters, Isabel Wiseler-Lima, Vladimír Bilčík, Jeroen Lenaers, Javier Zarzalejos, Paulo Rangel, Romana Tome, Ioan-Rareş Bogdan, Roberta Metsola

Motion for a resolution  
Citation 4 a (new)  

Motion for a resolution  
Amendment

- having regard to the European ethical Charter on the use of Artificial Intelligence in judicial systems and their environment of the European Commission for the Efficiency of Justice (CEPEJ) of the Council of Europe;

Or. en

Amendment 7  
Kris Peeters, Isabel Wiseler-Lima, Vladimír Bilčík, Jeroen Lenaers, Javier Zarzalejos, Romana Tome, Paulo Rangel, Ioan-Rareş Bogdan, Roberta Metsola

Motion for a resolution  
Citation 6 a (new)  

Motion for a resolution  
Amendment

- having regard to the ‘Ethics Guidelines for Trustworthy AI’ of the High-Level Expert Group on Artificial Intelligence set up by the Commission of 8 April 2019;

Or. en

Amendment 8  
Caterina Chinnici

Motion for a resolution  
Citation 8  

Motion for a resolution  
Amendment

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)⁴, and in particular Article 22 thereof,


Amendment 9
Patrick Breyer
on behalf of the Verts/ALE Group

Motion for a resolution
Citation 12 a (new)

- having regard to the hearing in the Committee on Civil Liberties, Justice and Home Affairs (LIBE) on 20 February 2020 on Artificial Intelligence in criminal law and its use by the police and judicial authorities in criminal matters;

Or. en

Amendment 10
Franco Roberti, Tudor Ciuhodaru

Motion for a resolution
Citation 12 a (new)

- having regard to the Council of Europe’s European Ethical Charter on the Use of Artificial Intelligence in Judicial Systems and their Environment, adopted on 4 December 2018,

Or. en
Amendment 11
Patrick Breyer
on behalf of the Verts/ALE Group

Motion for a resolution
Citation 12 b (new)

Motion for a resolution

Amendment
- having regard to the report of the
LIBE mission to the United States in
February 2020;

Or. en

Amendment 12
Patrick Breyer
on behalf of the Verts/ALE Group

Motion for a resolution
Citation 12 c (new)

Motion for a resolution

Amendment
- having regard to its Resolution of
19 June 2020 on the anti-racism protests
following the death of George Floyd1a;

1a P9_TA(2020)0173

Or. en

Amendment 13
Patrick Breyer
on behalf of the Verts/ALE Group

Motion for a resolution
Citation 12 d (new)

Motion for a resolution

Amendment
- having regard to its Resolution of
14 March 2017 on fundamental rights
implications of big data: privacy, data
protection, non-discrimination, security and law-enforcement;  

 Amendment 14  
 Cornelia Ernst  
 Motion for a resolution  
 Recital A  

 A. whereas digital technologies in general and artificial intelligence (AI) in particular bring with them extraordinary promise; whereas AI is one of the strategic technologies of the 21st century, generating substantial benefits in efficiency, accuracy, and convenience, and thus bringing positive change to the European economy; whereas AI should not be seen as an end in itself, but as a tool for serving people, with the ultimate aim of increasing human well-being;

 Or. en

 Amendment 15  
 Kris Peeters, Isabel Wiseler-Lima, Vladimír Bilčík, Jeroen Lenaers, Javier Zarzalejos, Paulo Rangel, Romana Tome, Roberta Metsola  
 Motion for a resolution  
 Recital A  

 A. whereas digital technologies in general and artificial intelligence (AI) in particular bring with them extraordinary promise, but unfortunately there is growing evidence of a sharp divide between promises and practices; whereas AI is one of the strategic technologies of the 21st century, potentially generating substantial benefits in efficiency, accuracy, and convenience, and thus bringing positive change to the society, but also enormous risks for fundamental rights and democracies based on the rule of law; whereas AI should not be seen as an end in itself, but as a tool for serving people, with the ultimate aim of increasing human well-being;
general and artificial intelligence (AI) in particular bring with them extraordinary promise; whereas AI is one of the strategic technologies of the 21st century, generating substantial benefits in efficiency, accuracy, and convenience, and thus bringing positive change to the European economy; whereas AI should not be seen as an end in itself, but as a tool for serving people, with the ultimate aim of increasing human well-being;

general and the proliferation of data processing and analytics enabled by artificial intelligence (AI) in particular bring with them extraordinary promise; whereas AI development has made a big leap forward in recent years which makes it one of the strategic technologies of the 21st century, generating substantial benefits in efficiency, accuracy, and convenience, and thus bringing positive change to the European economy and society; whereas AI should not be seen as an end in itself, but as a tool for serving people, with the ultimate aim of increasing human well-being, human capabilities and safety;

Or. en

Amendment 16
Patrick Breyer
on behalf of the Verts/ALE Group

Motion for a resolution
Recital A

A. whereas digital technologies in general and artificial intelligence (AI) in particular bring with them extraordinary promise; whereas AI is one of the strategic technologies of the 21st century, generating substantial benefits in efficiency, accuracy, and convenience, and thus bringing positive change to the European economy; whereas AI should not be seen as an end in itself, but as a tool for serving people, with the ultimate aim of increasing human well-being;

Amendment
A. whereas digital technologies in general and artificial intelligence (AI) in particular bring with them extraordinary promises and risks; whereas AI should not be seen as an end in itself, but as a tool for serving people, with the ultimate aim of increasing human well-being;

Or. en

Amendment 17
Caterina Chinnici
Motion for a resolution
Recital A

A. whereas digital technologies in general and artificial intelligence (AI) in particular bring with them extraordinary promise; whereas AI is one of the strategic technologies of the 21st century, 

Amendment

A. whereas digital technologies in general and artificial intelligence (AI) in particular bring with them extraordinary promise but also a number of critical issues in view of their ethical implications, not to mention their potential impact on several fundamental freedoms; whereas AI is one of the strategic technologies of the 21st century and can generate substantial benefits in efficiency, accuracy, and convenience, thus bringing positive change to the European economy; whereas AI should not be seen as an end in itself, but as a tool for serving people, with the ultimate aim of increasing human well-being;

Amendment 18
Jorge Buxadé Villalba

Motion for a resolution
Recital A

A. whereas digital technologies in general and artificial intelligence (AI) in particular bring with them extraordinary promise; whereas AI is one of the strategic technologies of the 21st century, generating substantial benefits in efficiency, accuracy, and convenience, and thus bringing positive change to the European economy; whereas AI should not be seen as an end in itself, but as a tool for serving people, with the ultimate aim of increasing human well-being;

Amendment

A. whereas digital technologies in general and artificial intelligence (AI) in particular bring with them extraordinary promise; whereas AI is one of the strategic technologies of the 21st century, generating substantial benefits in efficiency, accuracy, and convenience, and thus bringing positive change to the European economy and improving the security and safety of European citizens; whereas AI should not be seen as an end in itself, but as a tool for serving people, with the ultimate aim of increasing human well-being;
Amendment 19
Dragoş Tudorache, Sophia in 't Veld, Michal Šimečka, Olivier Chastel, Ramona Strugariu, Fabienne Keller, Malik Azmani, Abir Al-Sahlani

Motion for a resolution
Recital A

Motion for a resolution

A. whereas digital technologies in general and artificial intelligence (AI) in particular bring with them extraordinary promise; whereas AI is one of the strategic technologies of the 21st century, generating substantial benefits in efficiency, accuracy, and convenience, and thus bringing positive change to the European economy; whereas AI should not be seen as an end in itself, but as a tool for serving people, with the ultimate aim of increasing human well-being;

Amendment

A. whereas digital technologies in general and artificial intelligence (AI) in particular bring with them extraordinary promise; whereas AI is one of the strategic technologies of the 21st century, with the potential to generate substantial benefits in efficiency, accuracy, and convenience, and thus bring positive change to the European economy; whereas AI should not be seen as an end in itself, but as a tool for serving people, with the ultimate aim of increasing human well-being and the common good;

Or. en

Amendment 20
Birgit Sippel, Marina Kaljurand

Motion for a resolution
Recital A

Motion for a resolution

A. whereas digital technologies in general and artificial intelligence (AI) in particular bring with them extraordinary promise; whereas AI is one of the strategic technologies of the 21st century, generating substantial benefits in efficiency, accuracy, and convenience, and thus bringing positive change to the European economy; whereas AI should not be seen as an end in itself, but as a tool for serving people, with the ultimate aim of increasing human well-being;

Amendment

A. whereas digital technologies in general and artificial intelligence (AI) in particular bring with them extraordinary promise; whereas AI could be one of the strategic technologies of the 21st century, that may generate substantial benefits in efficiency, accuracy, and convenience, and thus bringing positive change to the European economy; whereas AI should not be seen as an end in itself, but as a tool for serving people, with the ultimate aim of increasing human well-being;

Or. en
Amendment 21
Tudor Ciuhodaru, Franco Roberti, Petar Vitanov, Marina Kaljurand

Motion for a resolution
Recital A a (new)

Amendment

A a. whereas AI can be seen as the ability of a system to correctly interpret external data, to learn from such data, and to use those learnings to achieve specific goals and tasks through flexible adaptation; Whereas the key components of development in AI are the availability of vast quantities of: data, computing power, and human capital and talent;

Or. en

Amendment 22
Cornelia Ernst

Motion for a resolution
Recital A a (new)

Amendment

A a. Whereas the increasing use of AI in the criminal law field is based on the promises that it would reduce crime and would lead to more objective decisions; whereas, however, experience has shown that there are several reasons not to believe in such promises;

Or. en

Amendment 23
Tom Vandendriessche, Jean-Paul Garraud, Gilles Lebreton

Motion for a resolution
Recital A a (new)
Motion for a resolution

Amendment

Aa. whereas the right to a fair trial is a fundamental right which must be upheld in all circumstances, including in the context of the use of AI;

Or. fr

Amendment 24
Tudor Ciuhodaru, Franco Roberti, Petar Vitanov, Marina Kaljurand

Motion for a resolution
Recital A b (new)

Motion for a resolution
Amendment

A b. whereas, despite continuing advances in computer processing speed and memory capacity, there are as yet no programs that can match human flexibility over wider domains or in tasks requiring understanding of context or critical analysis; whereas, some AI applications have attained the performance levels of human experts and professionals in performing certain specific tasks, and can provide results in a completely different speed and scale;

Or. en

Amendment 25
Tom Vandendriessche, Jean-Paul Garraud, Gilles Lebreton

Motion for a resolution
Recital A b (new)

Motion for a resolution
Amendment

Ab. whereas, through the use of statistical data analytics in crime analysis and prevention, technologies such as artificial intelligence (AI) and related technologies may contribute to the reducing of crime rates;
Amendment 26
Tudor Ciuhodaru, Franco Roberti, Petar Vitanov, Marina Kaljurand

Motion for a resolution
Recital A c (new)

Motion for a resolution

A c. whereas several Member States use the application of embedded artificial intelligence (AI) systems in the field of law enforcement;

Amendment

Or. fr

Amendment 27
Patrick Breyer
on behalf of the Verts/ALE Group

Motion for a resolution
Recital B

Motion for a resolution

B. whereas the development of AI must respect the values on which the Union is founded, in particular human dignity, freedom, democracy, equality, the rule of law, and human and fundamental rights;

Amendment

B. whereas fundamental rights and freedoms enshrined in the Charter of Fundamental Rights of the European Union, such as the respect for private life, the protection of personal data, the freedom of thought, conscience and religion, the freedom of assembly and of association, but also equality before the law, such as non-discrimination, as well as citizen's rights, such as the freedom of movement and of residence, the right to a fair trial and the presumption of innocence and right of defence should not be undermined by the use of AI and related technologies and apply to the enforcement of the law in all circumstances;

Or. en
Amendment 28
Kris Peeters, Isabel Wiseler-Lima, Vladimír Bilčík, Jeroen Lenaers, Javier Zarzalejos, Paulo Rangel, Romana Tomc, Ioan-Rareş Bogdan, Maria Walsh, Roberta Metsola

Motion for a resolution
Recital B

B. whereas the development of AI must respect the values on which the Union is founded, in particular human dignity, freedom, democracy, equality, the rule of law, and human and fundamental rights;

Amendment

B. whereas the values on which the Union is founded, in particular human dignity, freedom, democracy, equality, the rule of law, and fundamental rights, have to be respected throughout the life cycle of AI tools, notably during their design, development, deployment and use;

Or. en

Amendment 29
Cornelia Ernst

Motion for a resolution
Recital B

B. whereas the development of AI must respect the values on which the Union is founded, in particular human dignity, freedom, democracy, equality, the rule of law, and human and fundamental rights;

Amendment

B. whereas the development of AI must respect EU law, as well as the values on which the Union is founded, in particular human dignity, freedom, democracy, equality, the rule of law, and human and fundamental rights;

Or. en

Amendment 30
Laura Ferrara, Sabrina Pignedoli

Motion for a resolution
Recital B a (new)
Ba. whereas the European Ethical Charter on the Use of Artificial Intelligence in Judicial Systems and their environment, adopted by the European Commission for the Efficiency of Justice (CEPEJ) of the Council of Europe, lays down some fundamental guidelines to which public and private entities responsible for the design and development of AI tools and services should adhere; whereas, in particular, the Ethical Charter consists of the following principles: 1) principle of respect for fundamental rights; 2) principle of non-discrimination; 3) principle of quality and security; 4) principle of transparency, impartiality and fairness; 5) principle 'under user control';

Amendment 31
Tudor Ciuhodaru, Franco Roberti, Petar Vitanov, Birgit Sippel, Marina Kaljurand, Katarina Barley

Motion for a resolution
Recital B a (new)

Motion for a resolution

Amendment

B a. whereas the use of AI technology should be developed in such a way as to put people at its center and therefore to be worth of public trust;

Or. en

Amendment 32
Jorge Buxadé Villalba

Motion for a resolution
Recital C

Motion for a resolution

Amendment

C. whereas trustworthy AI systems

C. whereas trustworthy AI systems
need to be accountable, designed for all (including consideration of vulnerable, marginalised populations in their design), be non-discriminatory, safe and transparent, and respect human autonomy and fundamental rights;

Or. es

Amendment 33
Cornelia Ernst

Motion for a resolution
Recital C

Motion for a resolution
Amendment

C. whereas trustworthy AI systems need to be accountable, designed for all (including consideration of vulnerable, marginalised populations in their design), be non-discriminatory, safe and transparent, and respect human autonomy and fundamental rights;

C. whereas trustworthy AI systems need to be accountable, designed for the protection and benefit of all (including consideration of vulnerable, marginalised populations in their design), be non-discriminatory, safe and transparent, and respect human autonomy and fundamental rights;

Or. en

Amendment 34
Kris Peeters, Isabel Wiseler-Lima, Vladimír Bilčík, Jeroen Lenaers, Javier Zarzalejos, Paulo Rangel, Romana Tomc

Motion for a resolution
Recital C

Motion for a resolution
Amendment

C. whereas trustworthy AI systems need to be accountable, designed for all (including consideration of vulnerable, marginalised populations in their design), be non-discriminatory, safe and transparent, and respect human autonomy and fundamental rights;

C. whereas AI systems need to be accountable, non-discriminatory, safe and transparent, and respect human autonomy and fundamental rights in order to be trustworthy, as described in the Ethics Guidelines of the High-Level Expert Group on Artificial Intelligence;

Or. en
Amendment 35
Dragoş Tudorache, Michal Šimečka, Olivier Chastel, Ramona Strugariu, Fabienne Keller, Malik Azmani, Abir Al-Sahlani

Motion for a resolution
Recital C

Motion for a resolution

C. whereas trustworthy AI systems need to be accountable, designed for all (including consideration of vulnerable, marginalised populations in their design), be non-discriminatory, safe and transparent, and respect human autonomy and fundamental rights;

Amendment

C. whereas trustworthy AI systems need to be designed for all (including consideration of vulnerable, marginalised populations in their design), be non-discriminatory, safe and transparent, and respect human autonomy and fundamental rights;

Or. en

Amendment 36
Tudor Ciuhodaru, Petar Vitanov, Franco Roberti, Birgit Sippel, Marina Kaljurand, Katarina Barley, Paul Tang

Motion for a resolution
Recital C a (new)

Motion for a resolution

C a. whereas AI systems always have to be in the service of humans and have the ultimate safety valve of being designed so that they can always be shut down by a human operator;

Amendment

Or. en

Amendment 37
Patrick Breyer
on behalf of the Verts/ALE Group

Motion for a resolution
Recital D

Motion for a resolution

C a. whereas AI systems always have to be in the service of humans and have the ultimate safety valve of being designed so that they can always be shut down by a human operator;
D. whereas the Union together with the Member States bear a critical responsibility for ensuring that policy choices surrounding the development, deployment and use of AI applications in the field of the judiciary and law enforcement are made in a transparent manner, respect the principles of necessity and proportionality, and guarantee that the policies and measures adopted will fully safeguard fundamental rights within the Union;
D. whereas the Union together with the Member States bear a critical responsibility for ensuring that policy choices surrounding the development, deployment and use of AI applications in the field of the judiciary and law enforcement are made in a transparent manner, respect the principles of necessity and proportionality, and guarantee that the policies and measures adopted will fully safeguard fundamental rights within the Union;

Amendment 40
Jorge Buxadé Villalba

D. whereas the Union together with the Member States bear a critical responsibility for ensuring that decisions surrounding the life-cycle of AI applications in the field of the judiciary and law enforcement are made in a transparent manner and fully safeguard fundamental rights; whereas the relevant policy choices should respect the principles of necessity and proportionality;

Or. en

Amendment 41
Caterina Chinnici

D. whereas the Member States bear a critical responsibility for ensuring that policy choices surrounding the development, deployment and use of AI applications in the field of the judiciary and law enforcement are made in a transparent manner, respect the principles of necessity and proportionality, and guarantee that the policies and measures adopted will fully safeguard fundamental rights;

Or. es
Amendment 42
Caterina Chinnici

Motion for a resolution
Recital D a (new)

Motion for a resolution

Amendment

Da. whereas Article 2 of Regulation (EU) 2016/679, notwithstanding specific exceptions, stipulates that the data subject shall have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning him or her or similarly significantly affects him or her;

Or. it

Amendment

E. whereas AI applications can offer great opportunities in the field of law enforcement, in particular in improving the working methods of law enforcement agencies and judicial authorities, and combating certain types of crime more efficiently, in particular financial crime, money laundering and terrorist financing, as well as certain types of cybercrime;
Amendment 43
Birgit Sippel, Katarina Barley, Marina Kaljurand

Motion for a resolution
Recital E

Motion for a resolution

E. whereas AI applications offer great opportunities in the field of law enforcement, in particular in improving the working methods of law enforcement agencies and judicial authorities, and combating certain types of crime more efficiently, in particular financial crime, money laundering and terrorist financing, as well as certain types of cybercrime;

Amendment

E. whereas AI applications may offer opportunities in the field of law enforcement, in particular in improving the working methods of law enforcement agencies and judicial authorities, and combating certain types of crime more efficiently, in particular financial crime, money laundering and terrorist financing, as well as certain types of cybercrime; while at the same time entailing significant risks for the fundamental rights of people;

Or. en

Amendment 44
Kris Peeters, Isabel Wiseler-Lima, Vladimír Bilčík, Jeroen Lenaers, Javier Zarzalejos, Paulo Rangel, Romana Tome, Ioan-Rareș Bogdan, Maria Walsh, Roberta Metsola

Motion for a resolution
Recital E

Motion for a resolution

E. whereas AI applications offer great opportunities in the field of law enforcement, in particular in improving the working methods of law enforcement agencies and judicial authorities, and combating certain types of crime more efficiently, in particular financial crime, money laundering and terrorist financing, as well as certain types of cybercrime;

Amendment

E. whereas AI applications offer great opportunities in the field of law enforcement, in particular in improving the working methods of law enforcement agencies and judicial authorities, and preventing and combating certain types of crime more efficiently, in particular financial crime, money laundering and terrorist financing, as well as certain types of cybercrime, thereby contributing to the safety and security of EU citizens;

Or. en
Amendment 45
Cornelia Ernst

Motion for a resolution
Recital E

E. whereas AI applications offer great opportunities in the field of law enforcement, in particular in improving the working methods of law enforcement agencies and judicial authorities, and combating certain types of crime more efficiently, in particular financial crime, money laundering and terrorist financing, as well as certain types of cybercrime;

Amendment
E. whereas AI applications offer some opportunities in the field of law enforcement, in particular in improving the working methods of law enforcement agencies and judicial authorities in the field of financial crime, money laundering and terrorist financing, as well as certain types of cybercrime;

Or. en

Amendment 46
Patrick Breyer
on behalf of the Verts/ALE Group

Motion for a resolution
Recital E

E. whereas AI applications offer great opportunities in the field of law enforcement, in particular in improving the working methods of law enforcement agencies and judicial authorities, and combating certain types of crime more efficiently, in particular financial crime, money laundering and terrorist financing, as well as certain types of cybercrime;

Amendment
E. whereas AI applications may offer opportunities in the field of law enforcement, in particular in improving the working methods of law enforcement agencies and judicial authorities, and combating certain types of crime more efficiently; whereas any blanket application of AI to all financial or other transactions without initial suspicion would be disproportionate;

Or. en

Amendment 47
Tudor Ciuhodaru, Franco Roberti, Petar Vitanov

Motion for a resolution
Recital E a (new)

Motion for a resolution

Amendment

E a. whereas the development and operation of AI systems for police and judicial authorities involves the contribution of multiple individuals, organisations, machine components, software algorithms, and human users in often complex and challenging environments;

Amendment 48
Kris Peeters, Isabel Wiseler-Lima, Vladimír Bilčík, Jeroen Lenaers, Javier Zarzalejos, Romana Tomc

Motion for a resolution
Recital F

Motion for a resolution

Amendment

F. whereas a clear model for assigning legal responsibility for the potential harmful effects of AI systems in the field of criminal law is imperative;

Amendment 49
Patrick Breyer
on behalf of the Verts/ALE Group

Motion for a resolution
Recital F

Motion for a resolution

Amendment

F. whereas a clear model for assigning legal responsibility for the potential harmful effects of AI systems in the field of criminal law is imperative; whereas the first and foremost aim must be to avoid that any harmful effects materialise to
begin with;

Or. en

Amendment 50
Cornelia Ernst

Motion for a resolution
Recital F

Motion for a resolution

F. whereas a clear model for assigning legal responsibility for the potential harmful effects of AI systems in the field of criminal law is imperative;

Amendment

F. whereas a clear model for assigning legal responsibility for the potential harmful effects of AI systems in the field of criminal law is imperative; whereas regulatory provisions in this field should always maintain human accountability;

Or. en

Amendment 51
Tudor Ciuhodaru, Petar Vitanov, Franco Roberti

Motion for a resolution
Recital F a (new)

Motion for a resolution

F a. whereas allocating and distributing responsibility between humans and machines is increasingly difficult; whereas ultimately it is the responsibility of the Member States to guarantee the full respect of fundamental rights when AI systems are used in the field of law enforcement;

Amendment

Or. en

Amendment 52
Tudor Ciuhodaru, Franco Roberti, Petar Vitanov, Birgit Sippel, Katarina Barley, Paul Tang

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Motion for a resolution
Recital F b (new)

Motion for a resolution

Amendment

F b. whereas the relationship between protecting fundamental rights and effective policing must always be an essential element in the discussions on whether and how AI should be used by law enforcement sector, where decisions may have long lasting consequences on the life and freedom of individuals;

Or. en

Amendment 53
Laura Ferrara, Sabrina Pignedoli

Motion for a resolution
Recital G

Motion for a resolution

Amendment

G. whereas AI applications in use by law enforcement include applications such as facial recognition technologies, automated number plate recognition, speaker identification, speech identification, lip-reading technologies, aural surveillance (i.e. gunshot detection algorithms), autonomous research and analysis of identified databases, forecasting (predictive policing and crime hotspot analytics), behaviour detection tools, autonomous tools to identify financial fraud and terrorist financing, social media monitoring (scraping and data harvesting for mining connections), international mobile subscriber identity (IMSI) catchers, and automated surveillance systems incorporating different detection capabilities (such as heartbeat detection and thermal cameras); whereas the aforementioned applications have vastly varying degrees of reliability and accuracy;

G. whereas the use of AI applications in connection with law enforcement is already a reality and is expected to grow and intensify, at various levels, over the coming years; whereas law enforcement authorities in various Member States already make extensive use of those technologies; whereas these applications include facial recognition and biometric identification software, analysis software and videos and images, including automated number plate recognition, speech identification technologies, lip-reading technologies, aural surveillance (i.e. gunshot detection algorithms), autonomous research and analysis of identified databases, forecasting (predictive policing and crime hotspot analytics), behaviour detection tools, autonomous tools to identify financial fraud and terrorist financing, social media monitoring (scraping and data harvesting for mining connections), international mobile subscriber identity (IMSI) catchers, and
automated surveillance systems incorporating different detection capabilities (such as heartbeat detection and thermal cameras); whereas the aforementioned applications have vastly varying degrees of reliability and accuracy;

Or. it

Amendment 54
Patrick Breyer
on behalf of the Verts/ALE Group

Motion for a resolution
Recital G

G. whereas AI applications in use by law enforcement include applications such as facial recognition technologies, automated number plate recognition, speaker identification, speech identification, lip-reading technologies, aural surveillance (i.e. gunshot detection algorithms), autonomous research and analysis of identified databases, forecasting (predictive policing and crime hotspot analytics), behaviour detection tools, autonomous tools to identify financial fraud and terrorist financing, social media monitoring (scraping and data harvesting for mining connections), international mobile subscriber identity (IMSI) catchers, and automated surveillance systems incorporating different detection capabilities (such as heartbeat detection and thermal cameras); whereas the aforementioned applications have vastly varying degrees of reliability and accuracy;
Amendment 55
Kris Peeters, Isabel Wiseler-Lima, Vladimír Bilčík, Jeroen Lenaers, Javier Zarzalejos, Paulo Rangel, Romana Tomec, Ioan-Rareș Bogdan, Maria Walsh, Roberta Metsola

Motion for a resolution
Recital G

G. whereas AI applications in use by law enforcement include applications such as facial recognition technologies, automated number plate recognition, speaker identification, speech identification, lip-reading technologies, aural surveillance (i.e. gunshot detection algorithms), autonomous research and analysis of identified databases, forecasting (predictive policing and crime hotspot analytics), behaviour detection tools, autonomous tools to identify financial fraud and terrorist financing, social media monitoring (scraping and data harvesting for mining connections), international mobile subscriber identity (IMSI) catchers, and automated surveillance systems incorporating different detection capabilities (such as heartbeat detection and thermal cameras); whereas the aforementioned applications have vastly varying degrees of reliability and accuracy;

Amendment

G. whereas AI applications in use by law enforcement include applications such as facial recognition technologies, e.g. to search suspect databases and identify victims of human trafficking or child sexual exploitation and abuse, automated number plate recognition, speaker identification, speech identification, lip-reading technologies, aural surveillance (i.e. gunshot detection algorithms), autonomous research and analysis of identified databases, forecasting (predictive policing and crime hotspot analytics), behaviour detection tools, advanced virtual autopsy tools to help determine the cause of death, autonomous tools to identify financial fraud and terrorist financing, social media monitoring (scraping and data harvesting for mining connections), international mobile subscriber identity (IMSI) catchers, and automated surveillance systems incorporating different detection capabilities (such as heartbeat detection and thermal cameras); whereas the aforementioned applications have vastly varying degrees of reliability and accuracy;

Or. en

Amendment 56
Cornelia Ernst

Motion for a resolution
Recital G
Motion for a resolution

G. whereas AI applications in use by law enforcement include applications such as facial recognition technologies, automated number plate recognition, speaker identification, speech identification, lip-reading technologies, aural surveillance (i.e. gunshot detection algorithms), autonomous research and analysis of identified databases, forecasting (predictive policing and crime hotspot analytics), behaviour detection tools, autonomous tools to identify financial fraud and terrorist financing, social media monitoring (scraping and data harvesting for mining connections), international mobile subscriber identity (IMSI) catchers, and automated surveillance systems incorporating different detection capabilities (such as heartbeat detection and thermal cameras); whereas the aforementioned applications have vastly varying degrees of reliability and accuracy;

Amendment

G. whereas AI applications in use by law enforcement include a heterogeneous array of applications such as facial recognition technologies, automated number plate recognition, speaker identification, speech identification, lip-reading technologies, aural surveillance (i.e. gunshot detection algorithms), autonomous research and analysis of identified databases, forecasting (predictive policing and crime hotspot analytics), behaviour detection tools, autonomous tools to identify financial fraud and terrorist financing, social media monitoring (scraping and data harvesting for mining connections), international mobile subscriber identity (IMSI) catchers, and automated surveillance systems incorporating different detection capabilities (such as heartbeat detection and thermal cameras); whereas the aforementioned applications have vastly varying degrees of reliability, accuracy and impact on fundamental rights and on the dynamics of criminal justice systems;

Or. en

Amendment 57
Dragoș Tudorache, Michal Šimečka, Olivier Chastel, Abir Al-Sahlani, Ramona Strugariu, Sophia in 't Veld, Fabienne Keller, Malik Azmani

Motion for a resolution
Recital G

Motion for a resolution

G. whereas AI applications in use by law enforcement include applications such as facial recognition technologies, automated number plate recognition, speaker identification, speech identification, lip-reading technologies, aural surveillance (i.e. gunshot detection algorithms), autonomous research and analysis of identified databases, forecasting

Amendment

G. whereas AI applications in use by law enforcement include applications such as facial recognition technologies, automated number plate recognition, speaker identification, speech identification, lip-reading technologies, aural surveillance (i.e. gunshot detection algorithms), autonomous research and analysis of identified databases, forecasting
(predictive policing and crime hotspot analytics), behaviour detection tools, autonomous tools to identify financial fraud and terrorist financing, social media monitoring (scraping and data harvesting for mining connections), international mobile subscriber identity (IMSI) catchers, and automated surveillance systems incorporating different detection capabilities (such as heartbeat detection and thermal cameras); whereas the aforementioned applications have vastly varying degrees of reliability and accuracy; 

Amendment 58
Birgit Sippel, Katarina Barley, Marina Kaljurand

Motion for a resolution
Recital G

G. whereas AI applications in use by law enforcement include applications such as facial recognition technologies, automated number plate recognition, speaker identification, speech identification, lip-reading technologies, aural surveillance (i.e. gunshot detection algorithms), autonomous research and analysis of identified databases, forecasting (predictive policing and crime hotspot analytics), behaviour detection tools, autonomous tools to identify financial fraud and terrorist financing, social media monitoring (scraping and data harvesting for mining connections), international mobile subscriber identity (IMSI) catchers, and automated surveillance systems incorporating different detection capabilities (such as heartbeat detection and thermal cameras); whereas the aforementioned applications have vastly varying degrees of reliability and accuracy;
varying degrees of reliability and accuracy; 

varying degrees of reliability and accuracy as well as potentially significant effects on the protection of fundamental rights;

Amendment 59
Caterina Chinnici

Motion for a resolution
Recital H

Motion for a resolution

H. whereas AI tools and applications are also used by the judiciary worldwide, including in sentencing, calculating probabilities for reoffending and in determining probation;

Amendment

H. whereas AI tools and applications are also used by the judiciary in several countries, including in sentencing, calculating probabilities for reoffending and in determining probation; whereas, at present, in the European Union, with the exception of a few Member States, their use is limited mainly to civil matters;

Amendment 60
Patrick Breyer
on behalf of the Verts/ALE Group

Motion for a resolution
Recital H

Motion for a resolution

H. whereas AI tools and applications are also used by the judiciary worldwide, including in sentencing, calculating probabilities for reoffending and in determining probation;

Amendment

H. whereas AI tools and applications are also used by the judiciary worldwide, including in sentencing, calculating probabilities for reoffending and in determining probation; whereas this has led to distorted and diminished chances for people of colour and other minorities;
Amendment 61
Kris Peeters, Isabel Wiseler-Lima, Vladimír Bilčík, Jeroen Lenaers, Javier Zarzalejos, Paulo Rangel, Romana Tome, Roberta Metsola

Motion for a resolution
Recital H

H. whereas AI tools and applications are also used by the judiciary worldwide, including in sentencing, calculating probabilities for reoffending and in determining probation;

Amendment
H. whereas AI tools and applications are also used by the judiciary worldwide, including in sentencing, calculating probabilities for reoffending and in determining probation, online dispute resolution, case law management, and the provision of facilitated access to the law;

Or. en

Amendment 62
Cornelia Ernst

Motion for a resolution
Recital H

H. whereas AI tools and applications are also used by the judiciary worldwide, including in sentencing, calculating probabilities for reoffending and in determining probation;

Amendment
H. whereas AI tools and applications are also used by the judiciary worldwide, including to support decisions on pre-trial detention, in sentencing, calculating probabilities for reoffending and in determining probation;

Or. en

Amendment 63
Jorge Buxadé Villalba

Motion for a resolution
Recital H

H. whereas AI tools and applications are also used by the judiciary worldwide, including in sentencing, calculating probabilities for reoffending and in determining probation;

Amendment
H. whereas AI tools and applications are also used by the judiciary in some
including in sentencing, calculating probabilities for reoffending and in determining probation;

countries, including in sentencing, calculating probabilities for reoffending and in determining probation;

Amendment 64
Kris Peeters, Isabel Wiseler-Lima, Vladimír Bilčík, Jeroen Lenaers, Javier Zarzalejos, Paulo Rangel, Romana Tomc, Ioan-Rareș Bogdan, Roberta Metsola

Motion for a resolution
Recital H a (new)

Motion for a resolution

Amendment

H a. whereas the applications of AI in law enforcement and the judiciary are in different development stages, ranging from conceptualisation through prototyping or evaluation to post-approval use; whereas new possibilities of use may arise in the future as the technology becomes more mature due to ongoing intensive scientific research worldwide;

Or. en

Amendment 65
Tudor Ciuhodaru, Franco Roberti, Petar Vitanov

Motion for a resolution
Recital H a (new)

Motion for a resolution

Amendment

H a. whereas AI has the potential to be a permanent part of our criminal justice ecosystem by providing investigative analysis and assistance;

Or. en

Amendment 66
Kris Peeters, Isabel Wiseler-Lima, Vladimír Bilčík, Jeroen Lenaers, Javier Zarzalejos,
Motion for a resolution
Recital I

I. whereas use of AI in law enforcement entails a number of potential risks, such as opaque decision-making, different types of discrimination, and risks to the protection of privacy and personal data, the protection of freedom of expression and information, and the presumption of innocence;

Amendment

I. whereas the use of AI in law enforcement entails a number of potential risks, such as opaque decision-making, different types of discrimination and errors inherent in the underlying algorithm which can be reinforced by feedback loops, as well as risks to the protection of privacy and personal data, the protection of freedom of expression and information, and the presumption of innocence; whereas the extent of these risks varies between different applications and depending on the purpose of their use;

Amendment 67
Cornelia Ernst

Motion for a resolution
Recital I

I. whereas use of AI in law enforcement entails a number of potential risks, such as opaque decision-making, different types of discrimination, and risks to the protection of privacy and personal data, the protection of freedom of expression and information, and the presumption of innocence;

Amendment

I. whereas use of AI in law enforcement entails a number of risks, such as opaque decision-making, different types of discrimination, and risks to the protection of privacy and personal data, the protection of freedom of expression and information, the presumption of innocence and, most importantly in the criminal law field, huge risks for the freedom and security of individuals;

Amendment 68
Patrick Breyer
on behalf of the Verts/ALE Group

Motion for a resolution
Recital I

Motion for a resolution

I. whereas use of AI in law enforcement entails a number of potential risks, such as opaque decision-making, different types of discrimination, and risks to the protection of privacy and personal data, the protection of freedom of expression and information, and the presumption of innocence;

Amendment

I. whereas use of AI in law enforcement entails a number of potential risks, such as opaque decision-making, a chilling effect, different types of discrimination, and risks to the protection of privacy and personal data, the protection of freedom of expression and information, and the presumption of innocence, and the right to an effective remedy and a fair trial;

Or. en

Amendment 69
Birgit Sippel, Katarina Barley, Marina Kaljurand

Motion for a resolution
Recital I

Motion for a resolution

I. whereas use of AI in law enforcement entails a number of potential risks, such as opaque decision-making, different types of discrimination, and risks to the protection of privacy and personal data, the protection of freedom of expression and information, and the presumption of innocence;

Amendment

I. whereas use of AI in law enforcement entails a number of high risks for the protection of fundamental rights of individuals, such as opaque decision-making, different types of discrimination, and risks to the protection of privacy and personal data, the protection of freedom of expression and information, and the presumption of innocence;

Or. en

Amendment 70
Sophia in 't Veld, Olivier Chastel

Motion for a resolution
Recital I
Motion for a resolution

I. whereas use of AI in law enforcement entails a number of potential risks, such as opaque decision-making, different types of discrimination, and risks to the protection of privacy and personal data, the protection of freedom of expression and information, and the presumption of innocence;

Amendment

I. whereas use of AI in law enforcement entails a number of high risks, such as opaque decision-making, different types of discrimination, and risks to the protection of privacy and personal data, the protection of freedom of expression and information, and the presumption of innocence;

Or. en

Amendment 71
Cornelia Ernst

Motion for a resolution
Recital I a (new)

Amendment

I a. whereas predictive policing systems necessarily rely heavily on historical data, which can contain biases so that any subsequent police method or strategy based upon such data are inclined to reproduce those biases in its results. Whereas these biases can have a ‘ratchet effect’ meaning that the distortion will get incrementally worse each year if police services rely on the evidence of last year’s data in order to set next year’s targets. ¹a.


Or. en

Amendment 72
Kris Peeters, Isabel Wiseler-Lima, Vladimír Bilčík, Jeroen Lenaers, Javier Zarzalejos,
Motion for a resolution
Recital I a (new)

Motion for a resolution

I a. whereas some countries make greater use of AI applications in law enforcement and the judiciary than others, which is partly due to a lack of regulation and regulatory differences which enable or prohibit AI use for certain purposes;

Or. en

Amendment 73
Cornelia Ernst

Motion for a resolution
Recital I b (new)

Motion for a resolution

I b. whereas persons who belong to minority ethnic groups are much more likely to be subject to stop and searches by police, prosecution, punishment and imprisonment in comparison to the respective "majority" population; whereas, as recognised by Commissioner Vestager in her keynote speech at the European AI Forum on 30 June 2020, migrants and people belonging to certain ethnic groups might be targeted by predictive policing techniques that direct all the attention of law enforcement to them;

Or. en

Amendment 74
Kris Peeters, Isabel Wiseler-Lima, Vladimír Bilčík, Jeroen Lenaers, Javier Zarzalejos, Paulo Rangel, Romana Tomc, Roberta Metsola
Motion for a resolution
Recital J

J. whereas AI systems used by law enforcement are also vulnerable to AI-empowered attacks; whereas in these situations the resulting damage is potentially even more significant, and can result in exponentially greater levels of harm to both individuals and groups;

Amendment
J. whereas AI systems used by law enforcement and judiciary are also vulnerable to AI-empowered attacks or data poisoning, whereby a wrong data set is included on purpose to produce biased results; whereas in these situations the resulting damage is potentially very significant, and can result in great levels of harm to both individuals and groups;

Amendment 75
Patrick Breyer
on behalf of the Verts/ALE Group

Motion for a resolution
Recital J

J. whereas AI systems used by law enforcement are also vulnerable to AI-empowered attacks; whereas in these situations the resulting damage is potentially even more significant, and can result in exponentially greater levels of harm to both individuals and groups;

Amendment
J. whereas AI systems used by law enforcement are also vulnerable to attacks against information systems; whereas in these situations the resulting damage is potentially even more significant, and can result in exponentially greater levels of harm to both individuals and groups;

Amendment 76
Cornelia Ernst

Motion for a resolution
Recital J a (new)

J a. Whereas recent cases have demonstrated how AI tools, such as facial
recognition, are not perfect and can make mistakes; whereas such mistakes have dramatic consequences when used in the criminal justice field; whereas – as reminded by the quote ‘it is better that ten guilty persons escape than that one innocent suffer’ - AI technology should be used with extreme caution in this arena;

Amendment 77
Caterina Chinnici

Motion for a resolution
Recital J a (new)

Amendment
Ja. whereas so-called automated decision systems - AI-based algorithms - cannot be used for decision-making purposes, since the final decision in criminal matters must always be taken by a human, in respect of whom AI must retain an instrumental role;

Or. it

Amendment 78
Cornelia Ernst

Motion for a resolution
Recital J b (new)

Amendment
J b. whereas, however, the deployment of AI in this field should not be seen as a mere technical question of ensuring the accuracy and effectiveness of such tools, but rather a crucial political decision concerning the design and the objectives of law enforcement and of criminal justice systems, which will inevitably
bring about a deep impact on the lives and fundamental rights of people;

Amendment 79
Cornelia Ernst
Motion for a resolution
Recital J c (new)

Motion for a resolution  Amendment

J c. Whereas a full enforcement of law is a dream that should not be pursued at all costs; whereas detecting and sanctioning all law infringements is not possible unless resorting to ubiquitous surveillance; whereas detecting all forms of illegal conduct with the same high level of efficacy is not a legitimate goal in democratic societies that value the privacy of individuals, and which, in order to protect such a value, are ready to accept that in some cases disobedience is not punished;

Amendment 80
Cornelia Ernst
Motion for a resolution
Recital J d (new)

Motion for a resolution  Amendment

J d. Whereas an increasing number of authorities and legislators worldwide have banned, or are considering to ban, the use of facial recognition by law enforcement authorities; whereas, in the wake of protests around the murder of George Floyd, Amazon, Microsoft and IBM denied police departments access to their facial recognition technology, calling
governments around the world to regulate the use of facial recognition;

Amendment 81
Cornelia Ernst

Motion for a resolution
Recital J e (new)

Amendment

J e. Whereas EU instruments on judicial cooperation, such as the European Arrest Warrant, do not modify the obligation to respect the fundamental rights and legal principles as enshrined in Article 6 of the TEU; Whereas on several occasions the CJEU has concluded that mutual trust is not blind, and that the executing judicial authority might be required to assess whether there is a real risk that the individual concerned will suffer a breach of fundamental rights if surrendered to the issuing state; whereas the CJEU has applied this principle both as regards a potential violation of the prohibition of torture and inhuman or degrading treatment, and of the right to a fair trial;

Amendment 82
Cornelia Ernst

Motion for a resolution
Recital J f (new)

Amendment

J f. Whereas modern liberal criminal law is based on the idea that state authorities react to an offence after it has been committed, without assuming that
people are dangerous and need to be constantly monitored in order to prevent any potential wrongdoing; whereas AI-based surveillance techniques deeply challenge such an approach and urge legislators worldwide to thoroughly assess the consequences of allowing the deployment of technologies that reduce the role of human beings in law enforcement and adjudication.

Amendment 83
Kris Peeters, Isabel Wiseler-Lima, Vladimír Bilčík, Jeroen Lenaers, Javier Zarzalejos, Paulo Rangel, Romana Tomc, Ioan-Rareș Bogdan, Roberta Metsola

Motion for a resolution
Paragraph 1

Motion for a resolution

1. Reiterates that, as processing large quantities of data is at the heart of AI, the right to the protection of private life and the right to the protection of personal data apply to all areas of AI, and that the Union legal framework for data protection and privacy must be fully complied with;

Amendment

1. Welcomes the positive contribution of AI applications to the work of law enforcement and judicial authorities across the Union as a key enabling technology to ensure safety and security of citizens; highlights e.g. the enhanced case law management achieved by tools allowing for additional search options; believes that there is a wide range of other potential uses for AI by law enforcement and the judiciary which should be explored, subject to methodological precautions and scientific assessments; reiterates that, as processing large quantities of data is at the heart of AI, the right to the protection of private life and the right to the protection of personal data apply to all areas of AI, and that the Union legal framework for data protection and privacy must be fully complied with;
Jorge Buxadé Villalba

Motion for a resolution
Paragraph 1

Motion for a resolution

1. Reiterates that, as processing large quantities of data is at the heart of AI, the right to the protection of private life and the right to the protection of personal data apply to all areas of AI, and that the Union legal framework for data protection and privacy must be fully complied with;

Amendment

1. Reiterates that, as processing large quantities of data is at the heart of AI, the right to the protection of private life and the right to the protection of personal data apply to all areas of AI, and that the legal framework for data protection and privacy in both the Union and Member States must be fully complied with;

Amendment 85
Tudor Ciuhodaru, Franco Roberti, Petar Vitanov, Birgit Sippel, Paul Tang

Motion for a resolution
Paragraph 1 a (new)

Motion for a resolution

1 a. recalls that the EU has already established data protection standards for law enforcement, which form the foundation for any future regulation in AI; recalls that processing of personal data must be lawful and fair; the purposes of processing must be specified, explicit and legitimate; must be adequate, relevant and not excessive in relation to the purpose for which it is processed; be accurate and kept up to date (inaccurate data should, subject to the purpose for which it would otherwise be retained, be corrected or erased); should be kept for no longer than is necessary and processed in a secure manner;

Amendment

Or. es

Amendment 86

Or. en
Klára Dobrev, Eva Kaili

Motion for a resolution
Paragraph 2

2. Reaffirms that all AI solutions for law enforcement and the judiciary also need to fully respect the principles of non-discrimination, freedom of movement, the presumption of innocence and right of defence, freedom of expression and information, freedom of assembly and of association, equality before the law, and the right to an effective remedy and a fair trial;

Amendment

2. Reaffirms that all AI solutions for law enforcement and the judiciary also need to fully respect the principles of non-discrimination, freedom of movement, the presumption of innocence and right of defence, freedom of expression and information, freedom of assembly and of association, equality before the law, and the right to an effective remedy and a fair trial; any artificial intelligence, robotics and related technologies, shall be developed, deployed or used in a manner that prevents the possible identification of individuals from data that were previously processed based on anonymity or pseudonymity, and the generation of new, inferred, potentially sensitive data and forms of categorisation through automated means;

Or. en

Amendment 87
Franco Roberti, Tudor Ciuhodaru

Motion for a resolution
Paragraph 2

2. Reaffirms that all AI solutions for law enforcement and the judiciary also need to fully respect the principles of non-discrimination, freedom of movement, the presumption of innocence and right of defence, freedom of expression and information, freedom of assembly and of association, equality before the law, and the right to an effective remedy and a fair trial;

Amendment

2. Reaffirms that all AI solutions for law enforcement and the judiciary also need to fully respect the principles of non-discrimination, human dignity, prevention of damage, transparency, impartiality and accuracy, fairness and explainability of the use of biometric recognition technologies, guarantee of the human control by the user, freedom of movement, the presumption of innocence and right of defence, freedom of expression and
information, freedom of assembly and of association, equality before the law, and the right to an effective remedy and a fair trial;

Or. en

**Amendment 88**  
*Cornelia Ernst*

**Motion for a resolution**  
*Paragraph 2*

2. Reaffirms that all AI solutions for law enforcement and the judiciary also need to fully respect the principles of non-discrimination, freedom of movement, the presumption of innocence and right of defence, freedom of expression and information, freedom of assembly and of association, equality before the law, and the right to an effective remedy and a fair trial;

**Amendment**  
2. Reaffirms that all AI solutions for law enforcement and the judiciary also need to fully respect the principles of non-discrimination, freedom of movement, the presumption of innocence and right of defence, *including the right to silence*, freedom of expression and information, freedom of assembly and of association, equality before the law, and the right to an effective remedy and a fair trial; *stresses that any use of AI must be prohibited when evidently incompatible with fundamental rights;*

Or. en

**Amendment 89**  
*Laura Ferrara, Sabrina Pignedoli*

**Motion for a resolution**  
*Paragraph 2*

2. Reaffirms that all AI solutions for law enforcement and the judiciary also need to fully respect the principles of non-discrimination, freedom of movement, the presumption of innocence and right of defence, freedom of expression and information, freedom of assembly and of
association, equality before the law, and the right to an effective remedy and a fair trial;
defence, freedom of expression and information, freedom of assembly and of association, equality before the law, and the right to an effective remedy and a fair trial;

defence, freedom of expression and information, freedom of assembly and of association, equality before the law, and the right to an effective remedy and a fair trial, in addition to taking into account the principle of the rehabilitative role of the penalty;

Amendment 92
Kris Peeters, Isabel Wiseler-Lima, Vladimír Bilčík, Jeroen Lenaers, Javier Zarzalejos, Paulo Rangel, Romana Tomc, Ioan-Rareş Bogdan, Maria Walsh, Roberta Metsola

Motion for a resolution
Paragraph 2

Motion for a resolution

2. Reaffirms that all AI solutions for law enforcement and the judiciary also need to fully respect the principles of non-discrimination, freedom of movement, the presumption of innocence and right of defence, freedom of expression and information, freedom of assembly and of association, equality before the law, and the right to an effective remedy and a fair trial;

Amendment

2. Reaffirms that all AI solutions for law enforcement and the judiciary also need to fully respect the principles of non-discrimination, freedom of movement, the presumption of innocence and right of defence, freedom of expression and information, freedom of assembly and of association, equality before the law, the principle of equality of arms, and the right to an effective remedy and a fair trial;

Amendment 93
Caterina Chinnici

Motion for a resolution
Paragraph 2

Motion for a resolution

2. Reaffirms that all AI solutions for law enforcement and the judiciary also need to fully respect the principles of non-discrimination, freedom of movement, the presumption of innocence and right of defence, freedom of expression and

Amendment

2. Reaffirms that all AI solutions for law enforcement and the judiciary also need to fully respect the principles of non-discrimination, freedom of movement, the presumption of innocence and right of defence, obligation to state reasons,
information, freedom of assembly and of association, equality before the law, and the right to an effective remedy and a fair trial;

freedom of expression and information, freedom of assembly and of association, equality before the law, and the right to an effective remedy and a fair trial;

Or. it

Amendment 94
Tudor Ciuhodaru, Franco Roberti, Petar Vitanov, Birgit Sippel

Motion for a resolution
Paragraph 2 a (new)

Motion for a resolution

Amendment

2 a. notes that the use of biometric data, such as for facial recognition technologies, relates more broadly to the principle of the right to human dignity; human dignity is the basis of all fundamental rights guaranteed by the Charter of Fundamental Rights; The Court of Justice of the EU (CJEU) has confirmed in its case law that the fundamental right to dignity is part of EU law, therefore biometric data, including facial images, must be processed in a way that respects human dignity;

Or. en

Amendment 95
Kris Peeters, Isabel Wiseler-Lima, Vladimír Bilčík, Jeroen Lenaers, Javier Zarzalejos, Paulo Rangel, Romana Tomečková, Ioan-Rareș Bogdan, Maria Walsh, Roberta Metsola

Motion for a resolution
Paragraph 2 a (new)

Motion for a resolution

Amendment

2 a. Acknowledges that the speed at which AI applications are developed around the world necessitates a future-oriented approach and that any attempts at exhaustive listing of applications will quickly become outdated; calls, in this
regard, for a clear and coherent governance model that guarantees the respect of fundamental rights, but also allows companies and organizations to further develop artificial intelligence applications;

Amendment 96
Patrick Breyer
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 2 a (new)

Motion for a resolution

2 a. Considers that AI applications used by police and judicial authorities have to be categorised as high-risk in all cases given their public role and responsibility and the impact of decisions taken by such authorities; considers furthermore that the use of AI system by such authorities can occur in a way that might have legal consequences or may significantly affect people’s lives;

Amendment 97
Cornelia Ernst

Motion for a resolution
Paragraph 2 a (new)

Motion for a resolution

2 a. Considers it is necessary to lower the expectations on technological solutions that promise a perfect law enforcement and the unrealistic detection of all committed offences
Amendment 98
Cornelia Ernst

Motion for a resolution
Paragraph 3

Motion for a resolution

3. Considers, in this regard, that any AI tool either developed or used by law enforcement or judiciary should, as a minimum, be safe, secure and fit for purpose, respect the principles of fairness, accountability, transparency and explainability, with their deployment subject to a strict necessity and proportionality test;

Amendment

3. Considers, in this regard, that any AI tool either developed or used by law enforcement or judiciary should, as a minimum, be safe, secure and fit for purpose, respect the principles of fairness, accountability, transparency and explainability, with their deployment subject to a strict necessity and proportionality test; 

Urges the EU and national legislators to take into great consideration the five principles of the ‘Ethical Charter on the use of artificial intelligence in judicial systems and their environment’ adopted by the European Commission for the Efficiency of Justice (CEPEJ) of the Council of Europe, and to pay particular attention to the ‘uses to be considered with the most extreme reservation’, identified by CEPEJ;

Or. en

Amendment 99
Kris Peeters, Isabel Wiseler-Lima, Vladimír Bilčík, Jeroen Lenaers, Javier Zarzalejos, Paulo Rangel, Romana Tomc, Maria Walsh, Roberta Metsola

Motion for a resolution
Paragraph 3

Motion for a resolution

3. Considers, in this regard, that any AI tool either developed or used by law enforcement or judiciary should, as a minimum, be safe, secure and fit for purpose, respect the principles of fairness, accountability, transparency and explainability, with their deployment

Amendment

3. Considers, in this regard, that safeguards should be proportionate to potential risks associated with the use specific AI applications; believes that any AI tool either developed or used by law enforcement or judiciary should, as a minimum, be safe, robust, secure and fit
subject to a strict necessity and proportionality test; for purpose, respect the principles of fairness, accountability, transparency, non-discrimination as well as explainability, with their deployment subject to a strict necessity and proportionality test;

Amendment 100
Sophia in 't Veld, Dragoș Tudorache, Olivier Chastel, Abir Al-Sahlani

Motion for a resolution
Paragraph 3

Motion for a resolution

3. Considers, in this regard, that any AI tool either developed or used by law enforcement or judiciary should, as a minimum, be safe, secure and fit for purpose, respect the principles of fairness, accountability, transparency and explainability, with their deployment subject to a strict necessity and proportionality test;

Amendment

3. Considers, in this regard, that any AI tool either developed or used by law enforcement or judiciary should, as a minimum, be safe, secure and fit for purpose, respect the principles of fairness, accountability, transparency and explainability, with their deployment subject to a strict necessity and proportionality test; highlights that trust among citizens in the use of AI developed and used in the EU is conditional upon the full fulfillment of these criteria;

Amendment 101
Caterina Chinnici

Motion for a resolution
Paragraph 3

Motion for a resolution

3. Considers, in this regard, that any AI tool either developed or used by law enforcement or judiciary should, as a minimum, be safe, secure and fit for purpose, respect the principles of fairness, accountability, transparency and explainability, with their deployment

Amendment

3. Considers, in this regard, that any AI tool either developed or used by law enforcement or judiciary should, as a minimum, be safe, secure and fit for purpose, respect the principles of fairness, accountability, transparency and explainability, with their deployment
subject to a strict necessity and proportionality test; subject to a strict necessity and proportionality test, ensuring that the data subjects have right of access to AI-produced or AI-assisted outputs;

Amendment 102
Birgit Sippel, Katarina Barley, Marina Kaljurand

Motion for a resolution
Paragraph 3

3. Considers, in this regard, that any AI tool either developed or used by law enforcement or judiciary should, as a minimum, be safe, secure and fit for purpose, respect the principles of fairness, accountability, transparency and explainability, with their deployment subject to a strict necessity and proportionality test;

Amendment

3. Considers, in this regard, that any AI tool either developed or used by law enforcement or judiciary should, as a minimum, be safe, secure and fit for purpose, respect the principles of data minimisation, fairness, accountability, transparency and explainability, with their development, deployment and use subject to a strict necessity and proportionality test;

Amendment 103
Dragoş Tudorache, Michal Šimečka, Ramona Strugariu, Sophia in 't Veld, Fabienne Keller, Malik Azmani

Motion for a resolution
Paragraph 3

3. Considers, in this regard, that any AI tool either developed or used by law enforcement or judiciary should, as a minimum, be safe, secure and fit for purpose, respect the principles of fairness, accountability, transparency and explainability, with their deployment subject to a strict necessity and proportionality test;

Amendment

3. Considers, in this regard, that any AI tool either developed or used by law enforcement or judiciary should, as a minimum, be safe, secure and fit for purpose, respect the principles of fairness, accountability, transparency and explainability, with their deployment subject to a risk assessment and a strict necessity and proportionality test;
Amendment 104
Patrick Breyer
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 3 a (new)

Motion for a resolution

Amendment

3 a. Underlines that any decision about a natural person that is based solely on automated processing, including profiling, and which produces an adverse legal effect concerning the data subject or significantly affects him or her, is prohibited under Union law, unless authorised by Union or Member State law which at least provides for the right to obtain human intervention; reminds that decisions in the field of law enforcement are almost always decisions that have a legal effect on the person affected, due to the executive nature of law enforcement authorities and their actions; calls on the Commission, the European Data Protection Board and other independent supervisory authorities to propose legislation or at least issue guidelines, recommendations and best practices in order to further specify the criteria and conditions for decisions based on profiling and the use of AI for law enforcement purposes;

Amendment 105
Caterina Chinnici

Motion for a resolution
Paragraph 3 a (new)

Motion for a resolution

Amendment
3a. Stresses the need for AI and related technologies to be used within criminal justice systems in compliance with rigorous ethical principles, such as those laid down in the Council of Europe's 'European Ethical Charter on the Use of Artificial Intelligence in Judicial Systems and their environment', i.e. the principles of respect for fundamental rights, non-discrimination, quality and security, transparency, impartiality and fairness, and user control;

Or. it

Amendment 106
Franco Roberti, Tudor Ciuhodaru
Motion for a resolution
Paragraph 3 a (new)

Motion for a resolution

3 a. Underlines the right of the parties to access the data collection process and that relating to prognostic assessments useful for crime prevention police, to the cataloguing and evaluation of criminal evidence and to preventive assessments of whether a suspect might be a danger to society, to the risk of recidivism and the output produced or obtained through AI for notification procedures, as well as the role of AI and related technologies in criminal law enforcement and crime prevention;

Or. en

Amendment 107
Cornelia Ernst
Motion for a resolution
Paragraph 3 a (new)
3 a. Stresses that the use of AI in this field poses risks for human rights - namely privacy, data protection, and fair trial - and that in the future it may pose further risks that are still unknown; calls for the precautionary principle to be at the heart of any legal frameworks on AI;

Amendment 108
Tom Vandendriessche, Jean-Paul Garraud, Gilles Lebreton
Motion for a resolution
Paragraph 3 a (new)

3a. Emphasises the need to draw up strict rules to govern the use of facial recognition technologies in connection with criminal matters; suggests that a recommendation be issued banning their use temporarily pending the drafting of those rules;

Amendment 109
Cornelia Ernst
Motion for a resolution
Paragraph 3 b (new)

3 b. Considers it essential, both for the effectiveness of the exercise of defence rights and for the transparency of national criminal justice systems, that a specific, clear and precise legal framework regulates the conditions, modalities and consequences of the use of AI tools in this field, as well as the rights
of targeted persons, including possibilities to seek legal remedy; stresses that in the absence of such a legal framework, AI should not be used in this arena;

Or. en

Amendment 110
Cornelia Ernst

Motion for a resolution
Paragraph 3 c (new)

Motion for a resolution

3 c. Urges executing authorities, when deciding on a request of extradition (or surrender) to another Member State or third country, to assess whether the use of AI tools in the requesting (or issuing) country might compromise the essence of the fundamental right to a fair trial;
Considers that the first step of such an assessment should be conducted ‘on the basis of material that is objective, reliable, specific and properly updated concerning the operation of the system of justice in the issuing Member State’ (C-216/18 PPU, §61); calls on the Commission to publish updated information concerning the use of AI in the Member States’ judicial and law enforcement systems, and to issue guidelines on how to conduct such an assessment in the context of judicial cooperation in criminal matters;

Or. en

Amendment 111
Patrick Breyer
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 4
Motion for a resolution

4. Highlights the importance of preventing mass surveillance by means of AI technologies, and of banning applications that would result in it;

Amendment

4. Considers data collected and monitoring of individuals shall be limited to suspects of criminal acts, or suspects in preparation of committing a crime as opposed to automated, and indiscriminate data collection; Highlights the importance of preventing mass surveillance by means of AI technologies, and of banning applications that would result in it; calls on the Commission to implement, through legislative and non-legislative means and if necessary infringement proceedings, a ban on any biometric processing of personal data for law enforcement purposes that leads to mass surveillance in public spaces; calls on the Commission to stop funding biometric research or deployment which could contribute to mass surveillance in public spaces; reminds that mass surveillance by third countries’ authorities implies that their level of data protection is not adequate, as confirmed by the Court of Justice in its judgment on Schrems I;

_________________

1a Judgment in case C-362/14, 6 October 2015

O. en

Amendment 112
Kris Peeters, Isabel Wiseler-Lima, Vladimír Bilčík, Jeroen Lenaers, Javier Zarzalejos, Paulo Rangel, Romana Tome, Roberta Metsola

Motion for a resolution
Paragraph 4

Motion for a resolution

4. Highlights the importance of preventing mass surveillance by means of AI technologies, and of banning applications that would result in it;

Amendment

4. Highlights the importance of preventing mass surveillance, which per definition does not correspond to the principles of necessity and proportionality; strongly supports high thresholds for and transparency in the use...
of AI technologies and applications that could result in it; calls for law enforcement or the judiciary to use AI applications that adhere to the privacy-by-design principle whenever possible to avoid function creep;

Or. en

Amendment 113
Sophia in 't Veld, Olivier Chastel, Abir Al-Sahlani

Motion for a resolution
Paragraph 4

Motion for a resolution
Amendment

4. Highlights the importance of preventing mass surveillance by means of AI technologies, and of banning applications that would result in it; calls on the Commission and Member States not to follow China and the United States as regards the development of mass surveillance technologies, but to demonstrate that applications of AI technologies in the EU can only be deployed if fully in respect of fundamental rights;

Or. en

Amendment 114
Cornelia Ernst

Motion for a resolution
Paragraph 4

Motion for a resolution
Amendment

4. Highlights the importance of preventing mass surveillance by means of AI technologies, and of banning applications that would result in it; Reminds that individuals not only have the right to be correctly identified, but
they also have the right not to be identified at all, unless it is required by law for compelling and legitimate public interests;
Motion for a resolution
Paragraph 4 a (new)

4 a. Suggests that special attention should be paid to the technological advancement of drones used in police and military operations. Urges the Commission to create a code of conduct on their use considering the great damage they can cause in human capital if potentially weaponised in the future;

Or. en

Amendment 118
Dragoș Tudorache, Michal Šimečka, Abir Al-Sahlani, Ramona Strugariu, Sophia in 't Veld, Fabienne Keller, Malik Azmani

Motion for a resolution
Paragraph 4 a (new)

4 a. Stresses that technology can be repurposed and calls for strict democratic control and oversight for any AI-enabled technology in use by public authorities that can be repurposed for mass surveillance or mass profiling;

Or. en

Amendment 119
Dragoș Tudorache, Michal Šimečka, Ramona Strugariu, Fabienne Keller

Motion for a resolution
Paragraph 4 b (new)

4 b. Stresses that safeguards against the misuse of AI technology by public authorities also need to be of a political nature and mandated uniformly across
the European Union;

Amendment 120
Patrick Breyer
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 5

5. Stresses the potential for bias and discrimination arising from the use of machine learning and AI applications; notes that biases can be inherent in underlying datasets, especially when historical data is being used, introduced by the developers of the algorithms, or generated when the systems are implemented in real world settings;

Amendment

5. Stresses the potential for bias and discrimination arising from the use of machine learning and AI applications; notes that biases can be inherent in underlying datasets, especially when historical data is being used, introduced by the developers of the algorithms, or generated when the systems are implemented in real world settings; reminds of its Resolution of of 19 June 2020 on the anti-racism protests following the death of George Floyd; points out that wide-spread real-world racism in the police forces is still prevalent; underlines that such racism will inevitably lead to racist bias in AI-generated findings, scores, and recommendations; therefore reiterates its call on Member States to promote anti-discrimination policies in all areas and to develop national action plans against racism, including in policing and in the justice system; in close cooperation with civil society and the communities concerned; and to step up measures to increase diversity within police forces and to establish frameworks for dialogue and cooperation between police and communities;

Amendment 121
Klára Dobrev, Eva Kaili
Motion for a resolution
Paragraph 5

Motion for a resolution

5. Stresses the potential for bias and discrimination arising from the use of machine learning and AI applications; notes that biases can be inherent in underlying datasets, especially when historical data is being used, introduced by the developers of the algorithms, or generated when the systems are implemented in real world settings;

Amendment

5. Stresses the potential for bias and discrimination arising from the use of machine learning and AI applications; notes that biases can be inherent in underlying datasets, especially when historical data is being used, introduced by the developers of the algorithms, or generated when the systems are implemented in real world settings; underlines that any software, algorithm or data used or produced by artificial intelligence, robotics and related technologies developed, deployed or used in the Union shall protect the human rights of individuals against violations by AI actors throughout AI systems’ entire lifecycle. A description of the way in which the training data was collected should be maintained by the builders of the algorithms, accompanied by an exploration of the potential biases induced by the human or algorithmic data gathering process;

Or. en

Amendment 122
Laura Ferrara, Sabrina Pignedoli

Motion for a resolution
Paragraph 5

Motion for a resolution

5. Stresses the potential for bias and discrimination arising from the use of machine learning and AI applications; notes that biases can be inherent in underlying datasets, especially when historical data is being used, introduced by the developers of the algorithms, or generated when the systems are

Amendment

5. Stresses the potential for bias and discrimination arising from the use of machine learning and AI applications; notes that biases can be inherent in underlying datasets, especially when historical data is being used, introduced by the developers of the algorithms, or generated when the systems are
implemented in real world settings; points out that the result provided by AI applications is necessarily influenced by the quality of the data used by the applications themselves, and calls for the introduction of mechanisms to ensure the quality of the data, the independence of their source, the independence of the authority collecting them and the accessibility of all data used by AI applications;

Or. it

Amendment 123
Dragoș Tudorache, Michal Šimečka, Olivier Chastel, Abir Al-Sahlani, Ramona Strugariu, Sophia in 't Veld, Fabienne Keller, Malik Azmani

Motion for a resolution
Paragraph 5

5. Stresses the potential for bias and discrimination arising from the use of machine learning and AI applications; notes that biases can be inherent in underlying datasets, especially when historical data is being used, introduced by the developers of the algorithms, or generated when the systems are implemented in real world settings;

Amendment
5. Stresses the potential for bias and discrimination arising from the use of machine learning and AI applications; notes that biases can be inherent in underlying datasets, especially when historical data is being used, introduced by the developers of the algorithms, or generated when the systems are implemented in real world settings; cautions about similar potential biases in the algorithms of AI systems; stresses that it is imperative that AI use by the police and judicial authorities in criminal matters does not become a factor of inequality, social fracture, or exclusion;

Or. en

Amendment 124
Kris Peeters, Isabel Wiseler-Lima, Vladimír Bilčík, Jeroen Lenaers, Javier Zarzalejos, Paulo Rangel, Romana Tomc, Maria Walsh, Roberta Metsola

Motion for a resolution
Paragraph 5

Motion for a resolution

5. Stresses the potential for bias and
discrimination arising from the use of
machine learning and AI applications;
notes that biases can be inherent in
underlying datasets, especially when
historical data is being used, introduced by
the developers of the algorithms, or
generated when the systems are
implemented in real world settings;

Amendment

5. Stresses the potential for bias and
discrimination arising from the use of AI
applications such as machine learning;
notes that discrimination can result from
biases inherent in underlying datasets,
especially when historical data is being
used, introduced by the developers of the
algorithms, or generated when the systems
are implemented in real world settings;

Or. en

Amendment 125
Patrick Breyer
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 5 a (new)

Motion for a resolution

5 a. Points out that several cities in the
United States have ended their predictive
policing systems, after audits of programs
that attempted to predict individuals’
behaviors in Chicago and Los Angeles
proved their discriminatory impact and
practical failure; points out that place-
based predictive systems have been shut
down in Los Angeles and other cities that
initially had adopted the technology;
reminds that during the LIBE
Committee’s mission to the United States
in February 2020, Members were
informed by the police departments of
New York City and Cambridge/Mass that
they had phased out their predictive
policing programmes due to a lack of
effectiveness and have turned to
community policing instead; reminds that
this lead to a decline in crime rates;

Amendment

5 a. Points out that several cities in the
United States have ended their predictive
policing systems, after audits of programs
that attempted to predict individuals’
behaviors in Chicago and Los Angeles
proved their discriminatory impact and
practical failure; points out that place-
based predictive systems have been shut
down in Los Angeles and other cities that
initially had adopted the technology;
reminds that during the LIBE
Committee’s mission to the United States
in February 2020, Members were
informed by the police departments of
New York City and Cambridge/Mass that
they had phased out their predictive
policing programmes due to a lack of
effectiveness and have turned to
community policing instead; reminds that
this lead to a decline in crime rates;

Or. en
Amendment 126
Klára Dobrev, Eva Kaili

Motion for a resolution
Paragraph 5 a (new)

Motion for a resolution

Amendment

5 a. Stresses that the developer or deployer shall carry out ethical impact assessments of AI systems that have the potential to cause harm in the form of bias, discrimination and privacy. These assessments shall envision possible moral risks related to the implementation of the AI/Machine learning (ML), consider all possible ethical risks that could result from the AI/ML application in question and shall be publicly released. It is also proposed that all public and government organizations using AI systems are required to conduct an ethical technology assessment prior to deployment of the AI system;

Or. en

Amendment 127
Cornelia Ernst

Motion for a resolution
Paragraph 5 a (new)

Motion for a resolution

Amendment

5 a. Stresses that biases inherent in underlying datasets are inclined to gradually increase and thereby perpetuate and amplify existing discrimination, in particular for persons belonging to minority ethnic groups or racialized communities; considers that such an effect is unacceptable in particular in the area of law enforcement;

Or. en
Amendment 128
Cornelia Ernst

Motion for a resolution
Paragraph 5 b (new)

Motion for a resolution

5 b. Stresses that the datasets and algorithmic systems used when making classifications, assessments and predictions at the different stages of data processing in the development of AI and related technologies may also result in differential treatment of and indirect discrimination against groups of people with similar characteristics; calls for a rigorous examination of AI’s classification practices and harms; emphasises that AI technologies require that the field centre non-technical disciplines whose work traditionally examines such issues, including science and technology studies, critical race studies, disability studies, and other disciplines attuned to social context, including how difference is constructed, the work of classification, and its consequences; stresses the need therefore to systematically invest in integrating these disciplines into AI study and research at all levels;

Or. en

Amendment 129
Cornelia Ernst

Motion for a resolution
Paragraph 5 c (new)

Motion for a resolution

5 c. Notes that the field of AI is strikingly homogenous and lacking in diversity, where in particular minority
ethnic groups and other marginalized groups are underrepresented; stresses the need to ensure that the teams that design, develop, test, maintain, deploy and procure these systems reflect the diversity of its uses and of society in general as a non-technical means to reduce the risks of increased discrimination.

Amendment 130
Kris Peeters, Isabel Wiseler-Lima, Vladimír Bilčík, Jeroen Lenaers, Javier Zarzalejos, Paulo Rangel, Romana Tomc, Ioan-Rareș Bogdan, Maria Walsh, Roberta Metsola

Motion for a resolution
Paragraph 6

Motion for a resolution
6. Underlines the fact that many algorithmically driven identification technologies disproportionately misidentify non-white people, children, the elderly, as well as women;

Amendment
6. Underlines the fact that many algorithmically driven identification technologies that are currently in use disproportionately misidentify according to ethnicity, age and gender; considers, therefore, that strong scientific and ethical standards are needed and that strong efforts should be made to avoid automated discrimination and bias;

Amendment 131
Jorge Buxadé Villalba

Motion for a resolution
Paragraph 6

Motion for a resolution
6. Underlines the fact that many algorithmically driven identification technologies disproportionately misidentify non-white people, children, the elderly, as well as women;

Amendment
6. Underlines the fact that algorithmically driven facial recognition technologies have become much more accurate in recent years; expresses concern that these systems make more mistakes when identifying dark-skinned
people and women;

Amendment 132
Sophia in 't Veld, Olivier Chastel, Abir Al-Sahlanı

Motion for a resolution
Paragraph 6

6. Underlines the fact that many algorithmically driven identification technologies disproportionately misidentify non-white people, children, the elderly, as well as women;

Amendment

6. Underlines the fact that many algorithmically driven identification technologies disproportionately misidentify non-white people, (minority) ethnic communities, LGBTI people, migrants, children, the elderly, as well as women;

Amendment 133
Cornelia Ernst

Motion for a resolution
Paragraph 6 a (new)

6 a. Stresses that data used to train predictive policing algorithms reflect ongoing surveillance priorities and that, as a consequence, AI predictions based on characteristics of a specific group of persons end up in amplifying and reproducing existing forms of discrimination and racial domination;

Amendment

6 a. Stresses that data used to train predictive policing algorithms reflect ongoing surveillance priorities and that, as a consequence, AI predictions based on characteristics of a specific group of persons end up in amplifying and reproducing existing forms of discrimination and racial domination;

Amendment 134
Kris Peeters, Isabel Wiseler-Lima, Vladimír Bilčík, Jeroen Lenaers, Javier Zarzalejos, Paulo Rangel, Romana Tomc, Ioan-Rareş Bogdan, Maria Walsh, Roberta Metsola
Motion for a resolution
Paragraph 6 a (new)

Motion for a resolution Amendment

6 a. Calls for strong additional safeguards in case AI systems in law enforcement or the judiciary are used on or in relation to minors, who are particularly vulnerable;

Or. en

Amendment 135
Jorge Buxadé Villalba

Motion for a resolution
Paragraph 7

Motion for a resolution Amendment

7. Highlights the power asymmetry between those who develop and employ AI technologies and those who interact and are subject to them;

deleted

Or. es

Amendment 136
Dragoș Tudorache, Michal Šimečka, Ramona Strugariu, Fabienne Keller, Malik Azmani

Motion for a resolution
Paragraph 7

Motion for a resolution Amendment

7. Highlights the power asymmetry between those who develop and employ AI technologies and those who interact and are subject to them;

deleted

Or. en
Amendment 137
Kris Peeters, Isabel Wiseler-Lima, Vladimír Bilčík, Jeroen Lenaers, Javier Zarzalejos, Paulo Rangel, Romana Tomc, Roberta Metsola

Motion for a resolution
Paragraph 7

7. Highlights the power asymmetry between those who develop and employ AI technologies and those who interact and are subject to them; deleted

Or. en

Amendment 138
Franco Roberti, Tudor Ciuhodaru

Motion for a resolution
Paragraph 7

7. Highlights the power asymmetry between those who develop and employ AI technologies and those who interact and are subject to them; it is, therefore, essential also to provide for a rule that ensures the transparency of the corporate structures of companies that produce and manage AI systems and institutionalise the principle of independence of the programmers, since it is they who prepare not only the selection of data and information to be processed at the basis of the algorithms, but also the assessment criteria that inform and produce a decision;

Or. en

Amendment 139
Caterina Chinnici

Motion for a resolution
Paragraph 7

Motion for a resolution

7. Highlights the power asymmetry between those who develop and employ AI technologies and those who interact and are subject to them;

Amendment

7. Highlights the power asymmetry between those who develop and employ AI technologies and those who interact and are subject to them - an asymmetry which means that binding codes of conduct must be developed for the design and use of AI in criminal matters;

Or. it

Amendment 140
Cornelia Ernst

Motion for a resolution
Paragraph 7

Motion for a resolution

7. Highlights the power asymmetry between those who develop and employ AI technologies and those who interact and are subject to them;

Amendment

7. Highlights the power asymmetry between those who develop and employ AI technologies and those who interact and are subject to them; stresses the impact on defence rights and the burdensome or even impossible tasks for persons under investigation to challenge the results of AI tools;

Or. en

Amendment 141
Kris Peeters, Isabel Wiseler-Lima, Vladimír Bilčík, Jeroen Lenaers, Javier Zarzalejos, Paulo Rangel, Romana Tome, Ioan-Rareș Bogdan, Roberta Metsola

Motion for a resolution
Paragraph 8

Motion for a resolution

8. Underlines that security and safety aspects of AI systems used in law enforcement need to be carefully considered, and be sufficiently robust and

Amendment

8. Takes note of the risks related to data leaks, data security breaches and unauthorised access to personal data and other information related to criminal
resilient to prevent the potentially catastrophic consequences of malicious attacks on AI systems; investigations or court cases that are processed by AI systems; underlines that security and safety aspects of AI systems used in law enforcement need to be carefully considered, and be sufficiently robust and resilient to prevent the potentially catastrophic consequences of malicious attacks on AI systems;

Amendment 142
Klára Dobrev, Eva Kaili

Motion for a resolution
Paragraph 8 a (new)

Motion for a resolution

8 a. Stresses the importance, of ensuring that AI weaponised products that are produced in the EU, have advanced software security provisions in accordance with the "security by design approach" which would render them difficult to hack by third parties or terrorists and they will allow specific human oversight before they operate in case of being hacked and activated by unknown source;

Amendment

8 a. stresses that only a robust European AI governance enable the necessary operationalisation of fundamental rights principles;
Amendment 144
Patrick Breyer
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 9

Motion for a resolution

9. Considers it necessary to create a clear and fair regime for assigning legal responsibility for the potential adverse consequences produced by these advanced digital technologies;

Amendment

9. Considers it necessary to create a clear and fair regime for assigning legal responsibility for the potential adverse consequences produced by these advanced digital technologies; underlines however that the first and foremost aim must be to avoid that any such consequences materialise to begin with; calls for the consequent application of the precautionary principle for all applications of AI in the law enforcement context;

Amendment 145
Tudor Ciuhodaru, Franco Roberti, Petar Vitanov, Paul Tang

Motion for a resolution
Paragraph 9

Motion for a resolution

9. Considers it necessary to create a clear and fair regime for assigning legal responsibility for the potential adverse consequences produced by these advanced digital technologies;

Amendment

9. Considers it necessary to create a clear and fair regime for assigning legal responsibility for the potential adverse consequences produced by these advanced digital technologies; Recognises the challenges to correctly locate the responsibility for potential harm, given the complexity of development and operation of AI systems;
Amendment 146
Cornelia Ernst

Motion for a resolution
Paragraph 9

9. Considers it necessary to create a clear and fair regime for assigning legal responsibility for the potential adverse consequences produced by these advanced digital technologies;

Amendment

9. Considers it necessary to create a clear and fair regime for assigning legal responsibility for the potential adverse consequences produced by these advanced digital technologies; considers it imperative for this regime to always identify a responsible person for decisions taken with the support of AI;

Or. en

Amendment 147
Dragoș Tudorache, Michal Šimečka, Abir Al-Sahlani, Ramona Strugariu, Sophia in 't Veld, Fabienne Keller, Malik Azmani

Motion for a resolution
Paragraph 9

9. Considers it necessary to create a clear and fair regime for assigning legal responsibility for the potential adverse consequences produced by these advanced digital technologies;

Amendment

9. Considers it necessary to create a clear and fair regime for assigning legal responsibility and legal liability for the potential adverse consequences produced by these advanced digital technologies; underlines that legal responsibility and liability must always rest with a natural or legal person;

Or. en

Amendment 148
Kris Peeters, Isabel Wiseler-Lima, Vladimír Bilčík, Jeroen Lenaers, Javier Zarzalejos, Paulo Rangel, Romana Tomc, Ioan-Răreș Bogdan, Roberta Metsola

Motion for a resolution
Paragraph 9

Motion for a resolution

9. Considers it necessary to create a clear and fair regime for assigning legal responsibility for the potential adverse consequences produced by these advanced digital technologies;

Amendment

9. Considers it necessary to create a clear and fair regime for assigning legal responsibility and liability for the potential adverse consequences produced by these advanced digital technologies;

Or. en

Amendment 149
Tudor Ciuhodaru, Franco Roberti, Petar Vitanov, Marina Kaljurand, Paul Tang

Motion for a resolution
Paragraph 9 a (new)

Motion for a resolution

9 a. Highlights how individuals have become overly trusting in the seemingly objective and scientific nature of AI tools and thus fail to consider the possibility of their results being incorrect, incomplete or irrelevant, with potentially grave adverse consequences specifically in the area of law enforcement and justice; Emphasises the over-reliance on the results provided for by AI systems, and notes with concern the lack of confidence and knowledge, by authorities, to question or override an algorithmic recommendation;

Amendment

9 a. Highlights that it must always be
possible to reduce the AI system’s computations to a form comprehensible by humans and considers that AI products used for police and judicial authorities should record data on every transaction carried out by the machine, -including the logic that contributed to its decisions - as well as with a “switch-off” button which would instantly deactivate the AI system after requested by a human;

Amendment 151
Kris Peeters, Isabel Wiseler-Lima, Vladimír Bilčík, Jeroen Lenaers, Javier Zarzalejos, Paulo Rangel, Romana Tomec, Ioan-Rareș Bogdan, Maria Walsh, Roberta Metsola

Motion for a resolution
Paragraph 9 a (new)

9 a. Calls for the adoption of appropriate procurement processes for AI systems by Member States and EU agencies when used in law enforcement or judicial context, so as to ensure their compliance with fundamental rights;

Amendment 152
Dragoș Tudorache, Michal Šimečka, Olivier Chastel, Abir Al-Sahlani, Ramona Strugariu, Sophia in 't Veld, Fabienne Keller, Malik Azmani

Motion for a resolution
Paragraph 9 a (new)

9 a. Stresses that no AI system should be enabled to harm the physical integrity of human beings, nor to distribute rights or to impose legal obligations on individuals;
Amendment 153
Birgit Sippel, Katarina Barley, Marina Kaljurand

Motion for a resolution
Paragraph 10

Motion for a resolution

10. Underlines that in judicial and law enforcement contexts, the final decision always needs to be taken by a human, who can be held accountable for the decisions made, and include the possibility of a recourse for a remedy;

Amendment
10. Underlines that in judicial and law enforcement contexts, the final decision always needs to be taken by a human, who can be held accountable for the decisions made, and include the possibility of a recourse for a remedy; *reminds that under EU law, automated individual decision making shall not be based on special categories of personal data (personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation), unless suitable measures to safeguard the data subject's rights and freedoms and legitimate interests are in place; highlights that EU law prohibits profiling that results in discrimination against natural persons on the basis of special categories of personal data;*

Amendment 154
Patrick Breyer
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 10

Motion for a resolution

Amendment

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10. Underlines that in judicial and law enforcement contexts, the final decision always needs to be taken by a human, who can be held accountable for the decisions made, and include the possibility of a recourse for a remedy;

10. Underlines that in law enforcement contexts, the final decision always needs to be taken by a human, who can be held accountable for the decisions made, and include the possibility of a recourse for a remedy; points out however that if humans only rely on the data, profiles and recommendations generated by machines, they will not be able to do an independent assessment; is of the opinion that the sovereign discretion of judges, and decision-making on a case-by-case basis has to be upheld; calls on the Commission to declare a ban on the use of AI and related technologies for the assistance of judicial systems and of judicial decisions;

Amendment 155
Laura Ferrara, Sabrina Pignedoli

Motion for a resolution
Paragraph 10

Motion for a resolution

10. Underlines that in judicial and law enforcement contexts, the final decision always needs to be taken by a human, who can be held accountable for the decisions made, and include the possibility of a recourse for a remedy;

Amendment

10. Underlines that in judicial and law enforcement contexts, the final decision always needs to be taken by a human, who can be held accountable for the decisions made, and include the possibility of a recourse for a remedy; refers, in this regard, to Article 22 of the General Data Protection Regulation which stipulates that a person has the right not to be subject to a decision which produces legal effects concerning him or her or significantly affects him or her and is based solely on automated data processing designed to evaluate certain aspects of that person's personality;

Amendment 156
Franco Roberti, Tudor Ciuhodaru

Motion for a resolution
Paragraph 10

10. Underlines that in judicial and law enforcement contexts, the final decision always needs to be taken by a human, who can be held accountable for the decisions made, and include the possibility of a recourse for a remedy;

Amendment

10. Underlines that in judicial and law enforcement contexts, the final decision always needs to be taken by a human, who can be held accountable for the decisions made, and include the possibility of a recourse for a remedy; it is necessary to prevent the use of algorithms – so-called automated decision systems – can replace human minds in final decisions, in order to avoid deterministic approaches and ensure the formation of the free judgment of judicial authorities, and whose decisions must always be justifiable, responsible and free of prejudices;

Or. en

Amendment 157
Kris Peeters, Isabel Wiseler-Lima, Vladimír Bilčík, Jeroen Lenaers, Javier Zarzalejos, Romana Tomc, Ioan-Rareș Bogdan

Motion for a resolution
Paragraph 10

10. Underlines that in judicial and law enforcement contexts, the final decision always needs to be taken by a human, who can be held accountable for the decisions made, and include the possibility of a recourse for a remedy;

Amendment

10. Takes the view that law enforcement and judicial authorities that make use of AI systems need to uphold high legal standards, in particular when analysing data; underlines the need to ensure human intervention and accountability throughout the different stages of decision-making, to assess both the quality of the data and the appropriateness of each decision taken on the basis of that information; considers that persons subject to these systems should be given the possibility of a recourse for a remedy;
Amendment 158
Cornelia Ernst

Motion for a resolution
Paragraph 10

10. Underlines that in judicial and law enforcement contexts, the final decision always needs to be taken by a human, who can be held accountable for the decisions made, and include the possibility of a recourse for a remedy;

Or. en

Amendment 159
Dragoș Tudorache, Michal Šimečka, Olivier Chastel, Abir Al-Sahlani, Sophia in 't Veld, Fabienne Keller, Malik Azmani

Motion for a resolution
Paragraph 10 a (new)

10 a. Highlights that adequate accountability, responsibility, and liability require significant specialised training with regards to the ethical provisions, potential dangers, limitations, and proper use of AI technology, especially for police and judiciary personnel; suggests that sufficient resources be allocated to a European Agency (such as CEPOL) to accommodate such training;

Or. en
Amendment 160
Franco Roberti, Tudor Ciuhodaru

Motion for a resolution
Paragraph 11

11. Calls for algorithmic explainability and transparency in order to ensure that the development, deployment and use of AI systems for judiciary and law enforcement comply with fundamental rights, and are trusted by citizens, as well as in order to ensure that results generated by AI algorithms can be rendered intelligible to users and to those subject to these systems, and that there is transparency on the source data and how the system arrived at a certain conclusion;

Amendment

11. Calls for algorithmic explainability and transparency in order to ensure that the development, deployment and use of AI systems for judiciary and law enforcement comply with fundamental rights, and are trusted by citizens, as well as in order to ensure that results generated by AI algorithms can be rendered intelligible to users and to those subject to these systems, and that there is transparency on the source data and how the system arrived at a certain conclusion; on that note, it is necessary to develop specific mandatory rules of conduct for public and private entities responsible for the design and use of AI, to ensure that they adhere to the principles of transparency and clarity relating to the processes for developing mathematical models and predictive algorithms, while complying with the requirement for independent verification of the quality and reliability of the results achieved, in terms of acquiring and assessing evidence - especially circumstantial evidence - beyond all reasonable doubt;

Or. en

Amendment 161
Patrick Breyer
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 11

11. Calls for algorithmic explainability and transparency in order to ensure that the

Amendment

11. Calls for algorithmic explainability and transparency in order to ensure that the
development, deployment and use of AI systems for judiciary and law enforcement comply with fundamental rights, and are trusted by citizens, as well as in order to ensure that results generated by AI algorithms can be rendered intelligible to users and to those subject to these systems, and that there is transparency on the source data and how the system arrived at a certain conclusion;

Amendment 162
Jorge Buxadé Villalba

Motion for a resolution
Paragraph 11

Motion for a resolution

11. Calls for algorithmic explainability and transparency in order to ensure that the development, deployment and use of AI systems for judiciary and law enforcement comply with fundamental rights, and are trusted by citizens, as well as in order to ensure that results generated by AI algorithms can be rendered intelligible to users and to those subject to these systems, and that there is transparency on the source data and how the system arrived at a certain conclusion;

Amendment

11. Calls for transparency in the design of this type of technology in order to ensure that the development, deployment and use of AI systems for judiciary and law enforcement comply with fundamental rights, and are trusted by citizens, as well as in order to ensure that results generated by AI algorithms can be rendered intelligible to users and to those subject to these systems, and that there is transparency on the source data and how the system arrived at a certain conclusion;
Amendment 163
Kris Peeters, Isabel Wiseler-Lima, Vladimír Bilčík, Jeroen Lenaers, Javier Zarzalejos, Romana Tomc

Motion for a resolution
Paragraph 11

11. Calls for algorithmic explainability and transparency in order to ensure that the development, deployment and use of AI systems for judiciary and law enforcement comply with fundamental rights, and are trusted by citizens, as well as in order to ensure that results generated by AI algorithms can be rendered intelligible to users and to those subject to these systems, and that there is transparency on the source data and how the system arrived at a certain conclusion;

Amendment
11. Calls for algorithmic explainability and transparency as a necessary part of oversight in order to ensure that the development, deployment and use of AI systems for judiciary and law enforcement are trusted by citizens, as well as in order to ensure that results generated by AI algorithms can be rendered intelligible to users and to those subject to these systems, and that there is transparency on the source data and how the system arrived at a certain conclusion;

Or. en

Amendment 164
Tudor Ciuhodaru, Franco Roberti, Petar Vitanov, Marina Kaljurand, Paul Tang

Motion for a resolution
Paragraph 11 a (new)

11 a. Calls for, in order to guarantee the algorithmic explainability and transparency of law enforcement AI systems, only such tools to be allowed to be purchased by the law enforcement in the Union, which algorithms and logic are open, to at least the police forces themselves, that can be audited, evaluated and vetted by them, and not closed and labelled proprietary by the vendors;

Amendment

Or. en

Amendment 165
Sophia in 't Veld, Dragoș Tudorache, Olivier Chastel, Abir Al-Sahlani

Motion for a resolution
Paragraph 11 a (new)

Motion for a resolution

11 a. Calls for proactive and full transparency on private companies developing and deploying AI systems for law enforcement purposes;

Amendment

Or. en

Amendment 166
Tudor Ciuhodaru, Franco Roberti, Petar Vitanov, Paul Tang

Motion for a resolution
Paragraph 11 b (new)

Motion for a resolution

11 b. considers that the use and collection of any biometric data for remote identification purposes, for example by conducting facial recognition in public places, as well as at automatic border control gates used for border checks at airports, may pose specific risks to fundamental rights; the implications of which could vary considerably depending on the purpose, context and scope of use;

Amendment

Or. en

Amendment 167
Kris Peeters, Isabel Wiseler-Lima, Vladimír Bilčík, Jeroen Lenaers, Javier Zarzalejos, Paulo Rangel, Romana Tomc

Motion for a resolution
Paragraph 12

Motion for a resolution

12. Calls for traceability of AI systems that defines the capabilities and limitations

Amendment

12. Calls for traceability of the decision making process of AI systems within law
of the systems, and keeps track of where the defining attributes for a decision originate; enforcement and the judiciary which outlines the functions and limitations of the systems, and keeps track of where the defining attributes for a decision originate, for instance through compulsory documentation obligations;

Amendment 168
Birgit Sippel, Katarina Barley, Marina Kaljurand

Motion for a resolution
Paragraph 12 a (new)

Motion for a resolution

12 a. calls for clear and appropriate time limits to be established for the erasure of personal data or for a periodic review of the need for the storage of personal data processed or generated by AI technologies for law enforcement purposes;

Amendment 169
Sophia in 't Veld, Olivier Chastel, Abir Al-Sahlani

Motion for a resolution
Paragraph 13

Motion for a resolution

13. Calls for a compulsory fundamental rights impact assessment to be conducted prior to the implementation or deployment of any AI systems for law enforcement or judiciary, in order to assess any potential risks to fundamental rights;

Amendment

13. Calls for a compulsory fundamental rights impact assessment to be conducted prior to the implementation or deployment of any AI systems for law enforcement or judiciary, in order to assess any potential risks to fundamental rights; underlines that the expertise of data protection authorities and fundamental rights agencies is essential in assessing the systems; stresses that these impact assessments should be conducted as openly as possible and with
the active engagement of affected individuals and groups, and that these assessments should be made publicly available before the deployment of these systems;

Amendment 170
Birgit Sippel, Katarina Barley, Marina Kaljurand

Motion for a resolution
Paragraph 13

13. Calls for a compulsory fundamental rights impact assessment to be conducted prior to the implementation or deployment of any AI systems for law enforcement or judiciary, in order to assess any potential risks to fundamental rights;

Amendment

13. Reminds that EU law (Directive (EU) 2016/680) already foresees a mandatory data protection impact assessment for any type of processing, in particular, using new technologies, that is likely to result in a high risk to the rights and freedoms of natural persons and is of the opinion that this is the case for all AI technologies in the area of law enforcement; Calls in addition for a compulsory fundamental rights impact assessment to be conducted prior to the implementation or deployment of any AI systems for law enforcement or judiciary, in order to assess any potential risks to fundamental rights;

Amendment 171
Tudor Ciuhodaru, Franco Roberti, Petar Vitanov, Paul Tang

Motion for a resolution
Paragraph 13

13. Calls for a compulsory fundamental rights impact assessment to be conducted prior to the implementation or deployment of any AI systems for law enforcement or judiciary, in order to assess any potential risks to fundamental rights;

Amendment

13. Calls for a compulsory fundamental rights impact assessment to be conducted prior to the implementation or deployment of any AI systems for law enforcement or judiciary, in order to assess any potential risks to fundamental rights;
of any AI systems for law enforcement or judiciary, in order to assess any potential risks to fundamental rights; of any AI systems for law enforcement or judiciary, in order to assess any potential risks to fundamental rights; 

_Underlines that this could oftentimes be built upon the mandatory Data Protection Impact Assessments;_ 

Or. en

Amendment 172
Kris Peeters, Isabel Wiseler-Lima, Vladimír Bilčík, Jeroen Lenaers, Javier Zarzalejos, Paulo Rangel, Romana Tomc, Ioan-Rareș Bogdan, Maria Walsh, Roberta Metsola

Motion for a resolution
Paragraph 13

13. Calls for a compulsory fundamental rights impact assessment to be conducted prior to the implementation or deployment of any AI systems for law enforcement or judiciary, in order to assess any potential risks to fundamental rights;

Amendment

13. Calls for a compulsory fundamental rights impact assessment to be conducted prior to the implementation or deployment of any AI systems for law enforcement or judiciary purposes, in order to assess any potential risks to fundamental rights and, where necessary, define appropriate safeguards to address these risks;

Or. en

Amendment 173
Cornelia Ernst

Motion for a resolution
Paragraph 13

13. Calls for a compulsory fundamental rights impact assessment to be conducted prior to the implementation or deployment of any AI systems for law enforcement or judiciary, in order to assess any potential risks to fundamental rights;

Amendment

13. Calls for a compulsory fundamental rights impact assessment to be conducted prior to the implementation or deployment of any AI systems for law enforcement or judiciary, in order to assess any potential risks to fundamental rights; _Calls for an obligation to make the results of such impact assessments public;_
Amendment 174
Kris Peeters, Isabel Wiseler-Lima, Vladimír Bilčík, Jeroen Lenaers, Javier Zarzalejos, Paulo Rangel, Romana Tomc, Ioan-Rareș Bogdan, Roberta Metsola

Motion for a resolution
Paragraph 13 a (new)

13 a. Deplores that many law enforcement and judicial authorities in the EU lack the funding, capacities and capabilities to reap the benefits AI tools can offer for their work; encourages law enforcement and judicial authorities to identify, structure and categorise their needs to enable the development of tailor-made AI solutions and to exchange best practices on AI deployment; stresses the need to provide the authorities with the necessary funding, as well as to equip them with the necessary expertise to guarantee full compliance with the ethical, legal and technical requirements attached to AI deployment;

Amendment 175
Kris Peeters, Isabel Wiseler-Lima, Vladimír Bilčík, Jeroen Lenaers, Javier Zarzalejos, Paulo Rangel, Romana Tomc, Ioan-Rareș Bogdan, Maria Walsh, Roberta Metsola

Motion for a resolution
Paragraph 13 b (new)

13 b. Supports the establishment of awareness-raising and educational initiatives to ensure that individuals working in law enforcement or the judiciary are aware of and understand the limitations, capabilities and risks that the use of AI systems entail, including the
Amendment 176
Kris Peeters, Isabel Wiseler-Lima, Vladimír Bilčík, Jeroen Lenaers, Javier Zarzalejos, Paulo Rangel, Romana Tome

Motion for a resolution
Paragraph 14

Motion for a resolution

14. Calls for periodic mandatory auditing of all AI systems used by law enforcement and the judiciary to test and evaluate algorithmic systems once they are in operation, in order to detect, investigate, diagnose and rectify any unwanted and adverse effects;

Amendment

14. Calls for an adequate institutional framework, including proper regulatory and supervisory oversight, to ensure proper implementation; calls for periodic mandatory auditing of all AI systems used by law enforcement and the judiciary by an independent authority to test and evaluate the context, purpose, accuracy, performance, and scale of algorithmic systems once they are in operation, in order to detect, investigate, diagnose and rectify any unwanted and adverse effects and thereby ensure continuous compliance with the applicable regulatory framework;

Amendment 177
Sophia in 't Veld, Olivier Chastel, Abir Al-Sahlani

Motion for a resolution
Paragraph 14

Motion for a resolution

14. Calls for periodic mandatory auditing of all AI systems used by law enforcement and the judiciary to test and evaluate algorithmic systems once they are in operation, in order to detect, investigate, diagnose and rectify any unwanted and adverse effects;

Amendment

14. Calls for periodic mandatory auditing of all AI systems used by law enforcement and the judiciary to test and evaluate algorithmic systems once they are in operation, in order to detect, investigate, diagnose and rectify any unwanted and adverse effects; underlines that the results of these audits should be made available
in public registers, so that citizens know whether AI systems are being deployed and which measures are taken to remedy the violation of fundamental rights;

Or. en

Amendment 178
Dragoș Tudorache, Michal Šimečka, Ramona Strugariu, Sophia in 't Veld, Fabienne Keller, Malik Azmani

Motion for a resolution
Paragraph 14

14. Calls for periodic mandatory auditing of all AI systems used by law enforcement and the judiciary to test and evaluate algorithmic systems once they are in operation, in order to detect, investigate, diagnose and rectify any unwanted and adverse effects;

Amendment
14. Calls for periodic mandatory auditing and testing of all AI systems used by law enforcement and the judiciary to evaluate algorithmic systems once they are in operation, in order to detect, investigate, diagnose and rectify any unwanted and adverse effects and ensure the AI systems are performing as intended;

Or. en

Amendment 179
Kris Peeters, Isabel Wiseler-Lima, Vladimír Bilčík, Jeroen Lenaers, Javier Zarzalejos, Paulo Rangel, Romana Tomc, Maria Walsh, Roberta Metsola

Motion for a resolution
Paragraph 14 a (new)

14 a. Supports the recommendations of the Commission’s High-Level Expert Group on AI for a ban on AI-enabled mass scale scoring of individuals; considers that any form of normative citizen scoring on a large scale by public authorities, in particular within the field of law enforcement and the judiciary, leads to the loss of autonomy, endangers the principle of non-discrimination and
cannot be considered in line with European values;

Amendment 180
Sophia in 't Veld, Dragoș Tudorache, Abir Al-Sahlani

Motion for a resolution
Paragraph 14 a (new)

Motion for a resolution Amendment

14 a. Opposes the use of AI by law enforcement authorities to make behavioural predictions for individuals or groups on basis of past behaviour or group membership, such as predictive policing technologies, which attempt to identify people who are likely to commit a crime by analysing factors such as past arrests or group membership;

Amendment 181
Kris Peeters, Isabel Wiseler-Lima, Vladimír Bilčík, Jeroen Lenaers, Javier Zarzalejos, Paulo Rangel, Romana Tomc

Motion for a resolution
Paragraph 14 b (new)

Motion for a resolution Amendment

14 b. Welcomes the recommendations of the Commission’s High-Level Expert Group on AI for a proportionate use of biometric recognition technology; shares the view that the use of remote biometric identification should always be considered “high risk” and therefore be subject to additional requirements;
Amendment 182
Kris Peeters, Isabel Wiseler-Lima, Vladimír Bilčík, Jeroen Lenaers, Javier Zarzalejos, Paulo Rangel, Romana Tome, Roberta Metsola

Motion for a resolution
Paragraph 15

15. **Calls for a moratorium on** the deployment of facial recognition systems *for* law enforcement, *until* the technical standards can be considered *fully* fundamental rights compliant, results derived are non-discriminatory, and there *is* public trust *in* the necessity and proportionality *for* the deployment of such technologies;

Amendment

15. **Strongly believes that** the deployment of facial recognition systems *by* law enforcement *should be limited to* clearly warranted purposes in full respect of the applicable law; reaffirms that as a minimum, the use of facial recognition technology must comply with the requirements of data minimisation, data accuracy, storage limitation, data security and accountability, as well as being lawful, fair, transparent and following a specific, explicit and legitimate purpose that is clearly defined in Member State or Union law; reminds that these systems are already successfully used, inter alia to search suspect databases and identify victims of human trafficking or child sexual exploitation and abuse; *emphasises the need to ensure that* the technical standards *and underlying algorithms* can be considered fundamental rights compliant and that results derived are non-discriminatory; *believes that this will be decisive to ensure* public trust *and support regarding* the necessity and proportionality *of* the deployment of such technologies;

Or. en

Amendment 183
Jorge Buxadé Villalba

Motion for a resolution
Paragraph 15

15. **Calls for a moratorium on the**

Amendment

15. **Recalls that all** facial recognition
deployment of facial recognition systems for law enforcement, until the technical standards can be considered fully fundamental rights compliant, results derived are non-discriminatory, and there is public trust in the necessity and proportionality for the deployment of such technologies; systems and their technical standards must fully comply with fundamental rights and the principles of necessity and proportionality;

Amendment 184
Paul Tang

Motion for a resolution
Paragraph 15

15. Calls for a moratorium on the deployment of facial recognition systems for law enforcement, until the technical standards can be considered fully fundamental rights compliant, results derived are non-discriminatory, and there is public trust in the necessity and proportionality for the deployment of such technologies;

Amendment

15. Calls for a permanent prohibition on the use of facial recognition systems in the public space and in premises meant for education and (health) care and a moratorium on the deployment of facial recognition systems for law enforcement in semi-public spaces, such as airports, until the technical standards can be considered fully fundamental rights compliant, results derived are non-discriminatory, and there is public trust in the necessity and proportionality for the deployment of such technologies;

Amendment 185
Birgit Sippel, Marina Kaljurand, Katarina Barley

Motion for a resolution
Paragraph 15

15. Calls for a moratorium on the deployment of facial recognition systems for law enforcement, until the technical

Amendment

15. Calls for a moratorium on the deployment of facial recognition systems for specific law enforcement operations,
standards can be considered fully fundamental rights compliant, results derived are non-discriminatory, and there is public trust in the necessity and proportionality for the deployment of such technologies; until the technical standards can be considered fully fundamental rights compliant, results derived are non-discriminatory, and there is public trust in the necessity and proportionality for the deployment of such technologies; calls for a ban of the use of facial recognition in the public sphere where not used in specific law enforcement operations;

Amendment 186
Dragoș Tudorache, Michal Šimečka, Abir Al-Sahlani, Ramona Strugariu, Sophia in 't Veld, Fabienne Keller

Motion for a resolution
Paragraph 15

Motion for a resolution

15. Calls for a moratorium on the deployment of facial recognition systems for law enforcement, until the technical standards can be considered fully fundamental rights compliant, results derived are non-discriminatory, and there is public trust in the necessity and proportionality for the deployment of such technologies;

Amendment

15. Calls for a moratorium on the deployment of facial recognition systems for law enforcement, until the technical standards can be considered fully fundamental rights compliant, results derived are non-biased and non-discriminatory, the legal framework provides strict safeguards against misuse and strict democratic control and oversight, and there is empirical evidence on the necessity and proportionality for the deployment of such technologies;

Amendment 187
Cornelia Ernst

Motion for a resolution
Paragraph 15

Motion for a resolution

15. Calls for a moratorium on the deployment of facial recognition systems

Amendment

15. Calls for a EU-wide ban on the deployment of live facial recognition
for law enforcement, *until the technical standards can be considered fully fundamental rights compliant, results derived are non-discriminatory, and there is public trust in the necessity and proportionality for the deployment of such technologies*;
detecting eye-movements and changes in pupil size to flag potential deception, and calls for a ban on its use in the law enforcement and criminal justice field, as well as in border control;

Amendment 190
Kris Peeters, Isabel Wiseler-Lima, Vladimír Bilčík, Jeroen Lenaers, Javier Zarzalejos, Paulo Rangel, Romana Tomc

Motion for a resolution
Paragraph 15 a (new)

15 a. Notes that predictive policing is among the AI applications used in the area of law enforcement; acknowledges that this can allow law enforcement to work more effectively and proactively, but warns that while predictive policing can analyse the necessary data sets for the identification of patterns and correlations, it cannot answer the question of causality and therefore cannot constitute the sole basis for an intervention;

Amendment 191
Cornelia Ernst

Motion for a resolution
Paragraph 15 b (new)

15 b. Calls for a ban on uses of AI to make behavioural predictions with significant effect on people based on past behaviour, group membership, or any other characteristics, such as predictive policing;
Amendment 192
Patrick Breyer
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 16

Motion for a resolution

16. Calls for greater overall transparency from Member States, and for a comprehensive understanding of the use of AI applications in the Union, broken down by Member State law enforcement and judicial authority, the type of tool in use, the types of crime they are applied to, and the companies whose tools are being used;

Amendment

16. Calls for greater overall transparency from Member States, and for a comprehensive understanding of the use of AI applications in the Union, broken down by Member State law enforcement and judicial authority, the type of tool in use, the types of crime they are applied to, and the companies whose tools are being used; calls on all competent public authorities, especially law enforcement authorities like the police and the judiciary, to inform the public and provide sufficient transparency as to their use of AI and related technologies when implementing their powers, especially in criminal law matters, including public access to the source code as well as disclosure of false positive and false negative rates of the technology at hand;

Amendment 193
Cornelia Ernst

Motion for a resolution
Paragraph 16

Motion for a resolution

16. Calls for greater overall transparency from Member States, and for a comprehensive understanding of the use of AI applications in the Union, broken down by Member State law enforcement

Amendment

16. Calls for greater overall transparency from Member States, and for a comprehensive understanding of the use of AI applications in the Union, broken down by Member State law enforcement
and judicial authority, the type of tool in use, the types of crime they are applied to, and the companies whose tools are being used;

and judicial authority, the type of tool in use, the types of crime they are applied to, and the companies whose tools are being used; **calls, in particular, for binding rules mandating public disclosure and debate of public-private partnerships, contracts and acquisition.**

Original en

Amendment 194
Kris Peeters, Isabel Wiseler-Lima, Vladimír Bilčík, Jeroen Lenaers, Javier Zarzalejos, Paulo Rangel, Romana Tomc

Motion for a resolution
Paragraph 16

16. Calls for greater overall transparency from Member States, and for a comprehensive understanding of the use of AI applications in the Union, broken down by Member State law enforcement and judicial authority, the type of tool in use, the types of crime they are applied to, and the companies whose tools are being used;

Amendment

16. Calls for greater overall transparency regarding the use of AI applications in the Union; requests Member States to provide an overview of the tools used by their law enforcement and judicial authorities, the purposes for which they are used, and the names of the companies or organizations which have developed those tools;

Original en

Amendment 195
Sophia in't Veld, Dragoş Tudorache, Abir Al-Sahlani, Olivier Chastel

Motion for a resolution
Paragraph 16 a (new)

16 a. Expresses its great concern on the use of private facial recognition databases by law enforcement actors and intelligence services, such as Clearview AI, a database of more than three billion pictures that have been collected from social media and other websites, including
from EU citizens; calls on Member States to oblige law enforcement actors to disclose whether they are using Clearview AI technology; recalls the opinion of the European Data Protection Board that the use of a service such as Clearview AI by law enforcement authorities in the European Union would "likely not be consistent with the EU data protection regime"; calls on the Commission to ban the use of private facial recognition databases in law enforcement.

Amendment 196
Cornelia Ernst

Motion for a resolution
Paragraph 16 a (new)

16 a. Stresses the importance of independent evaluation of the functioning of AI in practice; urges EU and national authorities to invest in independent empirical research, in particular concerning the influence of AI-based legal decisions affecting individuals’ position; notes that, without such an independent evaluation, it is impossible to have a fully informed democratic debate on the necessity and proportionality of AI in the criminal justice field;

Amendment 197
Kris Peeters, Isabel Wiseler-Lima, Vladimír Bilčík, Jeroen Lenaers, Javier Zarzalejos, Paulo Rangel, Romana Tomc, Ioan-Rareș Bogdan, Maria Walsh, Roberta Metsola

Motion for a resolution
Paragraph 16 a (new)
Motion for a resolution

16 a. Reminds that AI applications, including applications used in the context of law enforcement and the judiciary, are being developed globally at a rapid pace; urges all European stakeholders, including the Commission and EU agencies, to ensure international cooperation and to engage third country partners in order to find a common and complementary ethical framework for the use of AI, in particular for law enforcement and the judiciary;

Amendment 198
Tudor Ciuhodaru, Franco Roberti, Petar Vitanov, Marina Kaljurand, Paul Tang

Motion for a resolution
Paragraph 16 a (new)

16 a. Calls for the Fundamental Rights Agency, in collaboration with the European Data Protection Board and the European Data Protection Supervisor to draft comprehensive guidelines for the development, use and deployment of AI applications and solutions for the use by law enforcement and judicial authorities;

Amendment 199
Tom Vandendriessche, Jean-Paul Garraud, Gilles Lebreton

Motion for a resolution
Paragraph 17

17. Instructs its President to forward this resolution to the Council and the
Commission.

Amendment 200
Sophia in 't Veld, Abir Al-Sahlani

Motion for a resolution
Paragraph 17 a (new)

Motion for a resolution
Amendment

17 a. Expresses its strong concern over research projects financed under Horizon 2020 that deploy artificial intelligence on external borders, such as the iBorderCtrl project, a "smart lie-detection system" profiling travellers on the basis of a computer-automated interview taken by the traveller's webcam before the trip, and an artificial-intelligence-based analysis of 38 microgestures, tested in Hungary, Latvia and Greece; calls on the Commission to stop funding for biometric processing programmes that could result in mass surveillance;

Or. en

Amendment 201
Tom Vandendriessche, Jean-Paul Garraud, Gilles Lebreton

Motion for a resolution
Paragraph 17 a (new)

Motion for a resolution
Amendment

17a. Warns against the temptation to delegate to AI the power to take decisions under criminal law, and stresses the need to develop codes of conduct for the design and use of AI to help law enforcers and judicial authorities;

Or. fr
Amendment 202
Sophia in 't Veld, Olivier Chastel

Motion for a resolution
Paragraph 17 b (new)

17 b. Urges the Commission to put forward a legislative proposal to replace the Data Protection Law Enforcement Directive by a Regulation, in order to better protect citizens’ fundamental rights in cross-border law enforcement cooperation;

Amendment 203
Tom Vandendriessche, Jean-Paul Garraud, Gilles Lebreton

Motion for a resolution
Paragraph 17 b (new)

17b. refers to the ongoing work in the Committee on Legal Affairs

Amendment 204
Sophia in 't Veld, Abir Al-Sahlani

Motion for a resolution
Paragraph 17 c (new)

17 c. Takes note of the Commission's feasibility study on possible changes to the Prüm Decision, including facial recognition; agrees with several Member States that the tight timetable of this study might have an impact on the Prüm
architecture and that the availability of biometric data complementary to the Prüm set has not been scientifically assessed prior to this feasibility study; takes note of earlier research that no potential new identifiers, e.g. iris or facial recognition, would be as reliable in a forensic context as DNA or fingerprints; reminds the Commission that any legislative proposal must be evidence based and respect the principle of proportionality; urges the Commission to extend the Prüm Decision framework only if there is solid scientific evidence of the reliability of facial recognition in a forensic context compared to DNA or fingerprints, after it has conducted a full impact assessment, and after the recommendations of the EDPS and EDPB have been taken into account;

Or. en