



2020/2012(INL)

15.6.2020

AMENDMENT 1-116

Draft opinion

Assita Kanko

(PE652.296v01-00)

Framework of ethical aspects of artificial intelligence, robotics and related technologies

(2020/2012(INL))

Amendment 1
Sergey Lagodinsky

Draft opinion
Citation -1 (new)

Draft opinion

Amendment

– *having regard to Articles 2 and 3 of the Treaty on European Union (TEU),*

Or. en

Amendment 2
Sergey Lagodinsky

Draft opinion
Citation -1 a (new)

Draft opinion

Amendment

– *having regard to Articles 10, 19, 21 and 167 of the Treaty on the Functioning of the European Union (TFEU),*

Or. en

Amendment 3
Sergey Lagodinsky

Draft opinion
Citation -1 b (new)

Draft opinion

Amendment

– *having regard to the right to petition enshrined in Articles 20 and 227 of the TFEU and Article 44 of the Charter of Fundamental Rights of the European Union (EUCFR),*

Or. en

Amendment 4
Sergey Lagodinsky

Draft opinion
Citation -1 c (new)

Draft opinion

Amendment

– *having regard to Articles 21 and 22 of the EUCFR,*

Or. en

Amendment 5
Sergey Lagodinsky

Draft opinion
Citation -1 d (new)

Draft opinion

Amendment

– *having regard to the preamble to the TEU,*

Or. en

Amendment 6
Sergey Lagodinsky

Draft opinion
Citation -1 e (new)

Draft opinion

Amendment

– *having regard to the Council of Europe's Framework Convention for the Protection of National Minorities, Protocol No 12 to the Convention for the Protection of Human Rights and Fundamental Freedoms, and the European Charter for Regional or Minority Languages,*

Or. en

Amendment 7
Sergey Lagodinsky

Draft opinion
Citation -1 f (new)

Draft opinion

Amendment

– *having regard to Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin^{1a} (Racial Equality Directive),*

^{1a} *OJ L 180, 19.7.2000, p. 22.*

Or. en

Amendment 8
Sergey Lagodinsky

Draft opinion
Citation -1 g (new)

Draft opinion

Amendment

– *having regard to Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation^{1a} (Equal Treatment in Employment Directive),*

^{1a} *OJ L 303, 2.12.2000, p. 16.*

Or. en

Amendment 9
Sergey Lagodinsky

Draft opinion
Citation -1 h (new)

Draft opinion

Amendment

– *having regard to Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation)^{1a} (GDPR), and to Directive (EU) 2016/680 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA^{1b},*

^{1a} OJ L 119, 4.5.2016, p. 1.

^{1b} OJ L 119, 4.5.2016, p. 89.

Or. en

Amendment 10
Sergey Lagodinsky

Draft opinion
Citation -1 i (new)

Draft opinion

Amendment

– *having regard to the Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions of 11 December 2019 on The*

Amendment 11
Sergey Lagodinsky

Draft opinion
Citation -1 j (new)

Draft opinion

Amendment

– *having regard to its resolution of 16 February 2017 with recommendations to the Commission on Civil Law Rules on Robotics^{1a},*

^{1a} *OJ C 252, 18.7.2018, p. 239.*

Or. en

Amendment 12
Sergey Lagodinsky

Draft opinion
Citation -1 k (new)

Draft opinion

Amendment

– *having regard to the OECD Council Recommendation on Artificial Intelligence adopted on 22 May 2019,*

Or. en

Amendment 13
Sergey Lagodinsky

Draft opinion
Recital A (new)

Draft opinion

Amendment

A. whereas the development and design of so-called ‘artificial intelligence’, robotics and related technologies is done by humans, and their choices determine the potential of technology to benefit society;

Or. en

**Amendment 14
Sergey Lagodinsky**

**Draft opinion
Recital B (new)**

Draft opinion

Amendment

B. whereas algorithmic accountability should mean implementing technical and operational measures that ensure transparency, clearly assigned chains of responsibility, non-discrimination through automated decision-making or through calculating of probabilities of individual behaviour; whereas transparency should give individuals meaningful information about the logic involved, the significance and the envisaged consequences; whereas this should include information about the data used for training AI and allow individuals to understand and monitor the decisions affecting them;

Or. en

**Amendment 15
Sergey Lagodinsky**

**Draft opinion
Recital C (new)**

Draft opinion

Amendment

C. whereas there are serious concerns that the current EU legal framework, including the consumer law acquis, product safety and market surveillance legislation, as well as antidiscrimination legislation is not always fit for purpose to effectively tackle the risks created by artificial intelligence, robotics and related technologies;

Or. en

Amendment 16
Sergey Lagodinsky

Draft opinion
Recital D (new)

Draft opinion

Amendment

D. whereas artificial intelligence, robotics and related technologies can have serious implications for material and immaterial goods of individuals, groups, and society as a whole, and these individual and collective harms must be reflected in legislative responses;

Or. en

Amendment 17
Sergey Lagodinsky

Draft opinion
Recital E (new)

Draft opinion

Amendment

E. whereas governance issues with the deployment of AI in the public sector must be duly considered in terms of its implications for democracy, especially

*democratic legitimacy, accountability,
meaningful public engagement and
oversight;*

Or. en

Amendment 18
Sergey Lagodinsky

Draft opinion
Recital F (new)

Draft opinion

Amendment

F. whereas data analysis and AI increasingly impact on the information made accessible to citizens; whereas such technologies, if misused, may endanger fundamental rights to information as well as media freedom and pluralism;

Or. en

Amendment 19
Sergey Lagodinsky

Draft opinion
Recital G (new)

Draft opinion

Amendment

G. whereas ethical guidance, such as the principles adopted by the High-Level Expert Group on Artificial Intelligence, provides a good starting point but is not enough to ensure that businesses act fairly and guarantee the effective protection of individuals;

Or. en

Amendment 20
Sergey Lagodinsky

Draft opinion
Paragraph -1 a (new)

Draft opinion

Amendment

-1a. Stresses that the prospects and opportunities of artificial intelligence can only be fully tapped into by citizens, the public and private sectors, academia and the scientific community when public trust in these technologies is ensured by a strong enforcement of fundamental rights and compliance with current EU data protection law and legal certainty for all actors involved; stresses that the processing of personal data can only be done pursuant to any of the legal bases laid down in Article 6 of Regulation (EU) 2016/679; considers that it is crucial that transparency and the proper provision of information to the audiences concerned are key to building public trust and to the protection of individual rights;

Or. en

Amendment 21
Sergey Lagodinsky

Draft opinion
Paragraph -1 b (new)

Draft opinion

Amendment

-1b. Underlines that compliance with the existing data protection legislation, together with strong scientific, ethical and legal standards, and methods for democratic oversight, are key to establishing trust in and the reliability of AI solutions; further emphasises that information revealed by AI does not offer an impartial overview of any subject matter and is only as reliable as the underlying data permits; highlights that predictive analysis based on AI can only

offer a statistical probability and therefore cannot always accurately predict individual behaviour; stresses, therefore, that strong scientific, ethical and legal standards are vital for managing data collection and judging the results of such AI analysis;

Or. en

Amendment 22
Paul Tang

Draft opinion
Paragraph 1

Draft opinion

1. Believes that any ethical framework *should seek to* respect **human autonomy, prevent harm, promote fairness, and respect the principle of** explicability of technologies;

Amendment

1. Believes that ***the development, deployment and use of Artificial Intelligence (AI), and thus*** any ethical framework, ***need to fully*** respect ***fundamental rights, freedoms and values, including privacy, the protection of personal data, non-discrimination and the freedom of expression and information, as enshrined in the Union data protection law, namely Regulation (EU) 2016/679 of the European Parliament and of the Council (GDPR)^{1a} and Directive (EC) 2002/58 of the European Parliament and of the Council (ePrivacy)^{1b}, currently under revision, and the Charter of Fundamental Rights of the European Union;*** ***calls on the Commission to incorporate an obligation of transparency, explicability and the possibility of human intervention of AI applications in its ethical framework and to take care in its legislative proposals of sufficient oversight, enforcement with effective penalties, independent audits, specific stress tests and all other necessary means for a proper functioning checks and balances system;***

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

^{1b} Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (Directive on privacy and electronic communications) (OJ L 201, 31.7.2002, p. 37).

Or. en

Amendment 23

Clare Daly, Mick Wallace, Konstantinos Arvanitis, Cornelia Ernst, Fernando Barrena Arza, Anne-Sophie Pelletier

Draft opinion Paragraph 1

Draft opinion

1. Believes that any ethical framework should *seek to* respect human autonomy, prevent harm, promote fairness, *and respect the principle of explicability of* technologies;

Amendment

1. Believes that any ethical framework should *ensure* respect *for* human autonomy, *ensure benefits for all*, prevent harm, *and* promote fairness, *equality and transparency; notes that the potential for artificial intelligence (AI), robotics and related technologies that are truly ethical will inevitably conflict with the profit-orientation of private companies and interests; stresses therefore that an ethical framework for AI, robotics and related technologies is no substitute for wide-ranging and binding legal regulation of same; calls for the project of full and binding legal regulation of AI, robotics and related technologies by the European Union to be moved forward without any*

delay;

Or. en

Amendment 24

Katarina Barley, Marina Kaljurand, Sylvie Guillaume, Birgit Sippel, Tudor Ciuhodaru, Paul Tang, Petar Vitanov, Elena Yoncheva

Draft opinion

Paragraph 1

Draft opinion

1. Believes that any *ethical* framework should seek to respect human autonomy, prevent harm, promote fairness, and respect the principle of explicability of technologies;

Amendment

1. Believes that *there is a difference between ethics and law and the role they play in our societies*; any framework of *ethical principles for the development, deployment and use of Artificial Intelligence (AI), robotics and related technologies* should *complement the EU Charter of Fundamental Rights and thereby* seek to respect human *dignity and* autonomy, prevent harm, promote fairness and *transparency*, respect the principle of explicability of technologies; *and guarantee that the technologies are there to serve people, with the ultimate aim of increasing human well-being for everybody*;

Or. en

Amendment 25

Sergey Lagodinsky

Draft opinion

Paragraph 1

Draft opinion

1. Believes that any ethical framework should *seek to* respect human autonomy, prevent harm, promote fairness, and *respect the principle* of explicability of

Amendment

1. Believes that any ethical *and legal* framework should respect *and preserve* human *dignity*, autonomy, *and self-determination of the individual*, prevent harm, promote fairness, and *implement the*

technologies;

principles of explicability, interpretability, auditability, as well as traceability, transparency, and accessibility of technologies;

Or. en

Amendment 26

Roberta Metsola, Javier Zarzalejos

Draft opinion

Paragraph 1

Draft opinion

1. Believes that any ethical framework should seek to respect human autonomy, prevent harm, promote fairness, and respect the principle of explicability of technologies;

Amendment

1. Believes that any ethical framework should seek to respect human autonomy, prevent harm, promote fairness **and inclusion - especially of citizens living with disabilities -, fight discrimination, also of minority groups**, and respect the principle of explicability of technologies;

Or. en

Amendment 27

Dragoş Tudorache

Draft opinion

Paragraph 1

Draft opinion

1. Believes that any ethical framework should **seek to** respect human autonomy, prevent harm, promote fairness, and respect the principle of explicability **of technologies**;

Amendment

1. Believes that any ethical framework should **fully respect the Charter of Fundamental Rights of the European Union, Union law and the Treaties**; respect human autonomy; prevent harm; promote fairness, **eliminate biases and discrimination**; and respect the principle of explicability;

Or. en

Amendment 28
Beata Kempa

Draft opinion
Paragraph 1

Draft opinion

1. Believes that any ethical framework should seek to respect human autonomy, prevent harm, promote fairness, and respect the principle of explicability of technologies;

Amendment

1. Believes that any ethical framework should seek to respect human autonomy, prevent harm, promote fairness, and respect the principle of explicability of technologies; ***believes that technology should serve humans, and not replace or decide for them;***

Or. pl

Amendment 29
Andor Deli

Draft opinion
Paragraph 1

Draft opinion

1. Believes that any ethical framework should seek to respect human autonomy, prevent harm, promote fairness, and respect the principle of explicability of technologies;

Amendment

1. Believes that any ethical framework should seek to respect human autonomy, prevent harm, promote fairness, and respect the principle of ***technological neutrality and*** explicability of technologies;

Or. en

Amendment 30
Paul Tang

Draft opinion
Paragraph 1 – indent 1 (new)

Draft opinion

Amendment

- ***Independent audits on the application of AI should be conducted***

annually, in analogy with the financial sector, to examine whether the used AI-applications and checks and balances are in accordance with specified criteria; the auditors need to be supervised by an independent sufficiently overseeing authority;

Or. en

Amendment 31
Sergey Lagodinsky

Draft opinion
Paragraph 1 a (new)

Draft opinion

Amendment

1a. Warns that, owing to the intrusiveness of the decisions and measures taken by law enforcement authorities – including by means of data processing and AI – into the lives and rights of citizens, maximum caution is required in order to prevent unlawful discrimination and the targeting of certain individuals or groups of people defined by reference to race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, property, birth, disability, age, gender, gender expression or identity, sexual orientation, residence status, health or membership of a national minority which is often the subject of ethnic profiling or more intense law enforcement policing, as well as individuals who happen to be defined by particular characteristics; calls for proper training for the frontline collectors of data and users of intelligence derived from AI;

Or. en

Amendment 32

Clare Daly, Mick Wallace, Konstantinos Arvanitis, Cornelia Ernst, Fernando Barrena Arza

Draft opinion

Paragraph 1 a (new)

Draft opinion

Amendment

1a. Emphasises that the development and deployment of AI, robotics and related technologies should not be left solely or principally to the private sector; stresses the urgent need to mobilise both the Union's resources and the resources of Member States to work toward the creation of truly public, non-proprietary and ethical AI, robotics and related technologies, bearing in mind that AI in particular is a general purpose technology which is currently underpinning and will increasingly underpin critical public and social infrastructure in the future;

Or. en

Amendment 33

Paul Tang

Draft opinion

Paragraph 1 a (new)

Draft opinion

Amendment

1a. Recalls that AI may give rise to biases and thus to various forms of discrimination, such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation; recalls that everyone's rights must be ensured and that this principle of non-discrimination must be the core of the ethical framework of the Commission;

Amendment 34

Clare Daly, Mick Wallace, Konstantinos Arvanitis, Cornelia Ernst, Fernando Barrena Arza, Anne-Sophie Pelletier

Draft opinion

Paragraph 1 b (new)

Draft opinion

Amendment

1b. Stresses that the development of AI, robotics and related technologies poses risks for human rights - namely privacy, data protection, and freedom of expression and information - 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 both ethical and legal frameworks for AI;

Amendment 35

Dragoş Tudorache

Draft opinion

Paragraph 2

Draft opinion

Amendment

2. Stresses the importance of developing an “ethics-by-default and by design” framework which fully respect the Charter of Fundamental Rights of the European Union, Union law and the Treaties;

deleted

Amendment 36

Clare Daly, Konstantinos Arvanitis, Cornelia Ernst, Fernando Barrena Arza, Anne-

Sophie Pelletier, Mick Wallace

Draft opinion

Paragraph 2

Draft opinion

2. Stresses the importance of developing an “ethics-by-default and by design” framework which fully respect the Charter of Fundamental Rights of the European Union, Union law and the Treaties;

Amendment

2. Stresses the importance of developing an “ethics-by-default and by design” framework which fully respect the Charter of Fundamental Rights of the European Union, Union law and the Treaties; ***stresses that European standards for AI must be based on the principles of digital ethics, human dignity, respect for fundamental rights, data protection and security; emphasises the importance of capitalising on the EU’s potential for creating a strong infrastructure for AI systems rooted in high standards of data and respect for humans; stresses that specific risk assessments, rather than broad sector-oriented criteria, should determine the level of risk of any AI system; calls for the introduction of a mandatory human rights impact assessment in the design and ongoing development of every AI system, including an evaluation of the societal implications of and risks posed by the system and an outline of the actions needed to mitigate such risks;***

Or. en

Amendment 37

Kris Peeters, Juan Ignacio Zoido Álvarez, Roberta Metsola, Axel Voss

Draft opinion

Paragraph 2

Draft opinion

2. Stresses the importance of developing an “ethics-by-default and by design” framework which fully ***respect*** the Charter of Fundamental Rights of the

Amendment

2. Stresses the importance of developing an “ethics-by-default and by design” framework which fully ***respects*** the Charter of Fundamental Rights of the

European Union, Union law and the Treaties;

European Union, Union law and the Treaties; ***calls, in this regard, for a clear and coherent governance model that allows companies to further develop artificial intelligence, robotics and related technologies;***

Or. en

Amendment 38
Sergey Lagodinsky

Draft opinion
Paragraph 2

Draft opinion

2. Stresses the importance of developing an “ethics-by-default and by design” framework which fully ***respect*** the Charter of Fundamental Rights of the European Union, Union law and the Treaties;

Amendment

2. Stresses the importance of developing an “ethics-by-default and by design” ***legal*** framework which ***ensures that any AI put into operation*** fully ***respects*** the Charter of Fundamental Rights of the European Union, Union law and the Treaties; ***considers that this is in line with the precautionary principle that guides EU legislation;***

Or. en

Amendment 39
Katarina Barley, Marina Kaljurand, Sylvie Guillaume, Birgit Sippel, Tudor Ciuhodaru, Paul Tang, Petar Vitanov, Elena Yoncheva

Draft opinion
Paragraph 2

Draft opinion

2. Stresses the importance of developing an “ethics-by-default and by design” framework which fully **respect** the Charter of Fundamental Rights of the European Union, Union law and the Treaties;

Amendment

2. ***Highlights the power asymmetry between those who employ AI technologies and those who interact and are subject to them; in this context*** stresses the importance of developing an “ethics-by-default and by design” framework which fully **respect** the Charter

of Fundamental Rights of the European Union, Union law and the Treaties;

Or. en

Amendment 40

Axel Voss

Draft opinion

Paragraph 2

Draft opinion

2. Stresses the importance of developing an “ethics-by-default and by design” framework which fully respect the Charter of Fundamental Rights of the European Union, Union law and the Treaties;

Amendment

2. Stresses the importance of developing an “ethics-by-default and by design” framework which fully respect the Charter of Fundamental Rights of the European Union, Union law and the Treaties ***but at the same time gives businesses and innovators enough leeway to continue developing new technologies based on AI;***

Or. en

Amendment 41

Juan Ignacio Zoido Álvarez, Javier Zarzalejos

Draft opinion

Paragraph 2

Draft opinion

2. Stresses ***the importance of developing an “ethics-by-default and by design”*** framework which fully respect the Charter of Fundamental Rights of the European Union, Union law and the Treaties;

Amendment

2. Stresses ***that citizens' trust in AI can only be built on an ethical*** framework which fully respect the Charter of Fundamental Rights of the European Union, Union law and the Treaties;

Or. en

Amendment 42
Juan Ignacio Zoido Álvarez, Javier Zarzalejos

Draft opinion
Paragraph 2 a (new)

Draft opinion

Amendment

2a. Calls on the European Union and on the Member States to promote public awareness of the risks and opportunities of the use of AI as an ethical requirement.

Or. en

Amendment 43
Sergey Lagodinsky

Draft opinion
Paragraph 3

Draft opinion

Amendment

3. Considers that the Union legal framework will need to be updated ***with guiding ethical principles; points out that, where it would be premature to adopt legal acts, a soft law framework should be used;***

3. Considers that the Union legal framework, ***including the consumer law acquis, product safety and market surveillance legislation, as well as antidiscrimination legislation,*** will need to be updated ***to effectively tackle the risks created by artificial intelligence, robotics and related technologies; considers that ethical guidance constitutes a good starting point but must be reflected in binding legislative instruments in order to ensure that businesses act fairly and to effectively guarantee protection of individuals;***

Or. en

Amendment 44
Katarina Barley, Marina Kaljurand, Sylvie Guillaume, Birgit Sippel, Tudor Ciuhodaru, Paul Tang, Petar Vitanov, Elena Yoncheva

Draft opinion
Paragraph 3

Draft opinion

3. Considers that the Union **legal** framework **will need to be updated with guiding ethical principles**; points out that, where it would be premature to adopt legal acts, a soft law framework should be used;

Amendment

3. Considers that the **current** Union **legislative** framework **on protection of privacy and personal data fully applies to AI, robotics and related technologies, however could benefit from being supplemented with robust ethical guidelines**; points out that, where it would be premature to adopt legal acts, a soft law framework should be used;

Or. en

Amendment 45

Clare Daly, Mick Wallace, Konstantinos Arvanitis, Cornelia Ernst, Fernando Barrena Arza, Anne-Sophie Pelletier

Draft opinion
Paragraph 3

Draft opinion

3. Considers that the Union legal framework **will** need to be **updated** with guiding ethical principles; **points out that, where it would be premature to adopt legal acts, a soft law framework should be used**;

Amendment

3. Considers that the Union legal framework **may** need to be **complemented** with guiding ethical principles;

Or. en

Amendment 46
Dragoş Tudorache

Draft opinion
Paragraph 3

Draft opinion

3. Considers that the Union legal framework will need to be updated with

Amendment

3. Considers that the Union legal framework will need to be **flexible, future-**

guiding ethical principles; points out that, where it would be premature to adopt legal acts, a soft law framework should be used;

proof, and continuously updated with guiding ethical principles; points out that, where it would be premature to adopt legal acts, a soft law framework should be used;

Or. en

Amendment 47
Andor Deli

Draft opinion
Paragraph 3

Draft opinion

3. Considers that the Union legal framework will need to be updated with guiding ethical principles; points out that, where it would be premature to adopt legal acts, a soft law framework should be used;

Amendment

3. Considers that the Union legal framework will need to be ***revised and*** updated with guiding ethical principles; points out that, where it would be premature to adopt legal acts, a soft law framework should be used;

Or. en

Amendment 48
Clare Daly, Mick Wallace, Konstantinos Arvanitis, Cornelia Ernst, Fernando Barrera Arza, Anne-Sophie Pelletier

Draft opinion
Paragraph 3 a (new)

Draft opinion

Amendment

3a. Recalls that the lack of transparency of AI systems makes it difficult to identify and prove possible breaches of laws, including legal provisions that protect fundamental rights; believes that an examination of, and guidelines on, how the Union's human rights frameworks and the obligations that flow therefrom can protect citizens in the context of the widespread use of AI, robotics and related technologies are urgently needed; stresses

the need to assess whether the EU's human rights framework will need to be updated to meet the challenge posed to rights by these complex and emergent technologies;

Or. en

Amendment 49
Roberta Metsola, Javier Zarzalejos, Kris Peeters

Draft opinion
Paragraph 3 a (new)

Draft opinion

Amendment

3a. *Expects the Commission to integrate a strong ethical framework into the forthcoming legislative proposal as a follow up to the White Paper on Artificial Intelligence, including on safety, liability, fundamental rights and data protection, which maximises the opportunities and minimises the risks of AI technologies;*

Or. en

Amendment 50
Kris Peeters, Juan Ignacio Zoido Álvarez, Roberta Metsola, Axel Voss

Draft opinion
Paragraph 3 a (new)

Draft opinion

Amendment

3a. *Calls on the commission to consider developing a framework of criteria and indicators to label AI technology, in which developers could participate voluntarily, in order to stimulate comprehensibility, transparency, accountability and incentivise additional precautions by developers;*

Amendment 51

Clare Daly, Mick Wallace, Konstantinos Arvanitis, Cornelia Ernst, Fernando Barrena Arza, Anne-Sophie Pelletier

Draft opinion

Paragraph 3 b (new)

Draft opinion

Amendment

3b. Stresses the need to assess how existing EU rules, in particular data protection rules, apply to AI and how proper enforcement of these rules in this field can be assured; calls on the Commission, the Member States and the data protection authorities to identify and take any possible measures to minimise algorithmic discrimination and bias and to develop a strong and common ethical framework for the transparent processing of personal data and automated decision-making that can guide data usage and the ongoing enforcement of Union law;

Or. en

Amendment 52

Roberta Metsola, Javier Zarzalejos

Draft opinion

Paragraph 3 b (new)

Draft opinion

Amendment

3b. Expects that the forthcoming legislative proposal will include policy solutions to the major recognised risks of Artificial Intelligence including, amongst others, on the ethical collection and use of Big Data, the issue of algorithmic transparency and algorithmic bias;

Or. en

Amendment 53

Clare Daly, Mick Wallace, Konstantinos Arvanitis, Cornelia Ernst, Fernando Barrena Arza, Anne-Sophie Pelletier

Draft opinion

Paragraph 3 c (new)

Draft opinion

Amendment

3c. Stresses that the data sets and algorithmic systems used when making classifications, assessments and predictions at the different stages of data processing in the development of AI, robotics and related technologies may result not only in infringements of the fundamental rights of individuals, but also in differential treatment of and indirect discrimination against groups of people with similar characteristics; calls for a rigorous examination of AI's politics and consequences, including close attention to AI's classification practices and harms; emphasises that ethical AI, robotics and related 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 and immediately invest in integrating these disciplines into AI study and research at all levels;

Or. en

Amendment 54

Clare Daly, Mick Wallace, Konstantinos Arvanitis, Cornelia Ernst, Fernando Barrena Arza, Anne-Sophie Pelletier

Draft opinion
Paragraph 3 d (new)

Draft opinion

Amendment

3d. Notes that the field of AI, robotics and related technologies is strikingly homogenous and lacking in diversity; recognises 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 in order to ensure that bias is not unwittingly ‘built in’ to these technologies;

Or. en

Amendment 55
Roberta Metsola, Javier Zarzalejos

Draft opinion
Paragraph 4

Draft opinion

Amendment

4. Is of the opinion that effective cross- border cooperation and ethical standards can be achieved only if all stakeholders seek to ensure human agency and oversight, and respect the established principles of privacy *and* data governance, transparency and accountability;

4. Is of the opinion that effective cross- border cooperation and ethical standards can be achieved only if all stakeholders seek to ensure human agency and oversight, and respect the established principles of privacy, data governance *and data protection - specifically those enshrined in Regulation (EU) 2016/679 of the European Parliament and of the Council (GDPR) -* , transparency and accountability;

Or. en

Amendment 56
Kris Peeters

Draft opinion
Paragraph 4

Draft opinion

4. Is of the opinion that effective cross- border cooperation and ethical standards can be achieved only if all stakeholders *seek* to ensure human agency and oversight, *and respect the established principles of* privacy and data governance, transparency and accountability;

Amendment

4. Is of the opinion that effective cross- border cooperation and ethical standards can be achieved only if all stakeholders *commit* to ensure human agency and oversight, *technical robustness and safety*, privacy and data governance, transparency, *non-discrimination, social and environmental wellbeing*, and accountability;

Or. en

Amendment 57
Andor Deli

Draft opinion
Paragraph 4

Draft opinion

4. Is of the opinion that effective cross- border cooperation and ethical standards can be achieved only if all stakeholders seek to ensure human agency and oversight, and respect the established principles of privacy and data governance, transparency *and* accountability;

Amendment

4. Is of the opinion that effective cross- border cooperation and ethical standards can be achieved only if all stakeholders seek to ensure human agency and oversight, and respect the established principles of privacy and data governance, transparency, accountability *and legal certainty*;

Or. en

Amendment 58
Sergey Lagodinsky

Draft opinion
Paragraph 4

Draft opinion

4. Is of the opinion that effective *cross- border* cooperation and ethical standards can be achieved only if all

Amendment

4. Is of the opinion that effective cooperation and ethical standards can be achieved only if all stakeholders seek to

stakeholders seek to ensure human agency *and* oversight, and respect the established principles *of privacy and data governance, transparency and accountability*;

ensure human agency, oversight, *understanding, and control at any time*, and respect the established *Union legal and ethical* principles;

Or. en

Amendment 59

Kris Peeters, Juan Ignacio Zoido Álvarez, Roberta Metsola, Axel Voss

Draft opinion

Paragraph 4 a (new)

Draft opinion

Amendment

4a. Warns that possible bias in artificial intelligence applications could lead to automated discrimination, which has to be avoided by design and application rules;

Or. en

Amendment 60

Clare Daly, Mick Wallace, Konstantinos Arvanitis, Cornelia Ernst, Fernando Barrena Arza, Anne-Sophie Pelletier

Draft opinion

Paragraph 5

Draft opinion

Amendment

5. Calls for a horizontal approach, including technology-neutral standards that apply to all sectors in which AI could be employed; calls on the Union to promote *strong and transparent cooperation and knowledge-sharing between* the public and private sectors to create best practices;

5. Calls for a horizontal approach, including technology-neutral standards that apply to all sectors in which AI could be employed; calls on the Union to promote *a debate on how best* the public and private sectors *may cooperate and share knowledge* to create best practices; *recalls that artificial intelligence technologies would not exist without training data sets populated with data harvested from citizens and from public sources, and calls for the Union to urgently explore mechanisms for making privately-held*

data sets publicly and freely available, without prejudice to applicable data protection rules;

Or. en

Amendment 61

Kris Peeters, Roberta Metsola, Axel Voss

Draft opinion

Paragraph 5

Draft opinion

5. Calls for a horizontal approach, including technology-neutral standards that apply to all sectors in which AI could be employed; calls on the Union to promote strong and transparent cooperation and knowledge-sharing between the public and private sectors to create best practices;

Amendment

5. Calls for a horizontal ***and future-oriented*** approach, including technology-neutral standards that apply to all sectors in which AI could be employed, ***complemented by a vertical approach with sector-specific standards were appropriate; strongly believes that an ethical framework should apply to anyone intending to develop or operate artificial intelligence applications in the EU; favours a binding EU-wide approach to avoid fragmentation***; calls on the Union to promote strong and transparent cooperation and knowledge-sharing between the public and private sectors to create best practices;

Or. en

Amendment 62

Sergey Lagodinsky

Draft opinion

Paragraph 5

Draft opinion

5. Calls for a horizontal approach, including technology-neutral standards that apply to all sectors in which AI could be employed; calls on the Union to promote strong and transparent cooperation and

Amendment

5. Calls for a horizontal approach, including technology-neutral standards that apply to all sectors in which AI could be employed; calls on the Union to promote strong and transparent cooperation and

knowledge-sharing between *the* public and private *sectors to create* best practices;

knowledge-sharing between public and private *sector actors, including research and development, civil society and individual experts, and to encourage the development and sharing of* best practices, *notably to facilitate the de-biasing of datasets, and combatting discrimination in artificial intelligence and automated decision making systems;*

Or. en

Amendment 63
Dragoş Tudorache

Draft opinion
Paragraph 5

Draft opinion

5. Calls for a *horizontal* approach, including technology-neutral standards that apply to *all* sectors in which *AI could be employed*; calls on the Union to promote *strong and transparent* cooperation and knowledge-sharing between the public and private sectors to create best practices;

Amendment

5. Calls for a *risk-based differentiated* approach *to regulating artificial intelligence, robotics and related technologies*, including technology-neutral *ethical* standards that apply to *high-risk technologies and to* sectors in which *the use of AI can threaten fundamental rights and liberties*; calls on the Union to promote cooperation and knowledge-sharing between the public and private sectors to create best practices *and continuously identify high-risk applications of AI*;

Or. en

Amendment 64
Axel Voss

Draft opinion
Paragraph 5

Draft opinion

5. Calls for a horizontal approach,

Amendment

5. Calls for a horizontal *and future-*

including technology-neutral standards that apply to all sectors in which AI could be employed; calls on the Union to promote strong and transparent cooperation and knowledge-sharing between the public and private sectors to create best practices;

oriented approach, including technology-neutral standards that apply to all sectors in which AI could be employed; calls on the Union to promote strong and transparent cooperation and knowledge-sharing between the public and private sectors to create best practices;

Or. en

Amendment 65
Sergey Lagodinsky

Draft opinion
Paragraph 5 a (new)

Draft opinion

Amendment

5a. Calls for establishing binding rules for companies to publish transparency reports including the existence, functionality, process, main criteria, the logic behind the datasets used and possible outcome of algorithmic systems and efforts to identify, prevent and mitigate discrimination in artificial intelligence and automated decision making systems in a timely, impartial, easily-readable, and accessible manner;

Or. en

Amendment 66
Katarina Barley, Sylvie Guillaume, Tudor Ciuhodaru, Paul Tang, Petar Vitanov, Miriam Dalli, Elena Yoncheva

Draft opinion
Paragraph 5 a (new)

Draft opinion

Amendment

5a. Promotes a European Agency for Artificial Intelligence, which ensures a European coordination of AI standards and regulations; this centralized agency

develops common criteria for a European certificate of ethical compliance, which also takes the data used for algorithmic processes into account;

Or. en

Amendment 67
Sergey Lagodinsky

Draft opinion
Paragraph 5 b (new)

Draft opinion

Amendment

5b. Recommends that, considering the grave fundamental rights consequences at stake with many AI systems, all potentially high- and medium-risk systems, and especially those potentially operating in sensitive contexts, must undergo mandatory ex ante human rights impact and risk assessments, which include an evaluation of the collective, societal, institutional governance implications the system poses, and outlining adequate steps to mitigate; this risk-based approach should follow transparent rules to establish legal certainty;

Or. en

Amendment 68
Katarina Barley, Marina Kaljurand, Sylvie Guillaume, Tudor Ciuhodaru, Paul Tang, Petar Vitanov, Elena Yoncheva

Draft opinion
Paragraph 5 b (new)

Draft opinion

Amendment

5b. Promotes Corporate Digital Responsibility on a voluntary basis; the EU should support corporations, who by choice use digital technologies and AI

ethically within their companies; the EU should encourage corporations to become proactive by establishing a platform for companies to share their experiences with ethical digitalization, as well as coordinating the actions and strategies of participating companies;

Or. en

Amendment 69
Sergey Lagodinsky

Draft opinion
Paragraph 5 c (new)

Draft opinion

Amendment

5c. Stresses that future regulation on artificial intelligence should follow a differentiated risk-based approach, based on the potential harm for the individual as well as for society at large, determined by ex-ante human rights impact assessments, taking into account the specific use context of the artificial intelligence system, as well as the presumed opaqueness of decision-making; legal obligations should gradually increase with the identified risk level; in the lowest risk category there should be no special legal obligations beyond those already in place; algorithmic systems that may cause material or immaterial harm to an individual, violate rights and freedoms, affect an individual's access to resources, or negatively impact their participation in society, including by automated discrimination, shall not be deemed to belong to the lowest risk category; acknowledges that, for some AI systems, safeguards to mitigate bias will not be sufficient and that the deployment of certain systems for particular purposes will necessarily perpetuate and compound existing inequalities, such that fundamental rights for marginalized

groups are compromised; considers that such systems should be banned;

Or. en

Amendment 70
Sergey Lagodinsky

Draft opinion
Paragraph 5 d (new)

Draft opinion

Amendment

5d. *Notes that it is essential for the risk assessment documentation, the software documentation, the algorithms and data sets used to be fully accessible to independent analysis; stresses in this respect the importance of lawful reverse-engineering;*

Or. en

Amendment 71
Sergey Lagodinsky

Draft opinion
Paragraph 5 e (new)

Draft opinion

Amendment

5e. *Calls for a requirement for developers and deployers to provide for the relevant documentation on the use and design instructions, including source code, development tools and data used by the system, to be made easily accessible through a mandatory legal deposit, where a risk assessment indicates it necessary to protect fundamental rights and interests; recommends that for vital and advanced medical appliances, independent trusted entities retain the means necessary to provide services, for example to persons carrying these appliances, such as*

maintenance, repairs, and enhancements, including software updates, especially in the case where such services are no longer carried out by the original supplier, to preserve human dignity, autonomy, and self-determination of the individual;

Or. en

Amendment 72
Sergey Lagodinsky

Draft opinion
Paragraph 6

Draft opinion

6. Stresses that the *protection of networks of interconnected AI and robotics must prevent* security breaches, cyber-attacks and the misuse of personal data;

Amendment

6. Stresses that the *development of artificial intelligence, robotics and related technologies must follow a state of the art security-by-design approach to minimise the vulnerability to* security breaches, cyber-attacks and the misuse of personal data; *highlights the important role timely security fixes and software updates play in this regard; recommends where such updates are no longer provided by the original supplier, and where a risk assessment so indicates, suppliers should be required to provide for the relevant documentation on the use and design instructions, including the source code, development tools and data used by the system, to be made easily accessible through a mandatory legal deposit;*

Or. en

Amendment 73
Roberta Metsola, Juan Ignacio Zoido Álvarez, Javier Zarzalejos

Draft opinion
Paragraph 6

Draft opinion

6. Stresses that the protection of networks of interconnected AI and robotics must prevent security breaches, cyber-attacks and the misuse of personal data;

Amendment

6. Stresses that the protection of networks of interconnected AI and robotics must prevent security breaches, cyber-attacks and the misuse of personal data ***and that this will require the relevant agencies, bodies and institutions both at the European level and the national level to work in cooperation with end users of these technologies;***

Or. en

Amendment 74
Beata Kempa

Draft opinion
Paragraph 6

Draft opinion

6. Stresses that the protection of networks of interconnected AI and robotics must prevent security breaches, cyber-attacks and the misuse of personal data;

Amendment

6. Stresses that the protection of networks of interconnected AI and robotics must prevent security breaches, cyber-attacks and the misuse of personal data; ***stresses that AI and associated technologies should always be used under human supervision;***

Or. pl

Amendment 75
Kris Peeters, Juan Ignacio Zoido Álvarez, Roberta Metsola, Axel Voss

Draft opinion
Paragraph 6

Draft opinion

6. Stresses that the protection of networks of interconnected AI and robotics must prevent security breaches, cyber-attacks and the misuse of personal data;

Amendment

6. Stresses that the protection of networks of interconnected AI and robotics must prevent security breaches, ***data leaks, data poisoning,*** cyber-attacks and the

misuse of personal data; ***believes this will require a stronger cooperation between national and EU authorities;***

Or. en

Amendment 76

Katarina Barley, Marina Kaljurand, Sylvie Guillaume, Tudor Ciuhodaru, Paul Tang, Petar Vitanov, Miriam Dalli, Elena Yoncheva

Draft opinion Paragraph 6

Draft opinion

6. Stresses that the protection of networks of interconnected AI and robotics ***must*** prevent security breaches, cyber-attacks and the misuse of personal data;

Amendment

6. Stresses that the protection of networks of interconnected AI and robotics ***is important, and strong measures must be taken to*** prevent security breaches, cyber-attacks and the misuse of personal data;

Or. en

Amendment 77

Dragoş Tudorache

Draft opinion Paragraph 6

Draft opinion

6. Stresses that the ***protection of networks of interconnected*** AI and robotics must prevent security breaches, cyber-attacks and the misuse of personal data;

Amendment

6. Stresses that the ***development of*** AI and robotics must prevent security breaches, cyber-attacks and the misuse of personal data;

Or. en

Amendment 78

Katarina Barley, Marina Kaljurand, Sylvie Guillaume, Birgit Sippel, Tudor Ciuhodaru, Paul Tang, Petar Vitanov, Elena Yoncheva

Draft opinion
Paragraph 6 a (new)

Draft opinion

Amendment

6a. Calls for a comprehensive risk assessment of AI, robotics and related technologies in addition to the impact assessment provided by Article 35 GDPR (Article 27 of Directive (EU) 2016/680 and Article 39 of Regulation (EU) 2018/1725); the more impact an algorithm has, the more transparency, auditability, accountability and regulation is needed; where an algorithmic decision leads to a limitation of fundamental rights, there needs to be a very robust assessment in place; in highly critical fields - when health, freedom or human autonomy are directly endangered - the implementation of AI should be prohibited;

Or. en

Amendment 79
Roberta Metsola, Javier Zarzalejos

Draft opinion
Paragraph 6 a (new)

Draft opinion

Amendment

6a. Notes in this regard the provisions laid down in Regulation 2019/881 of the European Parliament and of the Council on ENISA and the Cyber Security Act, particularly ENISA's role in promoting public awareness and education campaigns directed at end users including on potential cyber threats and criminal activities online, and in promoting essential data protection measures; acknowledges the added value of this EU agency in this regard;

Or. en

Amendment 80
Juan Ignacio Zoido Álvarez, Javier Zarzalejos

Draft opinion
Paragraph 6 a (new)

Draft opinion

Amendment

6a. Stresses that the malicious use of AI can pose a risk to the values of our democracies and the fundamental rights of the citizens of the European Union. Calls on the Commission to propose a framework that penalises those who, using this technology, distort the perception of reality through disinformation campaigns, or who provoke cyber-attacks in order to violate digital cyber-security.

Or. en

Amendment 81
Sergey Lagodinsky

Draft opinion
Paragraph 6 a (new)

Draft opinion

Amendment

6a. Observes that data production and use resulting from the development, deployment and use of artificial intelligence, robotics and related technologies are rapidly increasing, thereby underlining the need to respect and enforce the rights of citizens to privacy and protection of personal data in line with Union law;

Or. en

Amendment 82
Sergey Lagodinsky

Draft opinion
Paragraph 6 b (new)

Draft opinion

Amendment

6b. Points out that the possibility provided by these technologies of using personal and non-personal data to categorise and micro-target people, identify vulnerabilities of individuals, or exploit accurate predictive knowledge, has to be counterweighted by effectively enforced data protection and privacy principles such as data minimisation, the right to object to profiling and to control one's data, the right to obtain an explanation of a decision based on automated processing, and privacy by design, as well as those of proportionality, necessity and limitation based on strictly identified purpose; points out that while certain models of predictive policing are more privacy-friendly than others, such as where probabilistic predictions are made about places or events and not about individual persons, predictive policing systems have proven to exacerbate overpolicing on the basis of existing bias such as racial profiling, or on migrant or working class backgrounds even where this does not correspond to actual crime levels;

Or. en

Amendment 83
Juan Ignacio Zoido Álvarez, Javier Zarzalejos

Draft opinion
Paragraph 6 b (new)

Draft opinion

Amendment

6b. *Calls on the Commission and on the Council to provide all the agencies of the European Union with a regulatory framework in the use of AI technology that enables them to have a robust and effective cooperation with the public and private sectors for the protection of citizens, when breaches of security and misuse of personal data occur.*

Or. en

Amendment 84
Sergey Lagodinsky

Draft opinion
Paragraph 6 c (new)

Draft opinion

Amendment

6c. *Reminds all law enforcement actors that use data processing and AI that Directive (EU) 2016/680 governs the processing of personal data by Member States for law enforcement purposes; requires that the collection and processing of personal data for law enforcement purposes must always be adequate, relevant and not excessive in relation to the specified, explicit and legitimate purposes for which they are processed; states that the purpose of and need for the collection of these data must be clearly proven; states that any decision based solely on automated processing, including profiling, which produces an adverse legal effect on the data subject or significantly affects him or her, is prohibited, unless authorised by Union or Member State law to which the controller is subject and which provides appropriate safeguards for the rights and freedoms of the data subject, at least the right to obtain human intervention on the part of*

the controllers; calls on the Commission, the European Data Protection Board and other independent supervisory authorities to 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;

Or. en

Amendment 85
Sergey Lagodinsky

Draft opinion
Paragraph 6 d (new)

Draft opinion

Amendment

6d. Stresses the importance of compliance with Directive (EU) 2016/680 as regards the carrying out of prior impact assessments and audits that take account of ethical concerns in order to assess the inclusiveness, accuracy and quality of data, and to ensure that individuals targeted by the decisions and/or actors involved in the decision-making processes are able to understand and challenge the collection or analysis, patterns and correlations and to prevent any harmful effects on certain groups of individuals;

Or. en

Amendment 86
Sergey Lagodinsky

Draft opinion
Paragraph 6 e (new)

Draft opinion

Amendment

6e. Recommends that the Commission demonstrate it has clearly reviewed, assessed and adjusted its coordinated plan on AI in order to address the severe fundamental rights implications of Artificial Intelligence, and outline how such risks will be mitigated in the EU's legislative approach and in the implementation of Member State national strategies;

Or. en

Amendment 87
Sergey Lagodinsky

Draft opinion
Paragraph 7

Draft opinion

7. Notes that *AI and robotic technology* in the area of law enforcement and border control *could enhance public safety and security*; stresses that *its use must respect the principles of proportionality and necessity*;

Amendment

7. Highlights that artificial intelligence, automated decision making and related technologies for purposes of mass surveillance, including using biometric technologies, by public and private actors in publicly accessible spaces are incompatible with existing Union law and fundamental rights; calls on the Commission, other EU institutions, and Member States to ban them in law and practice; further calls on the Commission to propose a ban on the use of AI to solely determine access to or delivery of essential public goods or services such as social security, policing, migration control; further, to propose a ban on uses of AI which purport to identify, analyse and assess emotion, mood, behaviour, and other sensitive identity traits, such as ethnicity or disability, in the delivery of essential services; further calls to propose a ban of autonomous lethal weapon systems and the use of AI for other uses

which identify targets for lethal force, such as in law and immigration enforcement; and to propose a ban on general purpose scoring of residents, including mass-scale citizen scoring; notes that automated decision making systems in the area of law enforcement and border control must be carried out in accordance with Union law and with due regard to human rights and dignity, autonomy and self-determination of the individual, and the fundamental rights set out in the Charter; highlights that criteria and limits to such systems should be subjected to judicial review and submitted to democratic oversight and debate involving civil society; stresses that decisions by public authorities in the area of freedom, security and justice, such as getting bail or probation, being released from prison during a pandemic, being allowed to cross a border, getting asylum or international protection, or being heard in court, must never be taken by automated decision-making systems, but always involve meaningful assessment and judgement of a human, also to assign responsibility;

Or. en

Amendment 88
Kris Peeters

Draft opinion
Paragraph 7

Draft opinion

7. Notes that AI **and robotic technology** in the area of law enforcement and border control could enhance public safety and security; stresses that its use must respect the principles of proportionality and necessity;

Amendment

7. Notes that AI, **robotics and related technologies** in the area of law enforcement and border control could enhance public safety and security, **yet also bear significant ethical risks that must be adequately addressed**; stresses, **therefore**, that its use must respect the principles of proportionality and necessity **and**

guarantee the respect of fundamental rights; supports the aim for maximum transparency, both with regards to the risk assessment of individual applications, as well as a general overview of the use of AI, robotics and related technologies in the area of law enforcement and border control; believes that EU agencies, especially in the field of Justice and Home Affairs, should be properly funded to research the effectiveness of such measures and should be equipped with the latest technologies;

Or. en

Amendment 89

Clare Daly, Mick Wallace, Konstantinos Arvanitis, Cornelia Ernst, Pernando Barrena Arza, Anne-Sophie Pelletier

Draft opinion Paragraph 7

Draft opinion

7. *Notes that AI and robotic technology in the area of law enforcement and border control could enhance public safety and security; stresses that its use must respect the principles of proportionality and necessity;*

Amendment

7. *Believes that certain uses of AI cannot be considered as ethical as such, and that there are areas where any legal and ethical framework would not prevent risks of fundamental rights violations; recalls that the use of AI, robotics and related technologies in the area of law enforcement and border control poses extremely serious risks to fundamental rights; calls for a complete ban on the use of AI, robotics and related technologies in this arena; calls also for a ban on the use of facial recognition technology in public areas and a ban on affect recognition AI in any arena;*

Or. en

Amendment 90

Roberta Metsola, Juan Ignacio Zoido Álvarez, Javier Zarzalejos, Kris Peeters, Axel

Voss

Draft opinion
Paragraph 7

Draft opinion

7. Notes that AI and robotic technology in the area of law enforcement and border control could enhance public safety and security; stresses that its use must respect the principles of proportionality and necessity;

Amendment

7. Notes that AI and robotic technology in the area of law enforcement and border control could enhance public safety and security; stresses that its use must respect the principles of proportionality and necessity; ***considers that it should be possible for EU agencies in the field of Justice and Home Affairs to be equipped with the latest AI and robotic technologies, especially for the purposes of law enforcement and border control, and that this should be taken into account in the yearly budgets for the JHA agencies throughout the next MFF period (2021-2027);***

Or. en

Amendment 91

Katarina Barley, Marina Kaljurand, Sylvie Guillaume, Tudor Ciuhodaru, Paul Tang, Petar Vitanov, Miriam Dalli, Elena Yoncheva

Draft opinion
Paragraph 7

Draft opinion

7. Notes that AI and robotic technology in the area of law enforcement and border control ***could enhance public safety and security***; stresses that ***its use*** must respect the principles of proportionality and necessity;

Amendment

7. Notes that AI and robotic technology ***are used more and more*** in the area of law enforcement and border control, ***often with adverse effects on individuals when it comes to their rights to privacy, data protection and non-discrimination***; stresses that ***the deployment and use of these technologies*** must respect the principles of proportionality and necessity, ***the Charter of Fundamental Rights, in particular the rights to data protection, privacy and non-discrimination, as well as the relevant***

secondary Union law such as EU data protection rules;

Or. en

Amendment 92
Beata Kempa

Draft opinion
Paragraph 7

Draft opinion

7. Notes that AI and robotic technology in the area of law enforcement and border control could enhance public safety and security; stresses that its use must respect the principles of proportionality and necessity;

Amendment

7. Notes that AI and robotic technology in the area of law enforcement and border control could enhance public safety and security; stresses that its use must respect the principles of proportionality and necessity; ***stresses that AI should never replace humans in issuing judgments, and should only be used in the justice system for the analysis and gathering of evidence;***

Or. pl

Amendment 93
Dragoş Tudorache

Draft opinion
Paragraph 7

Draft opinion

7. Notes that AI and robotic technology in the area of law enforcement and border control could enhance public safety and security; stresses that its use must respect the principles of proportionality and necessity;

Amendment

7. Notes that AI and robotic technology in the area of law enforcement and border control could enhance public safety and security ***but also needs extensive and rigorous public scrutiny;*** stresses that its use must respect the principles of proportionality and necessity;

Or. en

Amendment 94
Yana Toom

Draft opinion
Paragraph 7

Draft opinion

7. Notes that AI and robotic technology in the area of **law enforcement** **and** border control could enhance public safety and security; stresses that its use must respect the principles of proportionality and necessity;

Amendment

7. Notes that AI and robotic technology in the area of border control could enhance public safety and security; stresses that its use must respect the principles of proportionality and necessity **and fully respect fundamental rights**;

Or. en

Amendment 95
Clare Daly, Mick Wallace, Konstantinos Arvanitis, Cornelia Ernst, Fernando Barrena Arza, Anne-Sophie Pelletier

Draft opinion
Paragraph 7 a (new)

Draft opinion

Amendment

7a. Notes the increasing use of AI-enabled labour-management systems; emphasises that the introduction of such systems raises significant questions about worker rights and safety; notes that AI systems used for worker control and management are inevitably optimised to produce benefits for employers, often at great cost to workers; recalls that Article 22 GDPR is not sufficient to adequately protect workers in the context of AI-enabled management systems; calls for urgent and specific regulation in this arena;

Or. en

Amendment 96
Sergey Lagodinsky

Draft opinion
Paragraph 7 a (new)

Draft opinion

Amendment

7a. Calls on the Commission to thoroughly assess, in the context of its evaluation report pursuant to Article 92(5) of the ETIAS Regulation^{1a}, if the feeding back of rejected travel authorisations into the risk score for future applicants from the same third country has created an unjustified bias against travellers that would have received a travel authorisation if they had applied from another third country, all other things being equal;

^{1a} Regulation (EU) 2018/1240 of the European Parliament and of the Council of 12 September 2018 establishing a European Travel Information and Authorisation System (ETIAS), OJ L 236, 19.9.2018, p. 1–71, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32018R1240>

Or. en

Amendment 97
Dragoş Tudorache

Draft opinion
Paragraph 7 a (new)

Draft opinion

Amendment

7a. Calls on the Commission to enact strong and mandatory safeguards to prevent states and public authorities from misusing artificial intelligence, robotics and related technologies; stresses that the misuse of such technologies by authorities can become a direct threat to democracy

and to the fundamental rights of our citizens;

Or. en

Amendment 98

Katarina Barley, Marina Kaljurand, Sylvie Guillaume, Tudor Ciuhodaru, Paul Tang, Petar Vitanov, Miriam Dalli, Elena Yoncheva, Birgit Sippel

Draft opinion Paragraph 8

Draft opinion

8. Stresses that AI and robotics are not immune from making mistakes; considers the need for legislators to reflect upon the complex issue of liability in the context of criminal justice.

Amendment

8. Stresses that AI and robotics are not immune from making mistakes ***and can easily have inherent bias; notes that biases can be inherent in the underlying datasets, especially when historical data is being used, introduced by the developers of the algorithms, or generated when the systems are implemented in the real world setting***; considers the need for legislators to reflect upon the complex issue of liability in the context of criminal justice.

Or. en

Amendment 99 Sergey Lagodinsky

Draft opinion Paragraph 8

Draft opinion

8. Stresses that ***AI and*** robotics are not immune from making mistakes; considers the need for legislators to reflect upon the complex issue of liability in the context of criminal justice.

Amendment

8. Stresses that ***individuals have a right to trust technology they use to perform in a reasonable manner, to respect their trust, and protect their good faith in it; points out that artificial intelligence, robotics and related technologies*** are not immune from making mistakes; considers the need for legislators to reflect upon the complex issue of

liability in the context of criminal justice.

Or. en

Amendment 100

Roberta Metsola, Juan Ignacio Zoido Álvarez, Javier Zarzalejos, Kris Peeters, Axel Voss

Draft opinion Paragraph 8

Draft opinion

8. Stresses that AI and robotics are not immune from making mistakes; considers the need for legislators to reflect upon the complex issue of liability in the context of criminal justice.

Amendment

8. Stresses that AI and robotics are not immune from making mistakes; ***emphasises the importance of the right to an explanation when persons are subjected to algorithmic decision-making***; considers the need for legislators to reflect upon the complex issue of liability in the context of criminal justice.

Or. en

Amendment 101

Clare Daly, Mick Wallace, Konstantinos Arvanitis, Cornelia Ernst, Fernando Barrena Arza, Anne-Sophie Pelletier

Draft opinion Paragraph 8

Draft opinion

8. Stresses that AI and robotics are not immune from making mistakes; considers the need for legislators to reflect upon the complex issue of liability in the context of criminal justice.

Amendment

8. Stresses that AI and robotics are not immune from making mistakes; considers the need for legislators to reflect upon the complex issue of liability in the context of ***both civil and*** criminal justice.

Or. en

Amendment 102

Dragoş Tudorache

**Draft opinion
Paragraph 8**

Draft opinion

8. ***Stresses that AI and robotics are not immune from making mistakes;*** considers the need for legislators to reflect upon the complex issue of liability in the context of criminal justice.

Amendment

8. Considers the need for legislators to reflect upon the complex issue of liability in the context of criminal justice ***and that liability in all AI applications should always rest with a legal person;***

Or. en

**Amendment 103
Kris Peeters, Axel Voss**

**Draft opinion
Paragraph 8**

Draft opinion

8. Stresses that AI and robotics are not immune from making mistakes; considers the need for legislators to reflect upon the complex issue of liability ***in the context of criminal justice.***

Amendment

8. Stresses that AI and robotics are not immune from making mistakes; considers the need for legislators to reflect upon the complex issue of liability.

Or. en

**Amendment 104
Birgit Sippel, Katarina Barley**

**Draft opinion
Paragraph 8 a (new)**

Draft opinion

8a. Reminds that according to Article 22 of the General Data Protection Regulation, a person has 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

Amendment

significantly affects him or her and that only very limited exceptions exist to this general rule; recalls the need for algorithms to be transparent, especially those that produce legal effects concerning individuals; underlines that transparency about the underlying logic of an algorithm is highly relevant for the affected individual in order for his or her fundamental rights to be fully protected; reminds, in addition, that transparency about the algorithms used is also of utmost relevance for the person taking a final decision based on an algorithmic calculation, for example, when a bank employee has to decide on a loan application or a human resources professional on whom to hire.

Or. en

Amendment 105
Sergey Lagodinsky

Draft opinion
Paragraph 8 a (new)

Draft opinion

Amendment

8a. *Proposes to establish a European Agency for Artificial Intelligence to coordinate the determination of breaches of the principles of precautionary and of non-discrimination by competent supervisory authorities, in cooperation with other competent authorities in the Union, notably the Consumer Protection Cooperation Network, national consumer protection bodies, the high level group on Non-discrimination, Equality and Diversity, and civil society, and facilitate means for individuals to meaningfully contest and remedy harm caused by such discrimination, and other infringement of fundamental rights by artificial intelligence and automated decision making systems, whether stemming from*

public or private sector actors;

Or. en

Amendment 106

Paul Tang

Draft opinion

Paragraph 8 a (new)

Draft opinion

Amendment

8a. *Notes that AI is often used by digital platforms for automated decision making algorithms to disseminate and order the content shown to the users, including to organise their personal feed; stresses that these algorithms, how they work and how they order the shown material, are a black box to users, which takes away choice and control from the user, enables the creation of echo chambers and leads to a distrust in digital services; calls on the Commission to take the perspective of the end-user of AI-applications into account while drafting its ethical framework, with a focus on transparency, explicability and customization.*

Or. en

Amendment 107

Dragoş Tudorache

Draft opinion

Paragraph 8 a (new)

Draft opinion

Amendment

8a. *Underlines that artificial intelligence, robotics and related technologies are global technologies and that these standards need to be adopted worldwide in order to ensure their future*

development is aligned to European values and ethical standards; calls on the Commission to engage in AI diplomacy in international fora with likeminded partners such as the United States, the G7, the G20, and OECD for establishing common ethical standards and guidelines for developing AI, robotics, and related technologies;

Or. en

Amendment 108

Clare Daly, Mick Wallace, Konstantinos Arvanitis, Cornelia Ernst, Fernando Barrena Arza, Anne-Sophie Pelletier

Draft opinion

Paragraph 8 a (new)

Draft opinion

Amendment

8a. Reiterates the call for the establishment of a European Agency for Artificial Intelligence, and emphasises the importance of having national supervisory authorities in each Member State responsible for ensuring, assessing and monitoring compliance with ethical principles and legal obligations pertaining to the development, deployment and use of artificial intelligence, robotics and related technologies.

Or. en

Amendment 109

Beata Kempa

Draft opinion

Paragraph 8 a (new)

Draft opinion

Amendment

8a. Stresses that a clear framework needs to be introduced for the use of AI by

social media platforms, as do transparency requirements for the algorithms used and the calibration thereof, in order to prevent excessive content-removal and any form of filtering or censorship of the internet;

Or. pl

Amendment 110
Paul Tang

Draft opinion
Paragraph 8 b (new)

Draft opinion

Amendment

8b. *Notes that AI can be used to analyse or predict aspects concerning individual's personal preferences, interests or behaviour, for profiling; emphasises that the quality of output of automated decision making AI is subject to the quality of used data and the chosen predetermined parameters; stresses that the use of automated decision making AI requires a strong legislative framework which protects privacy and personal data, and together with a duty of care obligation overseeing the legitimate use of the AI, which does not apply to content moderation, ensures full compliance; calls therefore on the Commission to work out a duty of care regime through detailed sectoral guidelines in order to use automated decision making algorithms in compliance with the fundamental rights of protection of personal data and privacy, laid down in the General Data Protection Regulation^{1a};*

^{1a} Recital 71 and article 22 General Data Protection Regulation.

Or. en

Amendment 111
Dragoş Tudorache

Draft opinion
Paragraph 8 b (new)

Draft opinion

Amendment

8b. Stresses that the deployment of AI, robotics, and related technologies in society relies on digital infrastructure that needs to be highly secure, resilient, and free from potential tampering; calls on the Commission to ensure the security and resilience of the European digital infrastructure by reducing reliance on technology produced by companies originating in countries and influenced by regimes that do not share our values and respect for human rights;

Or. en

Amendment 112
Sergey Lagodinsky

Draft opinion
Paragraph 8 b (new)

Draft opinion

Amendment

8b. Suggests to create a centre of expertise, bringing together academia, research, industry, and individual experts at Union level, either as an integral part of or associated with such Agency, to foster exchange of knowledge and technical expertise, and to facilitate collaboration throughout the EU and beyond;

Or. en

Amendment 113
Paul Tang

Draft opinion
Paragraph 8 c (new)

Draft opinion

Amendment

8c. Points out that AI can be used for personalised advertising, in particular micro-targeted and behavioural advertisements, and of assessments of individuals; notes the potential negative impact of personalised advertisement, especially on minors, by interfering in the private life of individuals; posing questions as to the collection and use of the data used to personalise advertising, offering products or services or setting prices; perceives these downsides as expressions of the way personalised ads are unethical; calls therefore on the Commission to use its ethical framework to prohibit all personalised advertisements;

Or. en

Amendment 114
Paul Tang

Draft opinion
Paragraph 8 d (new)

Draft opinion

Amendment

8d. Notes that AI can be used to manipulate face- and audiovisual characteristics, often referred to as deepfakes; recalls that this technique can be used to manipulate elections, to disseminate disinformation and for other undesirable actions; asks the Commission therefore to use its ethical framework to impose an obligation for all deepfake material or any other realistically made synthetic videos, to state it's not original

and to introduce a strict limitation when used for electoral purposes;

Or. en

Amendment 115

Paul Tang

Draft opinion

Paragraph 8 e (new)

Draft opinion

Amendment

8e. Emphasises the importance of the protection of personal data and privacy; observes the rapid development of AI applications to recognise unique characteristic elements, such as facial, movements and attitudes; warns for interferences of privacy, non-discrimination and the protection of personal data with the use of automated recognition applications; calls on the Commission to incorporate in its ethical framework an absolute ban on facial recognition in the public space and educational premises and a ban on not local storage of data used for facial recognition;

Or. en

Amendment 116

Paul Tang

Draft opinion

Paragraph 8 f (new)

Draft opinion

Amendment

8f. Recalls the importance of linguistic and cultural diversity; calls therefore on the Commission to use its ethical framework to not let AI reduce this diversity, but to keep offer access to a wide

variety of content which would not over-represent a single language and/or cultural model and to condemn any attempts from algorithms which would restrict this diversity and only offer content corresponding to some already existing patterns or which could act as an 'echo-chamber' that would prevent access to more diversity;

Or. en