Artificial intelligence: MEPs want to ensure a fair and safe use for consumers

- Update EU safety and liability rules in light of AI-enabled products
- Use unbiased algorithms and review structures
- Ensure that humans remain ultimately in control

Parliament calls for a strong set of rights to protect consumers in the context of artificial intelligence and automated decision-making, in a resolution approved on Wednesday.

The resolution addresses several challenges arising from the rapid development of artificial intelligence (AI) and automated decision-making (ADM) technologies, with a special focus on consumer protection.

Parliament welcomes the potential of ADM to deliver innovative and improved services to consumers, including new digital services such as virtual assistants and chatbots. However, when interacting with a system that automates decision-making, one should be "properly informed about how it functions, about how to reach a human with decision-making powers, and about how the system's decisions can be checked and corrected", it adds.

Those systems should only use high-quality and unbiased data sets and "explainable and unbiased algorithms", states the resolution. Review structures should be set up to remedy possible mistakes in automated decisions. It should also be possible for consumers to seek redress for automated decisions that are final and permanent.

"Humans must always be ultimately responsible for, and able to overrule, decisions that are taken in the context of professional services such as the medical, legal and accounting professions, and for the banking sector", MEPs underline.

Parliament calls for a risk-assessment scheme for AI and ADM and for a common EU approach to help secure the benefits of those processes and mitigate the risks across the EU.

Adjust safety and liability rules to the new technologies

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MEPs urge the Commission to table proposals adapting the EU's safety rules for products (e.g. directives on machinery and toy safety) to ensure that consumers are informed about how to use those products and are protected from harm, while manufacturers should be clear on their obligations.

The Product Liability Directive, adopted over 30 years ago, would also need to be revised to adapt concepts such as 'product', damage', 'defect' and rules governing the burden of proof, says Parliament.

Differentiated pricing and discrimination

Under EU law, traders must inform consumers when the price of goods or services has been personalised on the basis of ADM and profiling of consumer behaviour, MEPs recall, asking the Commission to closely monitor the implementation of those rules. The EU must also ensure that ADM is not unduly being used to discriminate against consumers based on their nationality, place of residence or temporary location.

Next steps

The resolution, approved by a show of hands, will be transmitted to the EU Council (member states) and the Commission, so that they take into account MEPs' views on AI and ADM. The Commission announced that it is due to present its plans for a European approach to AI on 19 February 2020.

Further information

The resolution approved in plenary will be available here (click on 12.02.2020)
Video recording of the debate in plenary (10.02.2020)
Video statement by the Chair of the Internal Market and Consumer Protection Committee, Petra De Sutter (Greens/EFA, BE)
EP Research: Understanding algorithmic decision-making: Opportunities and challenges
EP Research: A governance framework for algorithmic accountability and transparency
EP Research: Global Trendometer - Auditing algorithms to avoid bias

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