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EU LIABILITY RULES FOR THE AGE OF ARTIFICIAL INTELLIGENCE

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Improving network and digital industries regulation

OPPORTUNITIES & RISKS OF AI

Different approach to problem solving

- Better decisions
- Less predictable

More autonomous decision-making

- Free up time
- Shift in control

ISSUES CONSIDERED IN THE REPORT

Existing legal framework relevant to AI

Challenges for liability rules raised by AI

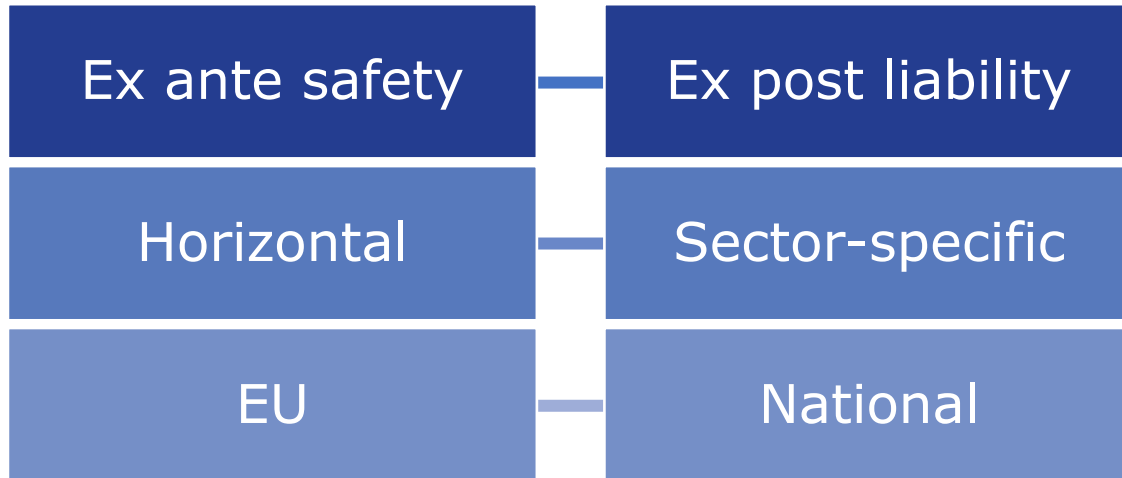
Efficient liability rules

Liability of
producers

Liability of
operators

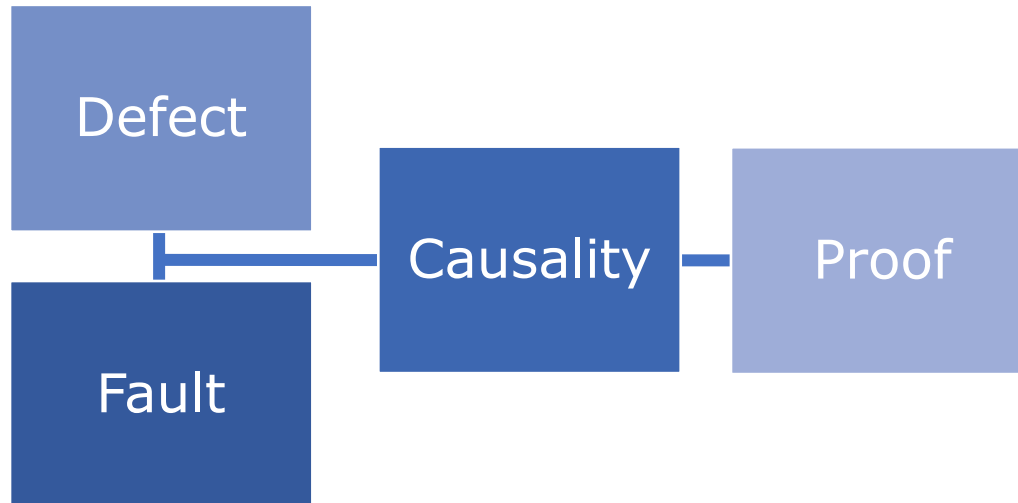
Level of EU
harmonisation

BROAD SET OF RULES



CHALLENGES FOR LIABILITY RULES RAISED BY AI

LESS PREDICTABLE + SHIFT IN CONTROL



EFFICIENT LIABILITY RULES FOR AI

Risk-based approach

- Principle-based
- Technology-neutral

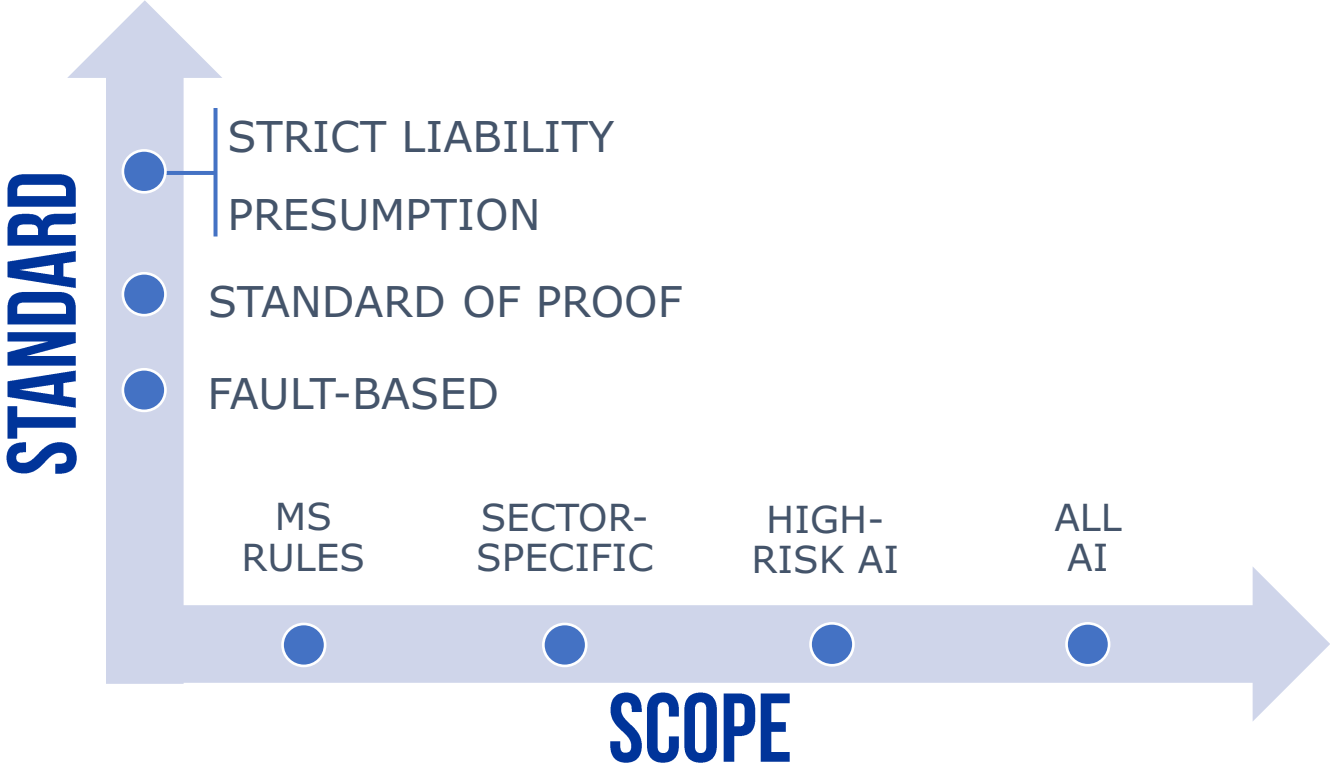
Incentivise care by all parties

- (Correlated) risks of harm
- Complementary efforts

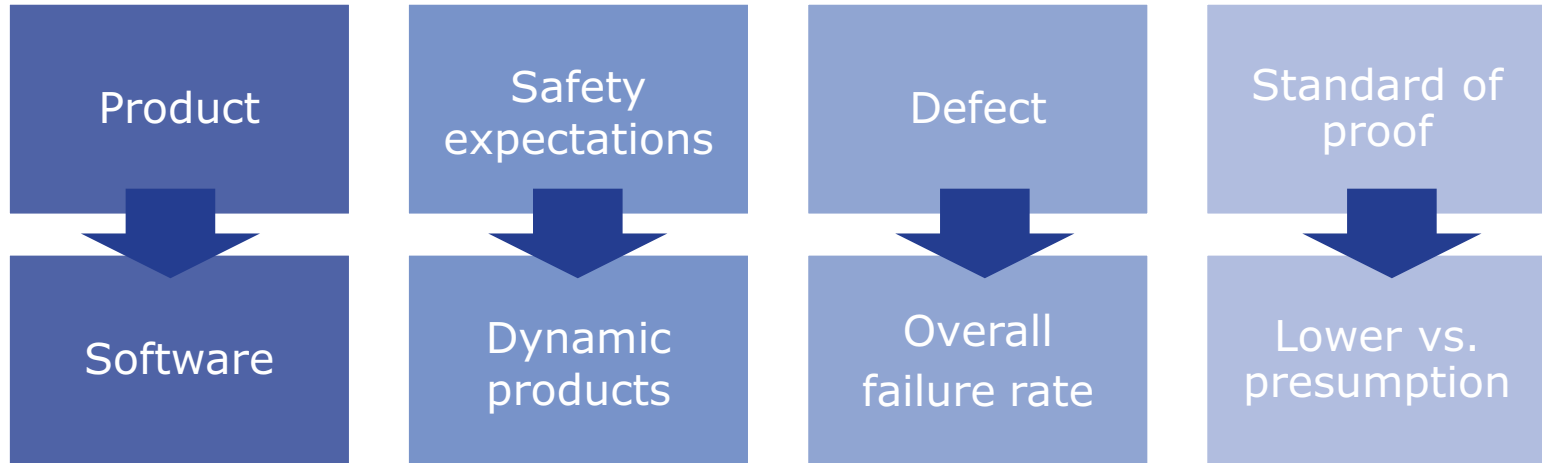
Multiple trade-offs

- Impact of liability on incentives to innovate & adopt/deploy AI

MAPPING THE POSSIBILITIES



PRODUCER LIABILITY



OPERATOR LIABILITY

High-risk AI

Non high-risk AI

Sector-
regulation

Un-
regulated

MEMBER
STATES:

Fault-based liability
Strict liability
Burden of proof

Fault-based liability



THANK YOU

- LINK TO THE FULL REPORT:
WWW.CERRE.EU/PUBLICATIONS
- CONTACT: INFO@CERRE.EU



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