European Parliament
2019-2024

Committee on Transport and Tourism

2020/2013(INI)

15.7.2020

OPINION

of the Committee on Transport and Tourism

for the Committee on Legal Affairs

on artificial intelligence: questions of interpretation and application of international law in so far as the EU is affected in the areas of civil and military uses and of state authority outside the scope of criminal justice
(2020/2013(INI))

Rapporteur for opinion: Ondřej Kovařík

PA_NonLeg

SUGGESTIONS

The Committee on Transport and Tourism calls on the Committee on Legal Affairs, as the committee responsible, to incorporate the following suggestions into its motion for a resolution:

A. whereas artificial intelligence (AI) is providing unprecedented opportunities to enhance the performance of the transport sector by addressing the challenges of increasing travel demand, safety and environmental concerns, while making all transport modes smarter, more efficient and more convenient;

B. whereas addressing AI in defence at the EU level is indispensable for the development of EU capabilities;

1. Welcomes the Commission's White Paper on AI and supports the EU ambition to be one of the global AI leaders while strengthening cooperation with like-minded actors;

2. Points out that with the increasing importance of research and development in the private sector and massive investments from third countries such as the United States and China, the EU is facing strong competition; supports, therefore, the EU's efforts to further develop its competitive advantages in the AI sector and believes that it should act as a global AI norm-setter in the areas of civil and military use and of state authority, and increase efforts towards an effective strategy aimed at strengthening its influence on shaping global standards and diminishing its reliance on foreign data, which is essential for algorithm-based technologies; calls on the Commission and the Member States to advocate for broader cooperation within the UN, OECD, G7, G20 and other international fora in order to promote the EU approach to AI, emphasising the fundamental rights, freedoms and values that are enshrined in the EU Treaties, the Charter of Fundamental Rights of the European Union and international human rights law, and taking into account ethical standards and liability issues;

3. Takes note of the significant economic potential of AI applications and therefore calls on the Commission to continue promoting AI research and the exchange of good practices in the field of transport; highlights the need for innovative cross-sectoral uses of data and cooperation between different ecosystem players in order to strengthen the EU's AI industrial base; stresses the importance of taking into consideration not only AI technologies, but also other next-generation technologies, e.g. quantum computing, which are already being considered and represent the next leap in cross-sectoral technological advancements;

4. Supports the use of machine learning AI using big data for the optimisation of long-term performance, maintenance, failure prediction and construction planning of transport infrastructure and buildings, including factors such as safety, energy efficiency or costs; notes that this will require enablers and supporting infrastructure, including energy to hardware, software, network resources and services as well as ensuring the high quality and quantity of data; notes, moreover, that the deployment of AI in transport, in particular where civil and military uses are interlinked, should be compliant with EU data protection and privacy law; calls on the Commission to continue working with the Member States on data security and protection;

5. Believes that AI has changed and has helped the development and modernisation of the transport sector through increasing automation and greater integration and connectivity of transport networks; underlines that automation and the integration of AI vary between transport modes and infrastructure in place throughout the Union; stresses the need to boost artificial intelligence to foster the multimodality, interoperability and energy efficiency of all modes of transport to enhance efficiency in the organisation and management of goods and passenger traffic flows, to make better use of infrastructure and resources along the Trans-European Transport Network (TEN-T) and to address the obstacles to the creation of a true Single European Transport Area;

6. Highlights that one of the key outcomes of the Commission's White Paper on Artificial Intelligence is to have a human-centric approach to AI systems; recalls the continued importance of the human factor towards full automation; underlines the need for sufficient transparency and predictability, reliable technology, high-quality deployment and proper training, as well as the upskilling and reskilling of personnel using AI-based systems; underlines that the use of AI for military purposes should always lead back to a natural or legal person, with responsibility and accountability being assigned to the responsible decision makers taking into account the military chain of command;

7. Recalls the benefits of the European Rail Traffic Management System (ERTMS), a seamless automatic train protection system replacing incompatible national ones, as regards reliability, capacity, costs, safety, speed and maintenance, the full deployment of which is key to the creation of the Single European Railway Area; supports the full deployment of ERTMS and its continuous establishment as a global automatic train protection system; notes the work of the Shift2Rail Joint Undertaking;

8. Supports the development and international standardisation of the automation of train operations, also in order to promote interoperability, transport efficiency and safety; encourages the development of automated slot allocation in various transport modes and the use of AI in logistics and other areas of transport;

9. Welcomes the work of the Single European Sky ATM Research project (SESAR) in the area of unmanned aircraft systems and air traffic management systems, both civil and military, and its contribution to overcoming the fragmentation of the Single European Sky; recalls that both civil and military use of Unmanned Aerial Vehicles (UAVs), commonly referred to as drones, has increased; highlights the potential, among other, that drone deliveries, drone inspections, and drone surveillance hold for citizens and society; stresses that global interoperability and harmonisation constitute a *sine qua non* for a safe, functional and secure global air traffic management system; encourages the Commission and the Member States to promote SESAR internationally, to contribute to the work of international organisations such as the International Civil Aviation Organization or the International Air Transport Association in this regard, and to cooperate to set international norms for the civil and military use of drones;

10. Calls on the Commission and the Member States to participate in the international regulatory activities and discussions on autonomous vehicles, especially in the area of safety, while ensuring cooperation among regulators and all stakeholders relevant to the deployment of automated vehicles in road traffic in the EU; calls for standardised and interoperable geographic input data and stresses the need for accuracy of such data;

11. Recalls that autonomous vehicles have great potential to improve mobility, safety, and bring environmental benefits; welcomes, in this regard, the adoption by the United Nations Economic Commission for Europe's World Forum for Harmonization of Vehicle Regulations of the framework document on automated/autonomous vehicles; notes the work of the new AI technical committee of the International Organization for Standardization; calls on the Commission to propose an effective approach to ensure a clear international legal framework for the driver concept, and relevant issues of responsibility and liability, within the meaning of the UN Conventions and other international traffic laws;

12. Points out that the global shipping industry has greatly changed thanks to AI integration in the most recent years; recalls the current comprehensive discussions in the International Maritime Organization on effectively integrating new and emerging technologies, such as autonomous ships, in the regulatory framework;

13. Stresses how intelligent transport systems mitigate traffic congestion, increase safety and accessibility and contribute to improving the management of traffic flows, efficiency and mobility solutions; draws attention to the increased exposure of traditional transport networks to cyber threats; recalls the importance of resources and further research on security risks in ensuring the safety of automated systems and their data; welcomes the Commission' s intention to include cybersecurity as a regular agenda item for discussion within transport-related international organisations;

14. Welcomes the efforts to introduce AI systems in the public sector and will support further discussions on AI deployment in transport; calls on the Commission to carry out an evaluation of the use of AI and similar technologies in the transport sector and to compile a non-exhaustive list of high-risk segments in the context of AI systems replacing decisions within the framework of prerogatives of public power in this area;

15. Underlines that the European Defence Fund and Permanent Structured Cooperation should stimulate cooperation between Member States and European defence industries to develop new European defence capabilities in the field of AI and ensure security of supply, taking ethical considerations into account; emphasises the need to avoid fragmentation by building bridges between various actors and application domains, by promoting compatibility and interoperability at all levels and by focusing on common architectural-level work and platform solutions; recalls, moreover, that the next Connecting Europe Facility, which also encourages smart infrastructure, will provide for a fund for the adaptation and the development of civilian/military dual-use transport infrastructure on the TEN-T in order to increase synergies between civil and defence needs and with a view to improving civil and military mobility within the Union; emphasises, therefore, the need for further European investments, research, and leadership in technologies with both high economic growth impact as well as significant dual-use potential;

16. Stresses that many investments in new technologies in the field of transport and mobility are market-driven, but dual-use commercial off-the-shelf technologies and products are often used in innovative ways for military purposes; highlights, therefore, that the dual use potential of AI-enabled solutions needs to be taken into account when drafting standards for the use of AI in various areas of the commercial and military

sectors; calls for high ethical standards and policy to be included in developing defence technologies, products and operating principles;

17. Points out that the effective transportation of goods, ammunition, armaments and troops is an essential component of successful military operations; stresses that AI is expected to play a crucial role and have numerous possibilities in the field of military logistics and transport; points out that different countries across the world, including EU Member States, are embedding AI weapons and other systems used on land, naval, airborne platforms; recalls that AI applications in the transport sector could provide for new capabilities and allow new forms of tactics, like the combination of many systems such as drones, unmanned boats or tanks in an independent and coordinated operation;

18. Notes, moreover, that autonomous weapons systems, as a particular category of AI in the military domain, should be discussed and agreed internationally, specifically in the UN Convention on Certain Conventional Weapons forum; draws attention to the ongoing international debate on lethal autonomous weapons systems, to regulate emerging military technologies, has so far failed to be reached and points out that the EU, as a whole, has only recently agreed to discuss the effects of AI developments and digitalisation on the defence sector; believes that the EU can play a crucial role in helping Member States in harmonising their approach to military AI, in order to lead the international discussions.

INFORMATION ON ADOPTION IN COMMITTEE ASKED FOR OPINION

Date adopted	14.7.2020
Result of final vote	+: 36 –: 8 0: 5
Members present for the final vote	Magdalena Adamowicz, Andris Ameriks, José Ramón Bauzá Díaz, Izaskun Bilbao Barandica, Marco Campomenosi, Ciarán Cuffe, Jakop G. Dalunde, Johan Danielsson, Andor Deli, Karima Delli, Anna Deparnay-Grunenberg, Ismail Ertug, Gheorghe Falcă, Giuseppe Ferrandino, Mario Furore, Søren Gade, Isabel García Muñoz, Jens Gieseke, Elsi Katainen, Kateřina Konečná, Elena Kountoura, Julie Lechanteux, Bogusław Liberadzki, Benoît Lutgen, Elżbieta Katarzyna Łukacijewska, Marian-Jean Marinescu, Tilly Metz, Giuseppe Milazzo, Cláudia Monteiro de Aguiar, Caroline Nagtegaal, Jan-Christoph Oetjen, Philippe Olivier, Rovana Plumb, Dominique Riquet, Dorien Rookmaker, Massimiliano Salini, Sven Schulze, Barbara Thaler, István Ujhelyi, Elissavet Vozemberg-Vrionidi, Lucia Vuolo, Roberts Zīle, Kosma Złotowski
Substitutes present for the final vote	Leila Chaibi, Markus Ferber, Carlo Fidanza, Maria Grapini, Roman Haider, Alessandra Moretti

FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

36	+
ECR	Angel Dzhambazki, Carlo Fidanza, Roberts Zīle, Kosma Złotowski
NI	Mario Furore, Dorien Rookmaker
PPE	Magdalena Adamowicz, Andor Deli, Gheorghe Falcă, Markus Ferber, Jens Gieseke, Benoît Lutgen, Marian-Jean Marinescu, Giuseppe Milazzo, Cláudia Monteiro de Aguiar, Massimiliano Salini, Barbara Thaler, Elissavet Vozemberg-Vrionidi, Elżbieta Katarzyna Łukacijewska
Renew	José Ramón Bauzá Díaz, Izaskun Bilbao Barandica, Søren Gade, Elsi Katainen, Caroline Nagtegaal, Jan-Christoph Oetjen, Dominique Riquet
S&D	Andris Ameriks, Johan Danielsson, Ismail Ertug, Giuseppe Ferrandino, Isabel García Muñoz, Maria Grapini, Bogusław Liberadzki, Alessandra Moretti, Rovana Plumb, István Ujhelyi

8	-
GUE/NGL	Leila Chaibi, Kateřina Konečná, Elena Kountoura
Verts/ALE	Ciarán Cuffe, Jakop G. Dalunde, Karima Delli, Anna Deparnay-Grunenberg, Tilly Metz

5	0
ID	Marco Campomenosi, Roman Haider, Julie Lechanteux, Philippe Olivier, Lucia Vuolo

Key to symbols:
+ : in favour
- : against
0 : abstention