



APSI Day 2: 1st June 2017

The API Economy, Robotics and Artificial Intelligence

The legal challenges of Robotics and Artificial Intelligence

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General context

On the 20 January 2015 the JURI Committee : Establishment of a Working Group on legal questions related to the development of Robotics and Artificial Intelligence in the European Union

- Draft Report with recommendations to the Commission on Civil Law Rules on Robotics (31.5.2016) (doc: PE582.433v01-00)
- European civil law rules in robotics (Study) (10/2016) (doc: PE571.379)



Common definition of smart autonomous robots

- Difference between an 'autonomous robot' & a 'smart robot'
 - Autonomous → the ability to take decisions, independently from external control
 - Smart → the ability to anticipate changes & adapt to them by sensing its environment

Issues surrounding liability in robotics

1. A new liable legal person?

- The motion for a resolution proposes creating a new category of individual (electronic person)
- This new legal personality is an assimilation to humankind (with rights & duties)
- Do robots really have the qualities which characterise legal personality?
- Can robots be considered as a human being or are they simple objects?

Issues surrounding liability in robotics

2. Liability for damages caused by an autonomous robot

- Three different types of damages
 - Damage caused by a machine defect → possibility to apply the Council Directive 85/374/EEC of 25 July 1985
 - Damage due to a user error → strict or fault-based liability
 - Damage linked to the robot's autonomous progress/learning
- Possible legislative changes in order to take account of the new technologies, such as autonomous robots

Issues surrounding liability in robotics

- The motion for a resolution suggests a principle of proportionality considering the robot's autonomy
- In the context of civil liability, are the existing rules not sufficient to guarantee a frame for the current evolution?
- Possible alternative solution: special insurances for the use of robots

A possible taxation for robots

- Danger of general unemployment due to robotisation?
- Taxation/punishment for the companies in order to finance a basic income & unemployment benefits (Global vs. European solution?)
- Can a society function if robots can replace humans?
- This would finally lead to a perfect communist State?

A general ethical framework for robots

- A charter consisting of a code of conduct for robotics engineers, researchers, designers & users in order to create an ethical framework
- Protecting human dignity & guarantee the primacy of humanity
- Robots should be used in the interest of individuals and not against them



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