

Research is Important for AI ... and AI for Research

Response to European Commission's Inception Impact Assessment on a 'Proposal for a legal act of the European Parliament and the Council laying down requirements for Artificial Intelligence.'

Science Europe welcomes the opportunity to react to the European Commission's (EC) Inception Impact Assessment for a 'Proposal for a legal act laying down requirements for Artificial Intelligence'. Science Europe Member Organisations, major national research funding (RFOs) and performing organisations (RPOs), are important users and producers of data. As such they can contribute to and be impacted by Artificial Intelligence (AI) developments in many ways. Science Europe considers that the implications of an AI legislation on the research and innovation (R&I) sector are currently not sufficiently taken into account.

The importance of AI for Research & Innovation

The importance of AI for R&I is growing quickly. Future EU legislation on AI could have an impact on the activities of RPOs and RFOs, including:

- Research on the development of AI systems;
- Implementation and embedding of AI methods in, possibly, all fields of research;
- Use of AI in research administration and governance, for example to identify reviewers for grant applications or pre-assess project applications.

The EC analysis of the answers to the consultation in spring 2020 shows that fostering R&I on AI is of great importance to many respondents. It is therefore surprising that the EC Inception Impact Assessment from 23 July 2020 does not refer to the R&I sector at all and, instead, is purely business oriented.

Science Europe would like to see R&I properly addressed in EU legislation on AI. In this respect, Science Europe invites the EC to take into account the following three points:

1. Developers' and users' liability

The question of liability for developers and users of AI systems does not only concern industry, as implied in the Inception Impact Assessment. Researchers are important contributors to the development of AI systems. The EC should ensure that potential EU legislation tackling liability

issues provides the necessary safety guarantees to both users and developers of AI systems while at the same time fostering R&I on AI.

2. Links between AI and Open Science

Science Europe members define and implement numerous Open Science policies, including Open Access to research publications and research data. Science Europe promotes Open Science policies and, moreover, Science Europe and some of its members are actively engaged in the development of the European Open Science Cloud (EOSC).

EOSC will make data available on a large scale and across borders for researchers to use, based on the principle as open as possible as closed as necessary.' The increased availability of data will lead to many researchers using AI technologies for data analysis. Healthy, unbiased datasets and data protocols are needed for researchers to produce quality research. The EC needs to ensure that future legislation on AI supports Open Science policies.

3. Solid scientific results depend on robust and reliable data

Researchers using AI systems to conduct their research, as well as research organisations using AI in their daily business for research administration and governance, need to be sure that the data and the AI systems they use are reliable. The quality of results provided by AI applications depends on robust data collection methodologies and tools, transparency of data sets, as well as monitoring and curation of data sets and algorithms. This is critical to ensure that AI systems do not cause erroneous results because of biased data. The EC services should take these aspects into account when considering a potential legislative or soft law approach on AI and ensure coherence with other legislative projects such as the proposal on European data spaces.

Science Europe would be happy to collaborate with the EC by providing further input from its member organisations and their expertise on AI in the R&I sector. Future EU legislation on AI needs to strike the right balance between safeguards for users and developers of AI systems and a legal environment that fosters R&I.

10 September 2020