

Feedback

Feedback reference	F530171
Date/Time received	26/06/2020 18:16:31
Type of user	Company/Business organisation
Transparency register number	181069237409-88
Organisation	Hangzhou Hikvision Digital Technology Co., Ltd.
Company size	Large (250 or more)
Country	China
First name	Mathias
Last name	van Malderghem Nagy
E-mail	mathias.nagy@bcw-global.com
Publication status	The feedback can be published with your personal information
Feedback language	English
Feedback in original language	Contribution from Company/Business organisation, China.
Includes an attachment	NO
Eu survey token	47ab5d35-c83f-4b22-9130-43a687da7225

Contribution

Introduction

Artificial intelligence (AI) is a strategic technology that offers many benefits for citizens and the economy. It will change our lives by improving healthcare (e.g. making diagnosis more precise, enabling better prevention of diseases), increasing the efficiency of farming, contributing to climate change mitigation and adaptation, improving the efficiency of production systems through predictive maintenance, increasing the security of Europeans and the protection of workers, and in many other ways that we can only begin to imagine.

At the same time, AI entails a number of potential risks, such as risks to safety, gender-based or other kinds of discrimination, opaque decision-making, or intrusion in our private lives.

The European approach for AI aims to promote Europe's innovation capacity in the area of AI while supporting the development and uptake of ethical and trustworthy AI across the EU. According to this approach, AI should work for people and be a force for good in society.

For Europe to seize fully the opportunities that AI offers, it must develop and reinforce the necessary industrial and technological capacities. As set out in the accompanying European strategy for data, this also requires measures that will enable the EU to become a global hub for data.

The current public consultation comes along with the White Paper on Artificial Intelligence - A European Approach aimed to foster a European ecosystem of excellence and trust in AI and a Report on the safety and liability aspects of AI. The White Paper proposes:

Measures that will streamline research, foster collaboration between Member States and increase investment into AI development and deployment; Policy options for a future EU regulatory framework that would determine the types of legal requirements that would apply to relevant actors, with a particular focus on high-risk applications.

This consultation enables all European citizens, Member States and relevant stakeholders (including civil society, industry and academics) to provide their opinion on the White Paper and contribute to a European approach for AI. To this end, the following questionnaire is divided in three sections: Section 1 refers to the specific actions, proposed in the White Paper's Chapter 4 for the building of an ecosystem of excellence that can support the development and uptake of AI across the EU economy and public administration; Section 2 refers to a series of options for a regulatory framework for AI, set up in the White Paper's Chapter 5; Section 3 refers to the Report on the safety and liability aspects of AI. Respondents can provide their opinion by choosing the most appropriate answer among the ones suggested for each question or suggesting their own ideas in dedicated text boxes.

Feedback can be provided in one of the following languages: BG | CS | DE | DA | EL | EN | ES | ET | FI | FR | HR | HU | IT | LT | LV | MT | NL | PL | PT | RO | SK | SL | SV

Written feedback provided in other document formats, can be uploaded through the button made available at the end of the questionnaire.

The survey will remain open until 14 June 2020.

Section 1 - An ecosystem of excellence

To build an ecosystem of excellence that can support the development and uptake of AI across the EU economy, the White Paper proposes a series of actions.

In your opinion, how important are the six actions proposed in section 4 of the White Paper on AI (1-5: 1 is not important at all, 5 is very important)?

Working with Member states	4 - Important
Focussing the efforts of the research and innovation community	4 - Important
Skills	5 - Very important
Focus on SMEs	4 - Important
Partnership with the private sector	5 - Very important
Promoting the adoption of AI by the public sector	4 - Important

Are there other actions that should be considered?

Hikvision is the world's leading provider of innovative security products, with its European headquarters in the Netherlands. We welcome the steps taken by the Commission to promote the uptake of AI in Europe. Hikvision, as a specialist in the market, believes that a further key action to consider is international cooperation in research on AI which is essential for the development of a trustworthy AI ecosystem. Our R&D teams operate globally.

Revising the Coordinated Plan on AI (Action 1)

The Commission, taking into account the results of the public consultation on the White Paper, will propose to Member States a revision of the Coordinated Plan to be adopted by end 2020.

In your opinion, how important is it in each of these areas to align policies and strengthen coordination as described in section 4.A of the White Paper (1-5: 1 is not important at all, 5 is very important)?

Strengthen excellence in research	5 - Very important
Establish world-reference testing facilities for AI	3 - Neutral
Promote the uptake of AI by business and the public sector	5 - Very important
Increase the financing for start-ups innovating in AI	3 - Neutral
Develop skills for AI and adapt existing training programmes	4 - Important
Build up the European data space	3 - Neutral

Are there other areas that that should be considered?

As a global company, Hikvision believes that a further key area to be considered is international cooperation in research could lead to unprecedented advancements in AI. The EU is already a leader in international scientific cooperation and could consider how such cooperation in relation to AI with institutions and companies beyond the EU borders could help foster excellence in Europe itself. In addition, diversity of views and approach regarding AI would foster innovation.

A united and strengthened research and innovation community striving for excellence

Joining forces at all levels, from basic research to deployment, will be key to overcome fragmentation and create synergies between the existing networks of excellence.

In your opinion how important are the three actions proposed in sections 4.B, 4.C and 4.E of the White Paper on AI (1-5: 1 is not important at all, 5 is very important)?

Support the establishment of a lighthouse research centre that is world class and able to attract the best minds	No opinion
Network of existing AI research excellence centres	No opinion
Set up a public-private partnership for industrial research	4 - Important

Are there any other actions to strengthen the research and innovation community that should be given a priority?

Focusing on Small and Medium Enterprises (SMEs)

The Commission will work with Member States to ensure that at least one digital innovation hub per Member State has a high degree of specialisation on AI.

In your opinion, how important are each of these tasks of the specialised Digital Innovation Hubs mentioned in section 4.D of the White Paper in relation to SMEs (1-5: 1 is not important at all, 5 is very important)?

Help to raise SME's awareness about potential benefits of AI	No opinion
Provide access to testing and reference facilities	No opinion
Promote knowledge transfer and support the development of AI expertise for SMEs	No opinion
Support partnerships between SMEs, larger enterprises and academia around AI projects	No opinion
Provide information about equity financing for AI startups	No opinion

Are there any other tasks that you consider important for specialised Digital Innovations Hubs?

Section 2 - An ecosystem of trust

Chapter 5 of the White Paper sets out options for a regulatory framework for AI.

In your opinion, how important are the following concerns about AI (1-5: 1 is not important at all, 5 is very important)?

AI may endanger safety	4 - Important
AI may breach fundamental rights (such as human dignity, privacy, data protection, freedom of expression, workers' rights etc.)	5 - Very important
The use of AI may lead to discriminatory outcomes	5 - Very important
AI may take actions for which the rationale cannot be explained	3 - Neutral
AI may make it more difficult for persons having suffered harm to obtain compensation	3 - Neutral
AI is not always accurate	3 - Neutral

Do you have any other concerns about AI that are not mentioned above? Please specify:

We understand the legitimate concerns towards certain AI use-cases, but we are concerned that AI technologies are increasingly misportrayed as a risk to privacy rights. A further concern is that AI innovation could be restricted without a legal framework that appropriately categorises what constitutes "high risk", sets out an appropriate distribution of obligations and liability among the economic operators, and provides a harmonized approach to AI regulation across the EU.

Do you think that the concerns expressed above can be addressed by applicable EU legislation? If not, do you think that there should be specific new rules for AI systems?

There is a need for a new legislation

Other, please specify

If you think that new rules are necessary for AI system, do you agree that the introduction of new compulsory requirements should be limited to high-risk applications (where the possible harm caused by the AI system is particularly high)?

Other

Other, please specify:

Hikvision very much supports the risk-based approach for potential compulsory requirements. It should address many concerns regarding AI and takes into account that a "one-size-fits-all" approach would be impractical. Hikvision supports the Commission's intention to establish a legal framework and create clear criteria to differentiate between AI applications across the EU. This would enable companies to have clarity and certainty as they develop and deploy AI technologies.

Do you agree with the approach to determine "high-risk" AI applications proposed in Section 5.B of the White Paper?

Other, please specify:

If you wish, please indicate the AI application or use that is most concerning ("high-risk") from your perspective:

Hikvision agrees that AI applications may be considered 'high-risk' when both the sector and the intended use involve significant risks e.g., large-scale surveillance using biometrics. However, Hikvision urges the Commission to ensure there is a clear categorization as to what constitutes "high risk" in order to not stifle innovation. It is also essential to distribute obligations and liability appropriately among the economic operators best placed to address any potential risks.

In your opinion, how important are the following mandatory requirements of a possible future regulatory framework for AI (as section 5.D of the White Paper) (1-5: 1 is not important at all, 5 is very important)?

The quality of training data sets	4 - Important
The keeping of records and data	5 - Very important
Information on the purpose and the nature of AI systems	4 - Important
Robustness and accuracy of AI systems	4 - Important
Human oversight	4 - Important
Clear liability and safety rules	5 - Very important

In addition to the existing EU legislation, in particular the data protection framework, including the General Data Protection Regulation and the Law Enforcement Directive, or, where relevant, the new possibly mandatory requirements foreseen above (see question above), do you think that the use of remote biometric identification systems (e.g. face recognition) and other technologies which may be used in public spaces need to be subject to further EU-level guidelines or regulation:

Other special requirements in addition to those mentioned in the question above should be imposed (please specify)

Please specify your answer:

Technological innovation is our driving force and we continuously develop novel technologies using AI, facial recognition, biometrics, big data and deep learning. As a specialist in commercial video-surveillance we fully appreciate the privacy and fundamental rights sensitivities and believe that individuals should not have to choose between safety and privacy. However, due to a certain lack of understanding, such innovative technologies are increasingly misportrayed as a risk to fundamental rights. We believe such innovative technologies solutions can be extremely positive and help stakeholders better manage the complexities and risks of modern society and in certain cases enhance the privacy of individuals – especially if appropriate safeguards, technological, human or legal are put in place to ensure the protection of citizens' rights. Biometric technology is also capable of ensuring fast and reliable protected access to information. Hikvision believes that only certain uses of biometric identification systems, such as large-scale surveillance should therefore be considered as 'high risk' and we would welcome clarification on common safeguards. Hikvision strongly supports the creation of a specific framework and guidance on the use of the technology in order to unlock the growth potential of the European Single Market in this sector. Hikvision considers that a moratorium or ban of these technologies would be detrimental to the European Single Market, notably relatively to other global markets.

Do you believe that a voluntary labelling system (Section 5.G of the White Paper) would be useful for AI systems that are not considered high-risk in addition to existing legislation?

Very much

Do you have any further suggestion on a voluntary labelling system?

Hikvision strongly supports the creation of a voluntary labelling system (VLS) to ensure that other economic actors in the AI supply chain have a practical way of continuing to create innovative AI technologies, whilst adhering to a set of clear voluntary requirements that recognise compliance with EU-wide standards. Hikvision believes that this would increase the uptake of the technology. The VLS should be designed so that it is clear to consumers what the VLS represents.

What is the best way to ensure that AI is trustworthy, secure and in respect of European values and rules?

No opinion

Please specify any other enforcement system:

Do you have any further suggestion on the assessment of compliance?

Section 3 – Safety and liability implications of AI, IoT and robotics

The overall objective of the safety and liability legal frameworks is to ensure that all products and services, including those integrating emerging digital technologies, operate safely, reliably and consistently and that damage having occurred is remedied efficiently.

The current product safety legislation already supports an extended concept of safety protecting against all kind of risks arising from the product according to its use. However, which particular risks stemming from the use of artificial intelligence do you think should be further spelled out to provide more legal certainty?

Cyber risks | Personal security risks

In your opinion, are there any further risks to be expanded on to provide more legal certainty?

Do you think that the safety legislative framework should consider new risk assessment procedures for products subject to important changes during their lifetime?

Yes

Do you have any further considerations regarding risk assessment procedures?

We suggest that cybersecurity risks should be considered as part of the risk assessment procedures in relation to all economic actors in the AI supply chain, including end-users. Cybersecurity obligations should be considered in relation to the design of AI but all by the end-user in terms of how they apply the product in practice.

Do you think that the current EU legislative framework for liability (Product Liability Directive) should be amended to better cover the risks engendered by certain AI applications?

Yes

Do you have any further considerations regarding the question above?

In relation to defects in AI-enabled products that result in injury to individuals, adjustments to the Directive could be made to consider: (i) whether the manufacturer could have foreseen changes to the use of the product by other economic actors in the AI supply chain which may lead to injury to individuals; (ii) the manufacturer's knowledge at the time of the product circulation; and (iii) contributory negligence factors (e.g., where the end-user did not perform relevant safety updates).

Do you think that the current national liability rules should be adapted for the operation of AI to better ensure proper compensation for damage and a fair allocation of liability?

No opinion

Please specify the AI applications:

Do you have any further considerations regarding the question above?

Thank you for your contribution to this questionnaire. In case you want to share further ideas on these topics, you can upload a document below.

You can upload a document here:

Related publication

External reference	AIConsult2020
Type	Public consultation
Lead Service	CNECT
Full title	Consultation on the White Paper on Artificial Intelligence - A European Approach
Short title	White Paper on Artificial Intelligence - a European Approach
Feedback start date	20/02/2020 12:42:26
Number of weeks	16
Feedback end date	14/06/2020 00:00:00
Unit	SECRETARIAT-GENERAL
Internal reference	NOPLAN/2020/0001
Target groups	<p>The European Commission wishes to consult stakeholders with an interest in artificial intelligence (AI):</p> <ul style="list-style-type: none"> • AI developers and deployers • companies and business organisations • Small and Medium-sized Enterprises (SMEs) • public administrations • civil society organisations • academics • citizens
Consultation objective	The public consultation aims to give stakeholders the opportunity to express their views on the questions raised and policy options proposed in the White Paper on Artificial Intelligence.