SNAPSHOT

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What new policies could arise from Europe's new ethics guidelines for Artificial Intelligence?

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Earlier this week the EU published its new ethics guidelines for trustworthy artificial intelligence (AI), ten months after the European Commission created its high-level expert group to look into the issue. In this snapshot Victoria de Posson at FTI Consulting Brussels looks at what future EU policy initiatives might arise as a consequence.

Europe has been making strident attempts to catch up with advances being made in China and the US. Since June 2018, the Group - comprising 52 leading AI experts from around Europe and the World - has been looking at how best to build a sustainable, competitive and ethical framework.

Covering a diverse range of issues, it seeks to safeguard democracy, respect human rights and uphold European values whilst creating the right conditions to stimulate growth and innovation. To build a new global standard, the focus has been on:

- Shaping the right environment for investment

- Developing the correct regulatory framework and the interaction with data.

- Consideration of the core ethical issues

Even though the report is non-binding, the guidelines will be carefully considered by the European Commission. And they will provide important input into the European Union (EU)'s future policy making on AI and an indication of a potential path forward. This is particularly the case during this year when a new European Parliament and a new European Commission will take office and will agree the bloc's regulatory priorities for the next five years.

So, while it might be somewhat early to speculate, we can already start to read between the lines and anticipate some potential upcoming initiatives.

Based on the published ethics guidelines, we might expect future EU policy approaches on:

- Privacy and data: Privacy is already regulated at EU level; however, this wouldn't preclude the European Commission from looking further at regulating data more comprehensively. The EU could consider legislation covering the following data issues: access, ownership, sharing and even integrity (which would be very specific to AI). We could see new frameworks established to limit data biases, inaccuracy or errors, as well as schemes for data training, testing and deployment, or new measures to address data access.

- Security: Policy makers will want to guarantee that AI in Europe is resilient and safe, so that Europe can consider itself ready to counter malicious attacks on AI technology, such as data poisoning or model leakage.

- Transparent and explicable: There might be a push to increase transparency in AI to better understand the decision-making process. Experts nuanced the debate by stressing that the level of transparency required should be balanced and proportionate. In parallel, proposals could be adopted for standards allowing traceability of data and algorithms as well as measures differentiating humans from the technology.

- Fair and equal: Policy makers could try to limit unfairly biased output caused by inaccurate data sets, historical biases or bad governance. Fair AI would also have to consider the needs of vulnerable people such as children, women, people with disabilities, or ethnic minorities – but in a balanced and proportionate way.

- Sustainable: Supply chains could be assessed to become more environmentally and socially friendly. In particular, key considerations will be the impact that AI will have on the labour force and looking towards the future of work.

- Accountable: There could be proposals tabled on developing AI audits or redress mechanisms to account for unjust impacts of AI.

- Human-centric: Policy makers may want to ensure that users can make informed decisions regarding AI systems. Policy makers may decide to define where the limits lie between user-friendly AI and what constitutes unjustifiably decisive or manipulative technology. The EU could look into governance mechanisms for the involvement of humans in the development of AI technology.

- Democracy: European decision makers might also explore how AI could maintain and foster the democratic process, contributing to the plurality of ideas and choices offered to citizens.

In addition to the ethics work, the same EU AI high-level expert group is also due to publish this summer a further set of recommendations on policy and investment. The experts will consider the need to revise, adapt or introduce legislative measures on AI in Europe.

Several businesses across Europe already use AI, and more will inevitably integrate some form of AI into their business models. To test how the guiding ethics principles apply in the "real world", the European Commission will actively seek stakeholder feedback – both via an open consultation and practical testing of the ethics guidelines. The guidelines include a tailored assessment checklist for businesses consisting of a list of questions.

At this point in time, Europe might not lead the global business race for AI, but the European Union is leading the way by building a comprehensive AI policy framework. This could set the tone for a future global policy framework and standards. While today there is strong political will in multiple global territories for standard-setting on AI, Europe is taking ambitious steps. The question now, is how the European Union will proceed.

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