

## A European Call for Responsibility

### Ethical demands for a human-centric artificial intelligence

The Commission on Ethics of COMECE discussed during its last meeting held in Brussels the major challenges of the ethical regulation of artificial intelligence. The Commission on Ethics considers that:

In the dynamic landscape of technological advancement, we are witnessing an unprecedented acceleration of innovation and efficiency in Artificial Intelligence (AI). AI's giant leap forward is ushering in the fourth industrial revolution, marked by emerging technological breakthroughs in several fields that are blurring the lines between humans and machines, between the natural and the artificial, and between the physical and virtual worlds. AI's rapid pace of innovation is heralding a transformative era in many fields, such as healthcare, education, employment and jobs, economy and industry, transportation and communication. But these technological strides are accompanied with significant ethical questions.

Pope Francis underlined in his message for the 57 th World Day of Peace in January 2024: *"...The remarkable advances in new information technologies, particularly in the digital sphere, thus offer exciting opportunities and grave risks, with serious implications for the pursuit of justice and harmony among peoples. Any number of urgent questions need to be asked..."*

The Pope deepened the sense of limit in the technocratic paradigm in his peace message: *" "Intelligent" machines may perform the tasks assigned to them with ever greater efficiency, but the purpose and the meaning of their operations will continue to be determined or enabled by human beings possessed of their own universe of values. There is a risk that the criteria behind certain decisions will become less clear, responsibility for those decisions concealed, and producers enabled to evade their obligation to act for the benefit of the community."*<sup>1</sup>

We note that the European Union is attempting to address the contemporary emergence of AI with a first robust EU regulatory framework for AI that does justice to the ethical foundations of the EU. The Commission on Ethics welcomes the provisional agreement of the European Parliament with the European Council on the AI Act ((COM(2021)0206 – C9-0146/2021 – 2021/0106(COD)) as a genuine attempt to chart the future of the digital world in a human-centric and responsible way.

In view of the formal adoption of the EU AI Act, the Commission on Ethics would like to reemphasize some fundamental ethical principles for the upcoming implementation and further deepening of legal regulation of AI in the European Union.

- AI systems must be conceived, designed and implemented in ways that serve and protect people and their environment.
- AI should be evaluated from an ethical perspective. This requires internal control principles and risk assessment in addition to legislation.

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<sup>1</sup> Message of his Holiness Pope Francis for the 57 th World Day of Peace, 1 January 2024

- AI is not only about technological and economic growth as well as the safeguarding of citizens' fundamental rights and values.
- Take into consideration of a deeper anthropological understanding of human agency, autonomy, self-consciousness, deliberation, intentionality, freedom, and accountability as distinct from sophisticated activities of 'intelligent machines'.
- AI should never be a source of biased and discriminatory decisions.
- The AI technology should be not anthropomorphized.
- Human dignity, common good, subsidiarity, solidarity and justice are to be safeguarded.
- In line with the key principles of the Rome Call for AI<sup>2</sup>, transparency, sharing of information, inclusion, accountability, impartiality, reliability, security, and privacy are needed. AI should help to create living conditions (both social and personal) that enable both the community and its individual members to flourish to the fullest extent possible.
- A robust risk assessment and management as well as technical documentation are necessary in accordance with the precautionary principle.
- The protection of democracy and the rule of law is of utmost importance.
- The multide ethical challenges posed by AI need to be addressed by a collaborative and interdisciplinary approach. Such a multidisciplinary dialogue is fundamental to crafting policies that balance technological innovation with moral and ethical considerations.

The AI Liability Directive (COM (2022) 496 final, 2022/0303(COD)) proposed by the European Commission, will be an important additive legal regulation on AI. It will complement the Artificial Intelligence Act by introducing a new liability regime and wants to ensure legal certainty, to enhance consumer trust in AI, and to assist consumers' liability claims for damage caused by AI-enabled products and services.

In this context we will need a further ethical based legal discussion about the limits of intellectual property rights in the setting of AI. Should a purely artificial intelligence system be protected by copy rights? COMECE underlined in a former publication:

*"Calls for the extension of legal personality to robots runs contrary to, and undermines the very concept of responsibility, as it arises in the context of human rights and duties. Responsibility rooted in legal personality can only be exercised where there exists the capacity for freedom, and freedom is more than autonomy. Legal personality is assigned to a natural person (as the natural consequence of their being human) or to a legal person (in this case, even though a fiction, legal personality presupposes the existence of a natural person or persons acting behind the fiction)."*<sup>3</sup> The ethical principle of responsibility and the capacity of the human agency to compensate for damages incurred must be the fundamental pillar for appropriate regulation.

Rapid development in the last years, in particular in generative AI and Large-Language Models and continued research into AI systems with self-consciousness, transformed a speculative notion into a tangible possibility and drawing attention to the existential risks at the same time.

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<sup>2</sup> Rome Call of AI, 28 February 2020

<sup>3</sup> COMECE, Robotisation of Life, B. 2., January 2019,

We call for a joint effort to deepen the social- ethical discourse, including the discussion of an international moratorium to forbid some research on AI that develop machines with self-consciousness, to find an appropriate response.

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