

Civil law rules on robotics

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The European Parliament adopted by 451 votes to 138 with 20 abstentions, a resolution containing recommendations to the Commission on Civil Law Rules on Robotics.

Humankind stands on the threshold of an era when ever more sophisticated robots, bots, androids and other manifestations of artificial intelligence ("AI") seem to be poised to unleash a new industrial revolution, which is likely to leave no stratum of society untouched. The development of robotics and artificial intelligence raises legal and ethical issues that require a prompt intervention at EU level.

Members called on the Commission to submit, on the basis of Article 114 TFEU, a proposal for a directive on civil law rules on robotics, bearing in mind the following recommendations:

Definition and classification of a smart robot: Parliament called on the Commission to propose common Union definitions of cyber physical systems, autonomous systems, smart autonomous robots and their subcategories.

Registration of smart robots: Parliament considered that a comprehensive Union system of registration of advanced robots should be introduced within the Unions internal market. The Commission is called upon to establish criteria for the classification of robots that would need to be registered.

Members also considered it essential, in the development of robotics and AI, to guarantee that humans have control over intelligent machines at all times and that special attention should be paid to the possible development of an emotional connection between humans and robots ? particularly in vulnerable groups (children, the elderly and people with disabilities).

In order to avoid fragmentation in the internal market, Parliament noted that testing, certification and market approval should only be required in a single Member State and that this approach should be accompanied by effective market surveillance. It also underlined the importance of the principle of mutual recognition in the cross-border use of robots and robotic systems.

Research and innovation: Members asked the Commission and Member States to strengthen financial instruments for research projects in robotics and ICT, including public-private partnerships. Whilst welcoming the fact that the Member States and the Union are funding more and more research projects, Parliament called for increased EU support for the Horizon 2020 funded SPARC programme.

Ethical principles: Parliament stressed the need for a clear, strict and efficient guiding ethical framework for the development, design, production, use and modification of robots is needed to complement the existing national and Union acquis. It proposed, in the annex to the resolution, a framework in the form of a charter consisting of a code of conduct for robotics engineers, of a code for research ethics committees when reviewing robotics protocols and of model licences for designers and users.

The code should be based on the principles of beneficence, non-maleficence, autonomy and justice. Researchers and designers were asked to act responsibly and bear in mind the need to respect, dignity, privacy, and human safety.

A European Agency for robotics and artificial intelligence: in order to guarantee coherent cross-border rules in the Union, Parliament asked the Commission to consider the designation of such an Agency in order to provide the technical, ethical and regulatory expertise needed to support the relevant public actors, at both Union and Member State level. The Agency must be granted an appropriate budget.

Intellectual property rights: Members called on the Commission to support a horizontal and technologically neutral approach to intellectual property applicable to the various sectors in which robotics could be employed. Parliament emphasised that a high level of security and protection of personal data together with due regard for privacy in communication between humans, robots and AI are fundamental. The Commission and the Member States are urged to ensure that civil law regulations in the robotics sector are consistent with [Regulation \(EU\) 2016/679](#) of the European Parliament and of the Council (General Data Protection Regulation).

Liability: the Commission is asked to submit a proposal for a legislative instrument on legal questions related to the development and use of robotics and artificial intelligence foreseeable in the next 10 to 15 years, combined with non-legislative instruments such as guidelines and codes of conduct.

The Commission was asked to explore the implications of all possible legal solutions, such as:

- establishing a compulsory insurance scheme where relevant and necessary for specific categories of robots whereby, similarly to what already happens with cars, producers, or owners of robots would be required to take out insurance cover for the damage potentially caused by their robots;
- ensuring that a compensation fund would not only serve the purpose of guaranteeing compensation if the damage caused by a robot was not covered by insurance;
- creating a specific legal status for robots in the long run, so that at least the most sophisticated autonomous robots could be established as having the status of electronic persons responsible for making good any damage they may cause.

Members made a further series of recommendations on autonomous vehicles (the automotive sector is in most urgent need of efficient Union and global rules), drones, medical robots and human repair.

Employment: stressing the need to prepare for the changes that robotics will mean for society, Parliament asked the Commission to start monitoring medium- and long-term job trends more closely, with a special focus on the creation, displacement and loss of jobs in the different fields/areas of qualification, as well as the consequences on the viability of the social security systems of the Member States. It also called upon the Commission to provide significant support for the development of digital abilities as a first step towards better aligning labour market shortages and demand.

