



## MINUTES

### Plenary Meeting of the European Group on Ethics in Science and New Technologies (EGE)

Brussels, 6 and 7 February 2018

Tuesday, 6 February 2018

**Present:** Prof. Emmanuel Agius, Prof. Anne Cambon-Thomsen, Prof. Ana Sofia Carvalho, Prof. Carlos Maria Romeo Casabona, Prof. Eugenijus Gefenas, Prof. Julian Kinderlerer, Prof. Herman Nys, Dr. Siobhán O'Sullivan, Prof. Laura Palazzani, Prof. Nils-Eric Sahlin, Prof. Marcel Jeroen van den Hoven, Prof. Christiane Woopen

**Excused:** Prof. Andreas Kurtz, Prof. Jonathan Montgomery, Prof. Barbara Prainsack

**European Commission:** Andres Alvarez Fernandez, Jim Dratwa, Barbara Giovanelli, Johannes Klumpers, Maija Locane

**Nature of meeting:** Non-public

#### 09H30 - 10H00: Introduction and updates

Christiane Woopen and Jim Dratwa opened the meeting, welcomed the members and congratulated the Group for the success of the Round Table on the Future of Work on the preceding day. Jim Dratwa reported on the growing interest in the upcoming EGE Statement on Artificial Intelligence, Robotics and 'Autonomous' Systems across the Commission. In view of the launch of the 'Commission Initiative on AI', Commission DGs and Cabinets expressed a request for early access to the Statement in order to devise the AI Initiative so that it builds on the EGE's work. Given that the Statement was planned to be finalised during this plenary meeting, the members agreed to share the updated version of the Statement with the persons concerned after the meeting. Jim Dratwa also announced that Marie Frenay (Cabinet of Vice-President Ansip, Digital Single Market) had kindly offered to join the Group in the afternoon for an exchange on the Commission Initiative on AI.

At the request of Christiane Woopen, Jim Dratwa and Johannes Klumpers informed the members that they should update their Declarations of Interest for 2018, if needed. This declaration that each member needs to submit (and already submitted in order to be appointed) is part of the Commission's procedure to prevent and identify conflicts of interest in expert groups. In case the professional situation of the EGE member changes at any time, the forms for the Declaration of Interests should be resubmitted to the Secretariat forthwith.

Christiane Woopen updated the members on a series of points. She announced that according to a discussion in the small group of members who volunteered to prepare a paper there will be no EGE note on net neutrality at this point (which had been discussed in the previous meeting), given that the European context, contrary to the US-American one, poses no urgent need for such a note. It could be, however, taken up later. She also announced the participation of herself, Jeroen van den Hoven and Jim Dratwa in the 12th Global Summit of National Ethics/Bioethics Committees in Dakar, Senegal, from 22 to 24 March 2018, as well as her own participation in 'ICT 2018', an ICT research



and innovation event organised by the European Commission and the Austrian Presidency, taking place from 4 to 6 December 2018 in Vienna. Carlos Maria Romeo Casabona informed about the hearing on human genetics that will take place in the Spanish Senate, where Christiane Woopen will be invited speaker. The Chair also announced the kick-off meeting for the international 'Association for Responsible Research and Innovation in Genome Editing' (ARRIGE), which aims at promoting a global governance of genome editing.

### **10H00 - 13H00: Discussion on the EGE Statement on Artificial Intelligence, Robotics and 'Autonomous' Systems**

With the aim to conclude its work on the Statement on Artificial Intelligence, the Group engaged in an intense working session on the latest draft. Jeroen van den Hoven delineated the last changes made to the document and the Group decided its final title and the visual highlighting of the recommendations and of the principles. The members then engaged in a final in-depth revision of the text.

### **13H00 - 14H00: Lunch**

### **14H00 - 15H30: Presentation of the Commission Initiative on Artificial Intelligence**

*Present: Giulia Del Brenna, Marie Frenay, Paul Nemitz*

Marie Frenay (Cabinet Ansip) joined the Group for presenting the upcoming Commission Initiative on Robotics and Artificial Intelligence, with Giulia Del Brenna (Deputy Head of Cabinet of Commissioner Moedas). The Initiative pursues the goal to ensure Europe's competitiveness in these technologies and facilitate their uptake by society. It will aim at 1) building up Europe's technological and industrial capacity in AI, 2) addressing new ethical, societal and legal issues, and 3) tackling emerging socio-economic challenges.

An integral part of the strategy will be the creation of an AI Alliance with a high-level expert group at its core. The expert group will be composed of a broad set of stakeholders (including academic, civic and business representatives) and could involve cross-membership of EGE members. It should, in any case, work in liaison with the EGE. One of the tasks of the high-level group will be the development of a Charter on AI Ethics, which will build on the EGE Statement on AI, Robotics and 'Autonomous' Systems. The call for membership will soon be issued. Once composed, the high-level group is planned to meet four times in 2018. In addition, this group will be in touch with a wider community, potentially via online interface.

Marie Frenay also reported on the current evaluation of the Machinery Directive and of the Products Liability Directive, whose results will be published together with the launch of the AI Initiative in April.

Jeroen van den Hoven presented the EGE Statement and underlined the importance of considering ethics as a prerequisite, and not as a barrier for successful, responsible and sustainable innovation and social prosperity. Christiane Woopen pointed to the necessity of attributing an appropriate and well-defined institutional role to the EGE in the AI Initiative.

Paul Nemitz (Principal Advisor, DG JUST) joined the Group in the context of DG JUST's role in the preparation of the AI Initiative. DG JUST spearheads the AI Initiative together with DG CNECT and DG GROW. He pointed to the legislative challenges that these new technologies pose and drew attention to the possibilities and implications of a revision and potential updating of EU law. This led to a fruitful discussion on the relation between ethics and law.

### **15H30 - 17H30: Discussion on the EGE Statement on Artificial Intelligence, Robotics and 'Autonomous' Systems**



The rest of the afternoon session was devoted to the finalisation of the EGE Statement on Artificial Intelligence, Robotics and ‘Autonomous’ Systems. This included a thorough discussion of the human dignity principle, leading to additions on its relational dimension (mostly regarding the right of persons to know whether they are interacting with an algorithm or with a human being). A concluding section was added that summarises the EGE’s recommendations and calls for an ethically informed notion of ‘responsible’ innovation, based on an understanding of moral values as stimulus and catalyst, and not as impediments or barriers for innovation.

### **17H30: End of the meeting**

**Wednesday, 7 February 2018**

**Present:** Prof. Anne Cambon-Thomsen, Prof. Ana Sofia Carvalho, Prof. Carlos Maria Romeo Casabona, Prof. Eugenijus Gefenas, Prof. Julian Kinderlerer, Prof. Herman Nys, Dr. Siobhán O’Sullivan, Prof. Nils-Eric Sahlin, Prof. Marcel Jeroen van den Hoven, Prof. Christiane Woopen

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**Nature of meeting:** Non-public

### **09H30 - 09H45: Opening**

Christiane Woopen opened the second day of the meeting and the Group approved the minutes of its last Plenary Meeting (December 2017) and of the Rapporteurs Meeting (January 2018).

### **09H45 - 11H00: Discussion on the EGE Statement on Artificial Intelligence, Robotics and ‘Autonomous’ Systems**

Jeroen van den Hoven and Christiane Woopen reported on the changes made in the Statement following the Group’s discussion on the preceding day. Additional final amendments were made and the Group unanimously adopted the Statement. Jim Dratwa congratulated the EGE on its first Statement and accepted the mandate to ensure a final stylistic editing of the piece. The Secretariat was asked to inform absent members of the finalisation of the Statement and invite them to provide additional considerations via email.

The Group then engaged in a discussion on the publication procedure. It was agreed that events should be identified at which the Statement can be presented, among them the Digital Day on 10 April. The mention of the Statement in the call for membership of the AI Alliance high-level expert group will also increase its visibility. The members also agreed to spread the Statement through their professional channels; to engage with the media at national level; and to submit commentaries in newspapers as well as journals such as Nature.

### **11H00 - 12H30: Discussion on the outcomes of the Open Round Table on the Future of Work**

The Chair then invited the Group to discuss the outcomes of the Round Table. Jim Dratwa indicated that proceedings of the event will be prepared and that the presentations of the speakers will be shared with the members.

#### *Panel 1*

The Group noted the strong presence of societal aspects in the discussion, which reconfirmed the importance of its work. The members discussed Barry Schwartz’ contribution, appreciating his call to look beyond economic motivations for working, assessing the scope of his theories (motivation



and HR management), and discussing later works by Adam Smith. Sangheon Lee from ILO was commended on his clear definition of work, including unpaid work, and his notes on (system) adaptability. Madi Sharma impressed with her statement: "the future is now", echoing the Group's sense of purpose.

### *Panel 2*

The members discussed the presentation of Amana Ferro (European Anti-Poverty Network), who had pointed to the facts that "some people cannot (quickly and easily) be 'upskilled'", that an increasing number of persons in full-time employment face poverty ('the working poor'), and that income polarisation is growing. The Group agreed that Amana Ferro's contribution was also rich in terms of recommendations.

The members also noted the discussants' strong focus on the care sector and on entrepreneurship with regard to 'new jobs'. Moreover, various comments from the audience were discussed, e.g. on cooperatives, on forced life-planning adaption (e.g. postponed family planning), and the notion of 'inclusive technologies'.

### *Panel 3*

The members engaged in a discussion on education and reaffirmed that it must be given due attention in the Opinion. They pointed to the need of broadening education at universities, as well as to the problematic but very present calls to orient education systems towards the labour market.

It was also noted that many speakers referred to statistical data that is scarcely founded.

### *Panel 4*

The Group appreciated Prof. Ursula Huws' contribution and discussed her comments on rating systems. Thiébaud Weber's presentation showed that trade unions are facing various considerable challenges, such as the challenge to find universal solutions for the very heterogeneous category of gig workers, and the risk of eroding hard-won and long-established workers' rights by incorporating gig workers into their programmes.

## **12H30 - 14H00: Lunch**

## **14H00 - 15H30: Discussion on the EGE Opinion on the Future of Work, chapter 'Trends'**

Christiane Woopen invited all EGE members to send their comments on all parts by the next Rapporteurs' meeting on 15 March.

Siobhán O'Sullivan, rapporteur of the chapter 'Trends' of the Opinion on the Future of Work, presented the new chapter draft and its overall narrative questioning predictions, placing social justice at the heart of the debate, and highlighting the human control over and thus, responsibility for the future shape of work.

The members engaged in a discussion on the kinds of jobs that might be automated, referring to various models of categorisation of jobs (e.g. manual routine tasks, manual non-routine tasks, cognitive routine tasks, cognitive non-routine tasks), leading to a debate about the definition of cognitive non-routine tasks and of 'creativity'. Members highlighted that machines are limited to truth-tracking, whereas only human beings are able 'to envisage the world as it ought to be'. The ultimate differentiator is, hence, ethics, i.e. machines will never be able to take over jobs that involve ethical deliberations and judgements in the way humans engage in ethical deliberations and judgements.

For further work on the chapter, the following suggestions were raised:



- The chapter should remain short and only set the scene.
- It should be reality-oriented and speak about tangible trends, not speculative predictions. In this regard, a disclaimer could be added for acknowledging that many of the scenarios discussed in the Opinion might not become reality.
- The title of the chapter should be changed as it does not describe the existing trends but rather sets a wider scene for the change.
- An opening paragraph could be added to explain the chapter's structure.
- The contrast of lack of data and hype around predictions could be made more explicit (questioning of data collection methodologies).
- A separation between automation and digitation would be useful.
- References to estimations on which categories of jobs or tasks might get automated and which new jobs might replace them could be added.
- A brief mention of inequalities between countries could be added.
- A brief mention of increased profiling and tracking could be added as a 'trend'.
- The heterogeneity of platform and gig work could be illustrated by adding examples of various forms of platform work.
- The differences between and relationship of platform owners and platform workers could be described.
- Differentiation between different forms of platform economy would help to clarify what can be done at policy making level. It was noted that unified approach to the whole platform economy might not satisfy needs of all.
- A section about rating systems could be added.
- A paragraph on questions of data ownership could be added, together with other unpaid sources of profit creation, potentially with a reference to the relevant sections in Opinion no. 29 and a reference to the principal-agent problem (suggested structure: a) ranking and rating systems, b) information as a currency, c) role of information in principal agent problem).
- A section of meta-level trends could be added, e.g. how the thinking on social justice has evolved, and how we might want it to evolve. Hereby, the work of Sen and Nussbaum, and the work of Philip Pettit could be useful references.
- UBI should be presented as one option following the section on the de-linking of work from income and welfare entitlement.

### **15H30 - 16H00: General discussion on the EGE Opinion on the Future of Work**

The Group discussed what it meant by a 'broad' understanding of technology. It also reflected upon approaches to life-long learning (joint financing by state, employer and employee with flexible payment ratios, Singapore and France as examples).

The group reflected on the Universal Basic Income (UBI) as one of the possible solutions to social exclusion. An interesting discussion developed on what should be considered as 'basic needs'. It was suggested to address it in the Opinion.

It was agreed as important to think already about potential recommendations while drafting the Opinion.

The members also talked about the option to merge the chapters 'Concepts' and 'Ethics'. For now, Ana Sofia Carvalho offered to systematically analyse whether everything mentioned in the chapter 'Trends' is elaborated on in the chapter 'Ethics' and vice versa.

In the chapter 'Concepts', the section on the distinction of work and labour could be shortened and a longer section about applicable concepts from normative political theory and welfare economics in general could be developed. Jeroen van den Hoven offered to draft a first version of it.



It was also suggested to change the framing of the titles in the chapter 'Ethics' (no 'value' language). Ideas for additional potential subsections to the chapter should be sent to Laura Palazzani, chapter rapporteur, and the working group by the beginning of March.

The members encouraged each other to constantly reflect on potential recommendations along their drafting and reading.

Herman Nys announced that his work on the chapter 'Governance' will be intensified in the coming weeks.

Eugenijus Gefenas asked for an update on the future action points. The Secretariat proposed to send some immediate action points, as well as a reminder of already agreed and circulated meeting dates.

#### **16H00 - 16H30: Discussion on the EGE's participation in ESOF**

For preparing the participation of the EGE in ESOF, the Secretariat offered to develop concept notes on both the EGE session and the join SAM HLG & EGE session. The idea for a potential EGE session on AI with the French Bioethics Committee (CCNE) was discussed.

#### **16H30: End of the meeting**

### **Action Points**

- Secretariat to prepare the publication of the Statement.
- Secretariat to circulate presentations and abstracts of the Round Table.
- Secretariat to organise a second Rapporteurs Meeting on 15 March.
- Secretariat to open the joint online working space ('Wiki') for the EGE, and members to create an EU-account [here](#) for accessing it.
- Further suggestions for the chapters of the Opinion to be sent to chapter rapporteurs and working groups by the beginning of March ('Ethics' chapter) and 13 March (other chapters).
- Work to be intensified within the working groups (video conferences etc.).
- Updates of the Declarations of Interest, if needed.