



# Religious or Belief Actors and the European Commission's White Paper on Artificial Intelligence

Margherita Galassini

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Center for Religious Studies  
Fondazione Bruno Kessler  
via Santa Croce, 77  
I - 38122 Trento  
<https://isr.fbk.eu/en>

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*Abbreviations*

AEPL	European Association for Free Thought
AFT	French Transhumanist Association
CEC	Conference of European Churches
COMECE	Commission of the Bishops' Conferences of the European Union
EKD	Council of the Evangelical Church in Germany
GBS	Giordano Bruno Foundation
IME	European Masonic Institute of the Women's Grand Lodge of France

## 1. EXECUTIVE SUMMARY

This report aims to provide an overview of religious or belief<sup>1</sup> actors' contributions to the public consultation on the 2020 European Commission's White Paper on Artificial Intelligence (hereinafter, the White Paper)<sup>2</sup>. It identifies the key themes that emerge from respondents' replies to the online questionnaire as well as from their response papers<sup>3</sup>. Overall, the report's findings highlight religious or belief actors' strong commitments to creating an EU-wide ecosystem of excellence and trust in the field of AI. All respondents welcome the White Paper's human-centric approach aimed at establishing a competitive as well as ethical approach to AI. Religious or belief actors acknowledge the opportunities offered by AI technologies, such as medical progress, high energy efficiency as well as valuable services that may significantly improve the lives of people in situations of vulnerability. At the same time, however, religious or belief actors bring particular attention to the risks that AI technologies may pose to people's fundamental rights. Indeed, there are specific features of AI-based systems that, if left unchecked and unregulated, may compromise the safety, reliability and effectiveness of these technologies, thus eroding citizens' trust in their uptake. In this regard, among the most concerning features of AI technologies, religious or belief actors focus on challenges arising from AI-based systems' partially autonomous behaviour, certain degree of unpredictability, opacity, complexity as well as from potential effects of bias. Particular attention is paid to the rights of religious believers and members of majority as well as minority faith groups. In this regard, some religious or belief actors make explicit reference to risks relating to the profiling of<sup>4</sup> and discrimination against<sup>5</sup> religious citizens. Most importantly, this report highlights how religious or belief actors often expressly draw upon their theological or belief traditions in order to justify or explain their views on AI and, more broadly, the digital transformation<sup>6</sup>. Religious or belief views thus influence respondents' understanding of human-centric AI, which is for some inextricably linked to core values and principles including human dig-

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<sup>1</sup> For a mapping of religious non-affiliation in contemporary societies, see Balazka, D. 2020. *Mapping Religious Nones in 112 Countries: an Overview of European Values Study and World Values Survey Data (1981-2020)*, co-developed by the Center for Religious Studies and the Center for Information and Communication Technology of Fondazione Bruno Kessler, at <https://isr.fbk.eu/en/report-mapping-religion-nones-in-the-world-2020/>.

<sup>2</sup> European Commission, *White Paper On Artificial Intelligence - A European approach to excellence and trust*, COM (2020) 65 final [https://ec.europa.eu/info/sites/info/files/commission-white-paper-artificial-intelligence-feb2020\\_en.pdf](https://ec.europa.eu/info/sites/info/files/commission-white-paper-artificial-intelligence-feb2020_en.pdf).

<sup>3</sup> See the full consultation feedback - including respondents' replies to the consultation questionnaire and position papers - <https://ec.europa.eu/digital-single-market/en/news/white-paper-artificial-intelligence-public-consultation-towards-european-approach-excellence>.

<sup>4</sup> See COMECE and CEC at para 5.1 below.

<sup>5</sup> See CEC at para 5.1 below.

<sup>6</sup> Cfr. EKD, AFT and AEPL, which do not explicitly mention religion or belief in their contributions.

nity and freedom<sup>7</sup>, mutual solidarity<sup>8</sup> and “a new sense of common responsibility” for the prosperity of the planet and the health of the environment<sup>9</sup>. Religious or belief views are further invoked in order to support specific priorities and guidelines in AI governance<sup>10</sup>.

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<sup>7</sup> See CEC and COMECE at para 3 below.

<sup>8</sup> *Ibid.* See also the German Caritas Association, which refers to the importance of relationships for the formation of people’s identities at para 3 below.

<sup>9</sup> See CEC’s position paper, p. 8. See also CEC at para 5.6 below.

<sup>10</sup> See GBS’ position paper, p. 3: “From a humanist point of view, we have therefore proposed some guidelines that should define our actions in the near future”. See also Sustensis, which advocates for the promotion of the Universal Values of Humanity in the development of Superintelligence.

## 2. INTRODUCTION

### 2.1 The White Paper on AI

On 19 February 2020, the European Commission presented its data strategy<sup>11</sup> and White Paper<sup>12</sup> setting out the policy options for the development of human-centric AI. These documents constitute two important initial steps towards realizing a digital transformation that benefits people and sustains a vibrant and green economy. Building on the European strategy for AI presented in 2018<sup>13</sup>, the White Paper on Artificial Intelligence renews the Commission's commitment to promoting a solid strategy for AI which paves the way for legislation for a coordinated European approach on the human and ethical implications of AI.

The White Paper has the twofold objective of *i*) presenting an investment oriented approach for the achievement of an “ecosystem of excellence”, which promotes incentives for the research and innovation community, the partnership between the public and private sectors and the widespread uptake of AI-based solutions, and *ii*) setting out the main requirements for a future regulatory framework for AI that will create an “ecosystem of trust”, which ensures compliance with EU rules, including those protecting fundamental rights and consumers' rights, and provides citizens and businesses with the sufficient legal certainty in dealing with AI innovation. With the aim of collecting stakeholders' views on the actions proposed in the White Paper, the European Commission launched a public consultation which included a questionnaire structured around three sections: *i*) the creation of an “ecosystem of excellence”; *ii*) the creation of an “ecosystem of trust”; *iii*) aspects relating to the safety and liability implications of AI, IoT and robotics<sup>14</sup>. In addition, respondents had the possibility to submit position papers to further elaborate their views.

### 2.2 Methodological note

Over 1250 responses were submitted to the public consultation. Participants included stakeholders from all over the world, from the public and private sectors<sup>15</sup>. The present

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<sup>11</sup> Communication COM (2020) 66 final of 19 February 2020 from the European Commission on a European strategy for data at <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1593073685620&uri=CELEX:52020DC0066>

<sup>12</sup> See *supra* note 2.

<sup>13</sup> See Communication COM (2018) 237 final of 25 April 2018 from the European Commission on Artificial Intelligence at <https://ec.europa.eu/transparency/regdoc/rep/1/2018/EN/COM-2018-237-F1-EN-MAIN-PART-1.PDF>. See also Communication COM (2018) 795 final of 7 December 2018 from the European Commission on the Coordinated Plan on artificial intelligence at [https://knowledge4policy.ec.europa.eu/publication/coordinated-plan-artificial-intelligence-com2018-795-final\\_en](https://knowledge4policy.ec.europa.eu/publication/coordinated-plan-artificial-intelligence-com2018-795-final_en).

<sup>14</sup> This third section refers to the report on the safety and liability implications of Artificial Intelligence, the Internet of Things and robotics, European Commission COM (2020) 64 final of 19 February 2020 at: <https://eur-lex.europa.eu/legal-content/en/TXT/?qid=1593079180383&uri=CELEX:52020DC0064>.

<sup>15</sup> See the European Commission's final report on the public consultation on the AI White Paper of November 2020 *supra* at note 3.

report reviews the contributions submitted on behalf of religious or belief actors<sup>16</sup> and identifies the key themes and trends that emerge from their responses, taking into account respondents' replies to the questionnaire as well as the position papers submitted<sup>17</sup>.

The understanding of religion or belief – and, consequently, of religious or belief actors – adopted in this report takes into account theistic, non-theistic and atheistic beliefs. Following the account of religion or belief endorsed in the 2019 Position Paper of the Centre for Religious Studies of Fondazione Bruno Kessler, such a “broad, non-essentialist and inclusive understanding of religion ... leaves room for taking new forms of faith, belief, and spirituality, as well as hybridisations of religious traditions and practices, into account”<sup>18</sup>. This understanding of religion or belief coheres with the definition of freedom of religion or belief entailed in the following statements made by the Office for Democratic Institutions and Human Rights (ODIHR) of the Organization for Security and Co-operation in Europe (OSCE): “There is a great diversity of religions and beliefs. The freedom of religion or belief is therefore not limited in its application to traditional religions and beliefs or to religions and beliefs with institutional characteristics or practices analogous to those traditional views. The freedom of religion or belief protects theistic, non-theistic and atheistic beliefs, as well as the right not to profess any religion or belief”<sup>19</sup>. Further, the understanding of religion or belief adopted in this report is coherent with the European Union’s commitment to equally respecting “the status under national law of churches and religious associations or communities” as well as “the status under national law of philosophical and non-confessional organisations”, establishing with them “an open, transparent and regular dialogue”, as acknowledged under Article 17 TFEU<sup>20</sup>.

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<sup>16</sup> See the contribution submitted by the Center for Religious Studies of Fondazione Bruno Kessler at <https://isr.fbk.eu/en/about-us/response-to-the-european-commissions-public-consultation-on-the-white-paper-on-artificial-intelligence/>. Our Center’s position paper submitted to the European Commission’s consultation on the White Paper on AI has benefited from discussions with several experts and institutions. During our round of consultations with religious or belief actors, we addressed and discussed some of the issues that are presented in this report as part of their feedback to the Commission. This report only considers the contributions of those actors that decided to make their responses to the Commission publicly available.

<sup>17</sup> While greater methodological accuracy would have resulted from a separate analysis of respondents’ position papers and their answers to the questionnaires, for the purposes of this report a combined analysis of the two kinds of contributions submitted by respondents offers the advantage of increasing representativeness as well as avoiding redundancies. Indeed, not all respondents who answered the consultation questionnaire also submitted a response paper and several overlapping issues and themes may be identified in respondents’ position papers and their questionnaire responses. Out of the eleven religious or belief actors who participated to the public consultation, four did not submit a position paper (IME, AEPL, Bread for the World, the Commissariat of German Bishops).

<sup>18</sup> See the 2019 position paper of the Center for Religious Studies of Fondazione Bruno Kessler, p. 11 at <https://isr.fbk.eu/wp-content/uploads/2019/03/Position-Paper.pdf>.

<sup>19</sup> See the 2014 OSCE/ODHIR document *Guidelines on the Legal Personality of Religious or Belief Communities*, pp. 9-10, at <https://www.osce.org/odihr/139046>.

<sup>20</sup> See Article 17 of the Treaty on the Functioning of the European Union (TFEU) at <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A12012E%2FTXT>.



## 2.3 Respondents' profiles

Organisation Name	Country <sup>21</sup>	Organisation type <sup>22</sup>	Self-description
Bread for the World	Germany	Development and relief agency	"Bread for the World is the globally active development and relief agency of the Protestant Churches in Germany. Key issues of our work are food security, the promotion of health and education, access to water, the strengthening of democracy, respecting human rights, keeping peace and the integrity of creation". Bread for the World's guiding principles are rooted in the Christian faith <sup>23</sup> .
Commissariat of German Bishops – the Catholic Office in Berlin	Germany	Churches and religious associations or communities	"The Commissariat of German Bishops ... is an office of the German Bishops' Conference and the Association of Dioceses of Germany ... Under the direction of Prelate Dr. Karl Jüsten, the employees work on behalf of the German Bishops' Conference on political issues with federal organs, joint organs of the federal states, state representations at the federal government, political parties and social forces operating at federal level, as well as with international bodies ..." <sup>24</sup> .
Commission of the Bishops' Conferences of the European Union	Belgium	Churches and religious associations or communities	"COMECE ... is made up of Bishops delegated by the Catholic Bishops' Conferences of the 27 Member States of the European

<sup>21</sup> All religious or belief actors that participated in the consultation are from countries that were Member States of the European Union at the time of the consultation.

<sup>22</sup> With the exception of Bread for the World, the German Caritas Association, GBS and Sustensis – for which this report refers to the organisation type as it appears in these actors' self-description – this report categorises religious or belief actors according to the two broad categories of "churches and religious associations or communities" and "philosophical and non-confessional organisations", as stated under Article 17 TFEU, see *supra* note 20.

<sup>23</sup> "Our work is rooted in the faith that bears witness to the world as God's creation, in the love that encounters the Lord precisely in our disenfranchised and poorest neighbour, and in the hope that acts in accordance with God's will in expectation of a just world. Bread for the World considers itself part of the global Christian Community. We seek the cooperation with churches and church agencies throughout the world and assume our responsibility in ecumenical networks". See Bread for the World at <https://www.brot-fuer-die-welt.de/en/bread-for-the-world/about-us/>.

<sup>24</sup> See the Commissariat of German Bishops at <https://www.kath-buero.de>.

(COMECE)			Union ... In accordance with its Mission as defined in its Statutes, COMECE monitors the political process of the European Union in all areas of interest to the Church” <sup>25</sup> .
Conference of European Churches (CEC)	Belgium	Churches and religious associations or communities	“We are a fellowship bringing together 114 churches from Orthodox, Protestant, and Anglican traditions from all over Europe for dialogue, advocacy, and joint action. Together we strengthen our common witness, act in service to Europe and the world, promote peace, and work for the unity of the Church” <sup>26</sup> .
Council of the Evangelical Church in Germany (EKD)	Germany	Churches and religious associations or communities	EKD is formed of twenty Lutheran, Reformed and United regional churches in Germany. “The Council governs the EKD in all matters not explicitly reserved to other bodies. Its particular concerns are to ensure co-operation between the church agencies and associations in all areas, to represent Protestant Christianity in the public sphere, and to make comment on issues of religious and social life” <sup>27</sup> .
European Association for Free Thought (AEPL)	Belgium	Philosophical and non-confessional organisations	AEPL aims “to support the European project and to defend the principles emanating from the Enlightenment, in particular freedom of thought, conscience and opinion”. It “champions secularism, meaning religions shouldn’t interfere in politics” <sup>28</sup> .

<sup>25</sup> See COMECE at <http://www.comece.eu/site/en/whoweare>.

<sup>26</sup> See CEC at <https://www.ceceurope.org/who-we-are/introduction/>.

<sup>27</sup> See EKD at <https://www.ekd.de/en/Council-100.htm>.

<sup>28</sup> See AEPL at [http://www.aepl.eu/textes\\_fixes/intro\\_en.pdf](http://www.aepl.eu/textes_fixes/intro_en.pdf).

European Masonic Institute (IME) of the Women's Grand Lodge of France (GLFF)	France	Philosophical and non-confessional organisations	"The IME is the representative body of the GLFF to European authorities. The GLFF, with 14,000 members spread over 4 continents and more than 20 countries, is the first female Masonic obedience in the world. It has a dual purpose: the initiatory and spiritual process on the one hand, the defence of women's rights and secularism on the other ... Its ambition is to make Europeans share the republican principles, which promote dialogue, transcend cultural practices and thus advance dignity, secularism and equality" <sup>29</sup> .
French Transhumanist Association (AFT)	France	Philosophical and non-confessional organisations	AFT "stimulates public discourse on questions relating to the current changes in the biological and social circumstances of humankind. Our goal is to improve these circumstances, in particular by radically extending healthy lifespan. We seek to promote those technologies that facilitate these transformations, while advocating preservation of the environment, and careful attention to health risks, all in the interest of social justice" <sup>30</sup> .
German Caritas Association	Germany	Non-statutory welfare association	"Caritas is the largest welfare association in Germany ..." supporting "thirteen million people every year in overcoming different social problems and difficult situations". "It is recognised by the German Bishops' Conference as the institutional association and representation of the Catholic welfare association Caritas in Germany". The German Caritas Association contributes "to providing people with health and social care, ed-

<sup>29</sup> See IME at <https://www.gfff.org/institut.html>.

<sup>30</sup> See AFT at <https://transhumanistes.com/french-transhumanist-association/>.

			ucation and employment services” <sup>31</sup> .
Giordano Bruno Foundation (GBS)	Germany	Think Tank	GBS “is a think tank for humanism and enlightenment that has been joined by many renowned scientists, philosophers and artists ... The foundation’s goal is to develop a viable humanistic, rational and evidence-based alternative to the traditional religions and to help it become established in society”. GBS “adheres to the guiding principle of evolutionary humanism” <sup>32</sup> .
Sustensis	United Kingdom	Think Tank	“Sustensis is a Think Tank providing inspirations, suggestions, and solutions for the period of Humanity’s transition to the time when it will coexist with Superintelligence. It proposes to start that process with an urgent reform of democracy based on new Universal Values of Humanity, promoting a planetary, rather than a national outlook, and evolving the most mature organisation, such as the European Union, into a Human Federation” <sup>33</sup> . Tony Czarnecki, Sustensis’ founder, is a member of London Futurists.

<sup>31</sup> See the German Caritas Association at <https://www.caritas-germany.org>.

<sup>32</sup> See GBS at <https://www.giordano-bruno-stiftung.de/en/think-tank-humanism-and-enlightenment>.

<sup>33</sup> See Sustensis at <https://sustensis.co.uk>.

### 3. GENERAL REMARKS ON THE WHITE PAPER'S HUMAN-CENTRIC APPROACH TO AI

All respondents welcome the human-centric approach to AI presented in the White Paper. There is unanimous consensus on the importance of building AI systems aimed at promoting the common good and serving people, while ensuring that human beings remain in control of it. Religious or belief actors share the White Paper's view that the impact of AI systems should be assessed also from the perspective of society as a whole, rather than from an individual perspective alone.

AFT underlines the importance of implementing an approach to AI that identifies clear priorities in the use of this technology with a scope that is global, rather than uniquely European. Among the aims that AI tools should first and foremost promote, the French Transhumanist Association focuses on *i)* healthcare, stressing the need to develop AI-based solutions for improving people's health and increasing longevity; *ii)* sustainable development, emphasizing the importance of deploying AI for the production and optimization of renewable energy, recycling and reuse; and *iii)* research, underscoring the value of directing AI-related research efforts towards the minimization of risks in all sectors. In the same vein, several other respondents shed light on critical aspects of AI technology, such as its unintended effects on the labour market, the rise of inequality or the environment<sup>34</sup>.

COMECE and CEC emphasise the communal character of human life and vocation. To place the human person at the centre of the European approach to AI necessarily calls for a holistic understanding of human beings as, in CEC's words, "living as people in a rich setting of relations and roles". On CEC's view, this entails living "as social beings with cultural interests, as spiritual beings with religious beliefs, as physical beings with bodily needs, ... In all these dimensions of human life technology plays a role ... – and all these dimensions are interrelated with and influenced by the impact of digitalisation and the ongoing development of AI"<sup>35</sup>. Similarly, the German Caritas Association draws upon the Christian perspective to emphasise the relevance of relationships for the formation of people's identities. Acknowledging digital technologies' ability to affect and transform human interactions, the German Caritas Association urges a careful examination of the role and impact of digital tools in the formation of social ties and relationships.

With regard to the definition of AI, COMECE calls for a differentiation between AI and human conduct. The dignity, autonomy and morality that the Christian perspective ascribes to the human person is specific to humanity alone. AI systems should therefore not to be considered as moral agents on a par with human beings and their "acts cannot

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<sup>34</sup> These aspects will be further considered at para 5.6 below.

<sup>35</sup> CEC's position paper, p. 3.

be judged according to the moral criteria that are applied to human acts”<sup>36</sup>. It is for this reason that COMECE discourages the adoption of terms like ‘autonomy’ and ‘behaviour’ in relation to AI systems. Similarly, CEC emphasises the notion of human dignity as central to human freedom and responsibility.

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<sup>36</sup> COMECE’s position paper, p. 1.

## 4. AN ECOSYSTEM OF EXCELLENCE

In general, the majority of respondents considers important or very important the actions that the White Paper identifies to build an ecosystem of AI excellence in Europe. Much importance is ascribed to coordination among Member States, and to the support of the research and innovation community and skills<sup>37</sup>. Less importance is ascribed to the focus on small and medium sized enterprises (SMEs)<sup>38</sup>, the promotion of public private partnerships and the adoption of AI by the public sector<sup>39</sup>.

Against the backdrop of a fierce global competition in the field of AI, the creation of an ecosystem of excellence aims to boost the EU's technological and industrial capacity as well as the uptake of AI-based systems. In this regard, GBS emphasises the need to create a European ecosystem of excellence which strives not only for the promotion of economic growth, but also for the creation of stimulating working fields and opportunities as well as for the fostering of an open-minded atmosphere characterised by interdisciplinarity and the pursuit of social justice.

### 4.1 Research and (ethical) innovation

The overwhelming majority of respondents considers important or very important the creation and strengthening of networks of existing AI research excellence centres and the establishment of a lighthouse research centre that is world class and able to attract the best minds<sup>40</sup>.

All religious or belief actors advocate for an holistic approach to AI research and development with a strong ethical component. Strengthening excellence in research entails an interdisciplinary approach which combines excellent technical skills with a solid expertise in the social sciences and the humanities<sup>41</sup>. Structured in this way, the EU ecosystem of excellence would foster the development of an AI innovation that is truly attuned to societal needs and interests. As CEC suggests: "The already possible as well as the prospective innovation through AI always need to be seen in context. These contexts bring their own implications and questions which need to be thought through.

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<sup>37</sup> These policy options are considered important or very important by nine out of the ten respondents that have provided an answer to the relevant questions.

<sup>38</sup> This policy action is considered important or very important by six out of the ten respondents that have provided an answer to the relevant question.

<sup>39</sup> These latter two policy options are considered important or very important by seven out of eleven respondents.

<sup>40</sup> Ten out of eleven consider the creation and strengthening of networks of existing AI research excellence centres important or very important; nine out of eleven consider the establishment of a lighthouse research centre important or very important. By contrast, only seven out of eleven respondents consider the setting-up of public-private partnerships for industrial research important or very important.

<sup>41</sup> See EKD, CEC, COMECE. In this regard, the Commissariat of the German Bishops supports the proposal of the independent High-Level Expert Group on Artificial Intelligence, set up by the European Commission, to establish 720 professorial chairs for AI ethics in Europe. For the *Ethics Guidelines for Trustworthy AI* developed by the High Level Expert Group and published in 2019 see <https://ec.europa.eu/futurium/en/ai-alliance-consultation>.

Therefore, a broad and interdisciplinary approach is necessary for the scientific exploration of the possibilities – and the possible outcome of implementing AI in different fields ...”<sup>42</sup>.

CEC further appeals to the Responsible Research and Innovation approach (RRI)<sup>43</sup>, which envisions an alignment between the research and innovation process and the values, needs and expectations of society, in order to point out that the development of human-centric AI technologies requires more focus on “the human and socio-cultural factors” entailed in technology design than the White Paper currently acknowledges<sup>44</sup>. On CEC’s view, the trustworthiness of AI technologies cannot rely solely on the establishment of a clear legal framework, but rather necessitates an “educational infrastructure” as well as a research and innovation process that truly support a holistic approach to technology development<sup>45</sup>. Similarly, Sustensis and GBS advocate for the creation of a framework where humanist values guide the use and behaviour of AI agents. As GBS puts it: “Whatever the future may look like, the demands of ethics must be the basis of our actions ...”<sup>46</sup>.

Bread for the World points out the White Paper’s lack of clear indications concerning the role of research in assessing the societal impact of AI and its implications for the protection of fundamental rights. Bread for the World thus advocates for the need to develop a larger body of research which assesses which uses of AI are to be deemed impermissible in the EU. There must be clear reasons that justify the use of AI and scientific evidence is required to justify the necessity, efficiency and trustworthiness of this technology. With that aim in mind, Bread for the World highlights the importance of ensuring transparency in AI research – e.g., open data model with disclosure of results, transparency in calls for tenders and project funding<sup>47</sup>.

Several respondents also advocate for strong links between the Horizon Europe framework – in particular its third pillar, which devises a strong role for the European Innovation Council and the European Institute for Innovation and Technology – and the actions that the White Paper proposes for strengthening the research and innovation community<sup>48</sup>. This synergy is regarded as conducive to the promotion of an ethical approach to AI research and development<sup>49</sup>. COMECE further suggests the inclusion of

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<sup>42</sup> CEC’s position paper, p. 3.

<sup>43</sup> See the European Commission’s RRI’s approach, as implemented in Horizon 2020, <https://ec.europa.eu/programmes/horizon2020/en/h2020-section/responsible-research-innovation>. See also the interview with René von Schomberg, edited by Marco Guglielmi. “Responsible Innovation with and for Plural European Societies”. *Annali di Studi Religiosi*, 22 (forthcoming, 2021).

<sup>44</sup> CEC’s position paper, p. 6.

<sup>45</sup> *Ibid.*

<sup>46</sup> GBS’s position paper, p. 13.

<sup>47</sup> See also IME.

<sup>48</sup> See the European Commission’s proposal for Horizon Europe at [https://ec.europa.eu/info/horizon-europe\\_en](https://ec.europa.eu/info/horizon-europe_en).

<sup>49</sup> See the Commissariat of German Bishops, EKD, Bread for the World. Specifically, Bread for the World condemns the allocation of EU funding for projects that pose a risk to the protection of human rights, such as the EU-funded project IBORDERCTRL: [https://ec.europa.eu/research/infocentre/article\\_en.cfm?artid=49726](https://ec.europa.eu/research/infocentre/article_en.cfm?artid=49726).



Digital Innovation Hubs into the European partnerships promoted by Horizon Europe in order to link the private sector, foundations and other stakeholders so as to give rise to truly interdisciplinary research excellence.

## 4.2 Skills

All religious or belief actors place a strong emphasis on the development of skills and training programmes for all the stakeholders involved in processes of AI development, deployment and regulation. A combination of technical and ethical skills is regarded as fundamental for the training of AI developers<sup>50</sup>.

Many respondents acknowledge the pressing need to address the urgent concerns raised by the issue of the digital divide. As the German Caritas Association points out, training often takes place in the workplace and thus excludes certain groups of people, such as long-term unemployed, low-skilled workers and the elderly. Further, IME brings the attention to the importance of training women and young people.

Religious or belief actors thus consider fundamental the development of AI-related skills and the training for society at large which, on GBS's view, would allow people to better assess the usefulness and accuracy of AI outcomes. CEC welcomes the White Paper's focus on the need to strengthen people's understanding of AI systems' functioning and data literacy, stressing that "this is an important step in empowering people and communities to participate in discussions about the kind of development we should pursue"<sup>51</sup>.

GBS further stresses the importance of training teachers and revising curricula in order to better equip educational institutions to teach students the critical and analytical skills required to assess the quality of the information they access on the internet and social media. Much attention is increasingly being paid to the role of algorithms in spreading disinformation, polarising opinions and creating "echo chambers of hysteria" in which facts no longer have a chance<sup>52</sup>. Against this backdrop, GBS regards the fostering of citizens' skills and critical rationality as a basic prerequisite for the protection of any liberal democratic order. The German Caritas Association also highlights the urgency of strengthening media literacy in order to educate society about the dangers of manipulation, fake news and bots. Despite the growing risks of disinformation on digital platforms, the German Caritas Association acknowledges the value that digital tools and new media can afford to the work of the Church and its partners<sup>53</sup>.

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<sup>50</sup> See the Commissariat of German Bishops, IME.

<sup>51</sup> CEC's position paper, p. 7.

<sup>52</sup> See GBS' position paper, p. 6. IME also considers the rapid dissemination of fake news as one of the major risks brought about by AI technology and urges the European Commission to promote education to develop citizens' critical thinking.

<sup>53</sup> See the German Caritas Association's position paper, p. 14: "New media are 'mediators' and means of human communication. They are an opportunity for the Church and her Caritas to reflect on and realize their mission in a changing

### 4.3 Civil society

Human-centric AI necessarily entails ongoing societal discourses on AI systems' opportunities and challenges. As COMECE notes, "the societal challenge of regulating Artificial Intelligence systems has to be accompanied by a broad ethical discourse"<sup>54</sup>. However, respondents emphasise a lack of a comprehensive society-wide debate about the ethics of AI as well as the opportunities and risks of AI for society at large and its most vulnerable members<sup>55</sup>. In particular, COMECE highlights the importance of establishing an ethical discourse which parallels EU policies and programmes concerning AI. It further recommends the inclusion of AI-related ethical discourses into the Coordinated Plan on AI so as to encourage synergies and cooperation among Member States while allowing different national socio-ethical specificities to emerge, thus favouring the respect of national competences in the regulation of ethical standards.

The inclusion of civil society is not only regarded as beneficial for debates on the ethics of AI but also for the development<sup>56</sup> and oversight of AI systems<sup>57</sup>, their compliance with EU standards as well as for processes of AI-related policy-making<sup>58</sup>. Multi-stakeholder dialogue platforms should be established between public authorities, corporations, developers, content providers, experts, unions, NGOs, churches, and other civil society actors, with a view to set out policy recommendations that will inform decision-making<sup>59</sup>. Ongoing public debate on issues crucial to the development of technological innovation is regarded as essential for the creation of an AI ecosystem that is transparent, inclusive and truly trustworthy. As EKD points out, compliance with European principles and fundamental rights can only be ensured if all relevant actors engage in comprehensive societal debates about AI.

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world. Caritas, for example, uses the Internet as an open communication medium for social exchange, participation and opinion-forming. In doing so, it fights for respectful debates and appropriate formats and has to help educate society about manipulation, fake news and bots".

<sup>54</sup> COMECE's position paper, p. 2.

<sup>55</sup> COMECE, the Commissariat of German Bishops, EKD, IME.

<sup>56</sup> See the German Caritas Association.

<sup>57</sup> See Bread for the World.

<sup>58</sup> See IME.

<sup>59</sup> See IME, EKD, CEC.

## 5. AN ECOSYSTEM OF TRUST

The White Paper envisions the creation of an ecosystem of trust whose primary objective is to implement a regulatory framework for AI. All respondents consider important or very important the concerns posed by AI in relation to the possibility of endangering safety, breaching fundamental rights, obtaining discriminatory outcomes<sup>60</sup>, taking actions that cannot be explained and lacking compensation following harm caused by AI. All but one<sup>61</sup> respondents also consider important or very important concerns over AI's possible lack of accuracy.

### 5.1 Fundamental rights protection

All religious or belief actors express strong concerns over the possibility that AI systems breach fundamental rights and freedoms. On their view, it is of utmost importance that the use of AI technologies in the public sector is subject to human and democratic oversight as well as stringent transparency requirements. Similarly, measures have to be taken to ensure that private businesses – whether small companies or big multinational corporations – rigorously comply with human rights standards and transparency requirements<sup>62</sup>.

While acknowledging the pivotal importance of data for the functioning of AI systems, all respondents bring particular attention to concerns related to the protection of users' privacy. Related concerns are connected to users' profiling and misuse of their data, which could lead to political manipulation, behavioural modifications, the exploitation of vulnerabilities<sup>63</sup> and more broadly the intentional shaping of people's preferences. In this regard, COMECE highlights the relevance of the principles outlined in Article 5 ("Principles relating to processing of personal data")<sup>64</sup> and Article 22 ("Automated individual decision-making, including profiling") of the GDPR. Importantly, COMECE points out that, with regard to the profiling of religious believers, equal considerations have to apply in the case of persons belonging to a majority or minority religious group as "relevant considerations cannot be restricted to the latter"<sup>65</sup>. In order to ensure compliance with high data protection standards, COMECE recommends retaining

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<sup>60</sup> CEC did not provide an answer to the relevant question.

<sup>61</sup> See GBS.

<sup>62</sup> Particularly, Bread for the World points out that, since some of the biggest AI-related scandals have involved small private businesses, the EU should ensure that small companies are not able to enjoy any exemptions with regard to fundamental rights protection. It specifically refers to the US technology firm Clearview AI (<https://clearview.ai>) as an instance of a small startup which collected data to create a vast facial recognition database to sell to law enforcement agencies without obtaining users' consent.

<sup>63</sup> See IME.

<sup>64</sup> Particularly those relating to lawfulness, fairness and transparency; data minimisation; integrity and confidentiality; and accountability, Article 5 (1. a, c, f), (2). See the General Data Protection Regulation (EU) 2016/679 (GDPR) at <https://eur-lex.europa.eu/eli/reg/2016/679/oj>.

<sup>65</sup> COMECE's position paper, p. 6.

human control at the centre of AI use and continuing with the support to the European Commission provided by the European Data Protection Board. Bread for the World supports the involvement of internal supervisors, such as Data Protection Officers under GDPR, for the monitoring of AI-based systems' compliance with fundamental rights standards.

With regard to a plausible approach to data rights, CEC and the EKD support the perspective set out by the German Data Ethics Commission, appealing in particular to the notion of subjective rights<sup>66</sup>. CEC further highlights the usefulness of distinguishing between person-related and non person-related data, which may prove particularly valuable when dealing with issues related to the use of facial recognition systems, personal health data and liability. GBS recommends strict adherence to the principle of anonymity in big data analytics in order to safeguard human rights, including individuals' ownership of their data, and to avoid risks related to the misuse of sensitive information.

Respondents further address concerns regarding the increased likelihood that discrimination in several areas – such as policing, recruitment or the judiciary – could occur due to the use of AI systems<sup>67</sup>. For instance, CEC expresses strong concerns over the possibility that individuals' personal information on their religious affiliations may be used in recruitment processes as a basis for discrimination. Ethical principles and rules are thus required in the collection of data, algorithm design, use and monitoring of AI systems. Yet, as GBS notes, measures have to be taken in order to ensure that the ethics of AI does not correspond to the ethics of the prevailing group.

In order to ensure compliance with fundamental rights and freedoms, respondents stress the importance of human oversight as well as of ex-ante and ex-post risk assessment procedures which meet high standards of transparency, explainability and traceability. In this regard, EKD recommends the designation of national supervisory authorities and a coordinating EU body to carry out independent and comprehensive assessments. Bread for the World points out the need to update the Coordinated Plan on AI by including a section on human rights, on the societal impact of AI and automation, and reference to the creation of democratic oversight mechanisms with regard to the use of AI-based systems. In a similar vein, IME proposes the establishment of an EU Bill of Rights for AI.

Looking beyond the EU, Sustensis advocates for the enforcement of a legislation passed by a global AI-Governance Agency grounding the use of AI on the Universal Values of Humanity, which are to be derived from legal documents in the fields of human rights,

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<sup>66</sup> See the Federal Government's Data Ethics Commission at [https://www.bmjv.de/DE/Themen/FokusThemen/Datenethikkommission/Datenethikkommission\\_EN\\_node.html](https://www.bmjv.de/DE/Themen/FokusThemen/Datenethikkommission/Datenethikkommission_EN_node.html).

<sup>67</sup> See Bread for the World, CEC.

such as the European Convention on Human Rights<sup>68</sup> and the Universal Declaration of Human Rights<sup>69</sup>.

## 5.2 Risks for safety and the effective functioning of the liability regime

With regard to the material harm that might result from the use of AI, IoT and robotics, the European Commission carefully considers the aspects and implications that should fall under the safety and liability legal framework, whose overall objective is to ensure that all products and services operate in a safe, reliable and consistent manner and that any damage suffered is repaired efficiently. All but one respondents believe that the safety legislative framework should consider new risk assessment procedures for products subject to significant changes during their lifetime<sup>70</sup>. Moreover, with regard to particular risks stemming from the use of artificial intelligence, the overwhelming majority of respondents believes that mental health risks should be further spelled out to provide more legal certainty<sup>71</sup>, while a small minority of respondents focuses instead on personal security risks<sup>72</sup>. GBS further recommends the designation of a neutral body to supervise the implementation of the safety legislative framework.

Furthermore, the overwhelming majority of respondents is in favour of amending the current EU legislative framework for liability (Product Liability Directive)<sup>73</sup> as well as current national liability rules to better cover the risks engendered by certain AI applications<sup>74</sup>. In this regard, GBS recommends the harmonisation of national rules towards a European standard.

As Bread for the World emphasises, AI developers and deployers should be held accountable for harm generated by their products and liability rules should provide incentives for openness and transparency. Further, information on liability must be easily

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<sup>68</sup> See the European Convention on Human Rights at [https://www.echr.coe.int/documents/convention\\_eng.pdf](https://www.echr.coe.int/documents/convention_eng.pdf).

<sup>69</sup> See the Universal Declaration of Human Rights at <https://www.un.org/en/universal-declaration-human-rights/>.

<sup>70</sup> CEC declares to have no opinion on this issue.

<sup>71</sup> See AEPL, GBS, CEC, COMECE, Bread for the World, the German Caritas Association, the Commissariat of German Bishops, EKD, Sustensis.

<sup>72</sup> See AFT, IME.

<sup>73</sup> See IME, AEPL, COMECE, Bread for the World, GBS, the German Caritas Association, the Commissariat of German Bishops, Sustensis. EKD is not in favour of amending the current EU legislative framework for liability (Product Liability Directive) as it claims that the legal framework currently in place is sufficient to counter existing risks. However, EKD supports an amendment of existing legislation once autonomous AI systems are fully introduced onto the market. According to EKD, autonomous AI systems will need to be subject to legal entities, such as “electronic assistants”, that may guarantee that their functioning complies with ethical standards. CEC and AFT do not have an opinion on this specific question.

<sup>74</sup> See IME, the Commissariat of German Bishops, GBS, AEPL, COMECE, Bread for the World, the German Caritas Association, Sustensis, AFT. EKD does not have an opinion on this specific issue, whereas the CEC did not provide an answer to the relevant question.

understandable so as to facilitate people in situations of vulnerability to receive compensation and exercise their rights in AI-related product liability cases<sup>75</sup>.

### 5.3 The most vulnerable

Religious or belief actors focus on the impact that AI might have on people in situations of vulnerability – such as migrants, people of colour, women, people with disabilities and medical conditions. COMECE recommends the introduction in the regulatory framework of strong clauses safeguarding the rights and freedoms of children. In this regard, COMECE points to the usefulness of forging dialogue channels with relevant stakeholders, including parents and family associations, and suggests the possibility of drawing inspiration from the provisions of the Audiovisual Media Services Directive “that protect minors’ physical, mental or moral development from any impairment/detriment”<sup>76</sup>. The report on safety and liability that accompanies the White Paper states that EU legislation could be extended so as to include “explicit obligations for producers of, among others, AI humanoid robots to explicitly consider the immaterial harm their products could cause to users, in particular vulnerable users as elderly persons in care environments”<sup>77</sup>. COMECE agrees with the report’s suggestion and adds that AI applications’ immaterial harm to other vulnerable users, such as children, should be considered for the scope of relevant EU legislation.

Further, COMECE highlights risks for the protection of the personal data of vulnerable and care-dependent persons, underscoring the importance of providing clear legal provisions concerning the future processing of personal data of those patients whose digital self-determination rights require protection but who lack the capacity to provide legally valid consent.

The German Caritas Association sheds light onto instances of immaterial harm insofar as they might involve less obvious potential risks. In such cases, the interests of particularly disadvantaged groups must be taken into account, as they might not always be in a position to reliably assess risks autonomously. Similarly, the Commissariat of German Bishops urges the empowerment of socially disadvantaged people – primarily by strengthening their individual rights claims – in the face of increasing power and knowledge gaps brought about by a widespread use of AI.

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<sup>75</sup> See the German Caritas Association, the Commissariat of German Bishops.

<sup>76</sup> COMECE’s position paper, p. 5.

<sup>77</sup> See *supra* note 14, p. 8.

## 5.4 A future regulatory framework for AI

### 5.4.1 Scope of the regulatory framework: the high-risk approach

To address the above-mentioned concerns about material and immaterial harms, the majority of respondents supports the introduction of a new legislation<sup>78</sup>, while a minority of respondents is in favour of amending current legislation in order to fill in the gaps<sup>79</sup>. No respondent believes that current legislation is fully sufficient<sup>80</sup>. All respondents agree with all the mandatory requirements of a possible future regulatory framework for AI set out in the White Paper – i.e. quality of training datasets, the keeping of records and data, information on the nature and purpose of AI systems, robustness and accuracy of AI systems, human oversight, clear liability and safety rules.

COMECE and the EKD express strong agreement with the White Paper’s intent to curb legal fragmentation by introducing a uniform regulatory framework able to harmonise the European AI market. As COMECE puts it: “While avoiding over-regulation, high legal certainty is to be valued and it will benefit both users and European businesses, which need to operate in a clear legislative framework to be competitive. Predictability is key, both for producers and consumers”<sup>81</sup>.

With regard to the scope of a possible new legislation, respondents’ opinions diverge. IME, COMECE and Sustensis agree that the introduction of new compulsory requirements should be limited to high-risk AI applications, whereas the majority of respondents supports a wider scope of the regulation<sup>82</sup>. Nevertheless, many respondents<sup>83</sup> object to the risk-based approach set out in the White Paper and aimed at identifying high-risk AI applications by applying two cumulative criteria:

- a) The AI application is employed in a sector where significant risks can be expected to occur – e.g., healthcare, transport, energy and parts of the public sector such as border controls, migration, the judiciary etc.;
- b) The AI application in the sector in question is used in such a manner that significant risks are likely to arise<sup>84</sup>.

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<sup>78</sup> See IME, CEC, COMECE, the German Caritas Association, the Commissariat of German Bishops, EKD, Sustensis.

<sup>79</sup> See AFT, AEPL.

<sup>80</sup> Bread for the World declares to have other opinions and highlights some of the implications of AI systems that are not addressed by current legislation - e.g., the use of non-personal data under the GDPR, the deployment of AI for surveillance and over-policing, the potentially discriminatory effects of AI. GBS did not provide an answer to the relevant question.

<sup>81</sup> COMECE’s position paper, p. 3.

<sup>82</sup> See GBS, the German Caritas Association, AFT, AEPL, EKD.

<sup>83</sup> See COMECE, the Commissariat of German Bishops, EKD and CEC. IME agrees with the risk-based approach presented in the White Paper, yet suggests the creation of a code of ethics without mandatory requirements for AI applications that are not to be considered high-risk.

<sup>84</sup> See *supra* note 2, p. 17.

COMECE and the Commissariat of the German Bishops consider the focus on the sector in which the AI application is employed to be insufficient and misleading. Instead, COMECE supports a system based on a single case analysis for every AI application, assessing whether it is employed in a manner that is likely to cause significant risks. COMECE, the Commissariat of German Bishops, CEC and EKD favour the establishment of a risk-adapted regulatory framework such that different levels of risks correspond to different levels of regulation – as suggested by the German Data Ethics Commission<sup>85</sup>. Bread for the World objects to the overly simplistic distinction between high and low risks in the interest of identifying legal and illegal AI systems, banning those that breach fundamental rights, such as biometric identification systems for mass surveillance. EKD further suggests that a successful regulatory framework should be able to distinguish between individual and social risks.

An overwhelming majority of religious or belief actors identifies systems for remote biometric identification (such as facial recognition systems) as some of the most concerning high-risk AI applications<sup>86</sup>. Due to the particular vulnerabilities and threats stemming from the use of remote biometric identification systems, the Commission asks participants in the consultation to indicate whether the deployment of this technology in public spaces requires specific EU-level guidelines or regulations in addition to existing EU legislations or the new mandatory requirements foreseen for a possible future regulatory framework for AI. On this matter, respondents' opinions diverge<sup>87</sup>.

The Commissariat of German Bishops and Sustensis believe that no further guidelines or regulations are needed. Indeed, the Commissariat of German Bishops points out that the GDPR, the EU Charter of Fundamental Rights as well as national fundamental rights provisions already provide sufficient safeguards for the legitimate use of remote biometric identification systems in public spaces.

The German Caritas Association and COMECE support the use of biometric identification systems in publicly accessible spaces only in certain cases or if certain conditions are fulfilled. In particular, the German Caritas Association underlines the need to counteract the risk of racial profiling, pointing out that existing EU legal provisions, such as the GDPR, are not yet sufficient. On the other hand, with regard to this particular tech-

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<sup>85</sup> See *supra* note 66.

<sup>86</sup> Among other AI applications that religious or belief actors regard as particularly high-risk, there are AI-based applications in the military (AEPL, Bread for the World, the Commissariat of German Bishops, EKD, COMECE); law enforcement (AEPL, the Commissariat of German Bishops, COMECE); policing (Bread for the World, the Commissariat of German Bishops); healthcare (COMECE, the Commissariat of German Bishops, GBS) and democratic decision-making (COMECE, the Commissariat of German Bishops).

<sup>87</sup> With the exception of AFT, which does not address the issue of biometric identification systems and declares to have no opinion on the question raised in the questionnaire on this specific technology. CEC also declares to have no opinion on this matter, but states that, with regard to facial recognition systems, it is particularly important that the EU considers the perspectives on data rights as formulated by the German Data Ethics Commission.



nology, COMECE supports a strict application of GDPR standards, while favouring opportunities for deliberation on this topic<sup>88</sup>. Further, COMECE recommends adherence to the principles of proportionality, necessity and limitation based on purpose.

AEPL, IME and EKD believe that the use of biometric identification systems in publicly accessible spaces, by way of exception to the current general prohibition, should not take place until a specific guideline or legislation at EU level is in place. AEPL states that the identification of potential offenders should only be allowed on Court order, while IME links the permissibility of the use of remote biometric identification systems to exceptional circumstances, such as in the event of wars or acts of terrorism, or to violations of public freedoms. EKD specifies that the use of remote sensing technologies must under all circumstances be proportionate and subject to fundamental rights safeguard. EKD further points out that the GDPR should be further developed in order to address the specific risks entailed by the use of this technology.

Finally, Bread for the World states that biometric identification systems should never be allowed in publicly accessible spaces<sup>89</sup> as their use will likely lead to mass surveillance, thus violating citizens' fundamental rights. As such, Bread for the World considers remote biometric identification systems as unlawful and incompatible with human rights law.

Further, Bread for the World points out that this technology risks undermining people's freedom and ability to engage in public life. Attention is also paid to the impact of such surveillance systems on specific groups as there is a risk that they will be disproportionately used to target already over-policed and surveilled groups, including racialised groups, migrants, and economically disadvantaged members and communities.

In order to ensure that AI is trustworthy, secure and in compliance with European values and rules, the majority of respondents supports a combination of ex-ante compliance and ex-post enforcement mechanisms<sup>90</sup>.

#### **5.4.2 Voluntary labelling system**

For AI-based systems that do not qualify as high-risk, the White Paper proposes the establishment of a voluntary labelling system, in addition to applicable legislation. This scheme would allow interested economic operators to decide, on a voluntary basis, whether to comply with either the mandatory requirements for high-risk applications

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<sup>88</sup> In particular, COMECE regards the principles entailed under Article 5 of the GDPR as especially relevant for systems of remote biometric identification. See *supra* notes 64.

<sup>89</sup> GBS did not provide an answer to this specific question on the questionnaire but specified that "It is crucial for our personal freedom and integrity to not be tracked in normal life". GBS further highlights the danger that the use of this technology may give rise to totalitarian threats in the future.

<sup>90</sup> See AFT, Bread for the World, the Commissariat of German Bishops, IME, the German Caritas Association, EKD, COMECE, AEPL. Sustensis instead only supports the compliance of high-risk applications with the identified requirements in a self-assessed and ex-ante manner (that is, prior to putting the system on the market). CEC declares to have no opinion on this specific issue, while GBS did not provide an answer to the relevant question.

or a set of similar requirements specifically identified for the purposes of the voluntary system. Economic operators' compliance with standardised EU-wide benchmarks would signal the quality and trustworthiness of their products.

The majority of respondents believes that the introduction of a voluntary labelling system for AI systems that are not considered high-risk would be useful or very useful<sup>91</sup>. While supporting the creation of a voluntary labelling scheme, the Commissariat of German Bishops also proposes the introduction of a mandatory labelling system. Among the criteria to be included in the labelling system, the Commissariat of German Bishops recommends the inclusion of ethical criteria – such as transparency, fairness, etc. GBS instead proposes the engagement of civil society actors and interested stakeholders, including unions, in the development and implementation of the voluntary labelling framework. Furthermore, EKD points out that an EU voluntary labelling system requires an independent body, such as a new European Agency for Artificial Intelligence, able to issue certificates to developers, producers and users. With a view to guaranteeing the quality of AI-related products imported onto the EU market, IME suggests the creation of a conformity and traceability label for AI applications used in the EU but produced outside the Union.

On the other hand, a minority of respondents does not support the introduction of a voluntary labelling system for AI systems that are not considered high-risk<sup>92</sup>. Indeed, AEPL favours the implementation of hard rather than soft law<sup>93</sup>. Similarly, Bread for the World advises against the establishment of a voluntary labelling system insofar as it risks complicating matters in a way that confuses people. Further, Bread for the World raises concerns about the voluntary labelling system's ability to ensure that those who suffer harm due to a low-risk system are able to receive compensation. Indeed, Bread for the World argues that the distinction between high and low risks may create legal loop-holes that may negatively impact people's safety and rights.

## 5.5 Governance

Several religious or belief actors support the establishment of new governance bodies in order to improve the implementation and enforcement of the actions included in the ecosystem of excellence and trust. For instance, although COMECE believes that existing EU governance bodies ensure sufficient support for addressing the challenges posed by AI and robotics, it states that, should a new authority be established for the coordination of AI policies, COMECE would support the White Paper's recommendation that "the governance structure should guarantee maximum stakeholders participation.

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<sup>91</sup> See the Commissariat of German Bishops, IME, GBS, the German Caritas Association, EKD, Sustensis, COMECE. CEC declares to have no opinion on this specific issue.

<sup>92</sup> See AFT, AEPL, Bread for the World.

<sup>93</sup> Contrary to soft law instruments, hard laws give rise to binding legal obligations on the part of the contracting parties.

Stakeholders ... should be consulted on the implementation and the further development of the framework”<sup>94</sup>. In this regard, COMECE points out the White Paper’s failure to make explicit reference to Churches as partners of EU institutions with a specific status under Article 17 TFEU.

EKD proposes the establishment of a new European Agency for Artificial Intelligence that is able to guarantee an EU-wide uniform regulation and to ensure the effective functioning of the voluntary labelling system in order to increase European citizens’ trust in AI technology. Similarly, IME supports the establishment of a governance body that may encourage the exchange of best AI-related practices among member states. IME further proposes the creation of a compliance control agency that may act as a ‘whistleblower’ in cases of infringements of EU standards in the development, use and control of AI-based systems.

Sustensis strongly supports the establishment of a single Global AI Governance Agency responsible for overseeing AI development until the emergence of a fully mature Superintelligence. Considering UN bodies’ weakness in turning its proposals and guidelines into legally binding obligations, especially in the areas of AI and robotics, and looking at the success of the EU in setting a new global standard for data protection with its GDPR, Sustensis believes that the EU’s proposals, starting from the present White Paper, may be the suitable candidates for establishing an EU-led global AI-Governance legal framework<sup>95</sup>. Sustensis further believes that an effective implementation of the legislation requires the Agency to maintain full control over all AI products hardware (e.g. robots, AI-chips, weapons and military equipment, satellites, etc.) as well as complete oversight of AI algorithms, AI languages, neural nets, brain implants and, in the long run, of AI-controlled infrastructures.

## **5.6 Other risks and implications related to the widespread use of AI**

Religious or belief actors consider the possibility that AI systems may open up new vulnerabilities. For instance, cyber attacks may result in destructive attacks on critical infrastructures and on the functioning of the democratic order, also threatened by an uncontrolled spread of disinformation<sup>96</sup>. In the face of cyber-threats to public safety, COMECE advises in favour of the introduction of specific measures such as mandatory requirements for high-risk AI technologies, capacity-building aimed at strengthening the resilience of critical infrastructure as well as of business and citizens, the scrutiny of private companies’ roles and aims in the collection and analysis of personal data.

Respondents further bring attention to rising inequalities caused by widespread use of AI technologies<sup>97</sup>. The digital divide, for instance, will result in the emergence of new

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<sup>94</sup> See *supra* note 2, p. 25.

<sup>95</sup> Cfr. IME, which instead argues in favour of subjecting EU governance under UN control.

<sup>96</sup> See COMECE.

<sup>97</sup> See IME.

marginalised groups<sup>98</sup>. In order to avoid or mitigate AI technologies' negative social impacts, CEC recommends "adding aspects of human and social needs and expectations *ex-ante* in the design process ..." <sup>99</sup>. Further, the German Caritas Association believes that the creation of a network comprising the association Caritas, the Church, civil society and political partners may represent an effective way to guarantee a social infrastructure that is tailored to the requirements of the digital world. Indeed, on Caritas' view, "dealing with digital change does not mean saying 'yes and amen' to everything that is technically possible. But it means, in the service of the Christian message and guided by the Christian image of man, to be constructively involved in shaping the digital transformation"<sup>100</sup>. In a similar vein, GBS focuses on the impact of a widespread use of AI on the labour market and the implications of the inevitable restructuring of many job sectors for people's income, quality of life, social participation, social exchange and ultimately the meaning of life. The further the replacement of human labour by machines progresses, the more society will need new models of social justice and participation.

Particular attention is paid to the environmental impact of AI technologies. CEC points out that while the application of AI in agriculture, ecological and climate research and disaster risk management may be particularly beneficial, we should not ignore the significant environmental costs entailed in the development and training of AI systems. CEC thus advocates for a careful assessment of the lifecycle and supply chain of AI technologies in order to reduce its carbon footprint. CEC further emphasises the relevance of theological reflection to the challenge of developing "a new sense of common responsibility" that may guide policies on AI with a view to bring about the good for "humanity, individuals, societies and the environment"<sup>101</sup>. EKD urges the European Commission to align the regulatory framework for AI technology with the Sustainable Development Goals as well as with the European Green Deal.

COMECE and the EKD stress the need to address the military use of AI systems, which is beyond the scope of the present White Paper. Due to the significant risks and fundamental ethical questions posed by the application of AI technologies in the military field – such as with the development of autonomous weapons systems – COMECE and CEC urge the Commission to implement legally binding instruments, also together with other international actors, in order to regulate their use.

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<sup>98</sup> See CEC.

<sup>99</sup> CEC's position paper, p. 7.

<sup>100</sup> The German Caritas Association's position paper, p. 3.

<sup>101</sup> See CEC's position paper, pp. 8, 9. AFT also stresses the importance of using AI systems for the development of renewable energy, recycling and reuse services, see para 3 above.

## 6. CONCLUSION

A growing body of research is devoted to the investigation and assessment of AI technologies' unintended effects and risks, both for individuals and for the environment. Religious or belief actors are strongly aware of the challenges that AI-based systems pose for society and for the protection of fundamental rights. In their contributions, all actors bring particular attention to the ethical, legal and technical safeguards that should be implemented in order to ensure the safety, trustworthiness and effectiveness of AI technologies. While remaining attentive to these systems' risks and unintended consequences, religious or belief actors understand and support the need to foster the research and development of AI technologies in the EU. Indeed, as AFT argues, the acknowledgment of the potential risks involved should not halt the development of this new, transformative technology, which brings with it unprecedented opportunities. Rather it requires constant efforts and resources to ensure the allocation of both public and private funding to research on AI for the public good. Religious or belief respondents thus generally support the EU's efforts to create a competitive as well as ethical approach to AI, which has the potential to become a global paradigm in virtue of the values-oriented actions and strict fundamental rights safeguards it promotes.

With regard to the creation of an ecosystem of excellence, respondents place particular importance on *i)* the promotion of an interdisciplinary approach to AI research and development with a strong ethical component<sup>102</sup>; *ii)* the development of skills and training programmes for all the stakeholders involved in processes of AI development, deployment and regulation – further emphasizing the need to promote AI-related skills and trainings for society at large<sup>103</sup>; *iii)* the establishment of multi-stakeholder dialogue platforms that may favour ongoing public debate on issues crucial to the development and uptake of AI technologies<sup>104</sup>. With regard to the creation of an ecosystem of trust, there is a broad consensus on the challenges and risks associated with a widespread adoption of AI-based systems – including concerns related to violations of users' privacy, to the increased likelihood that discrimination may occur in several areas (e.g., policing, recruitment or the judiciary)<sup>105</sup>, to the rise of inequalities or to the spread of disinformation and cyber attacks which may result in threats to the prosperity and effective functioning of the democratic system<sup>106</sup>. In order to ensure compliance with fundamental rights and freedoms, religious or belief actors underscore the importance of human oversight as well as of ex-ante and ex-post risk assessment procedures which

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<sup>102</sup> See para 4.1.

<sup>103</sup> See para 4.2.

<sup>104</sup> See para 4.3.

<sup>105</sup> See para 5.1.

<sup>106</sup> See para 5.6.

meet high standards of transparency, explainability and traceability<sup>107</sup>. Yet, respondents exhibit greater divergence of opinion with regard to the creation of a regulatory framework for AI, with a majority of actors supporting the introduction of a new legislation, one that is not exclusively applicable to high-risk applications<sup>108</sup>. Further, many respondents object to the risk-based approach set out in the White Paper and instead support the establishment of a risk-adapted regulatory framework as suggested by the German Data Ethics Commission<sup>109</sup>. Finally, for AI-based systems that do not qualify as high-risk, the majority of respondents supports the establishment of a voluntary labeling system as proposed in the White Paper<sup>110</sup>.

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<sup>107</sup> See para 5.1.

<sup>108</sup> See para 5.4.1.

<sup>109</sup> *Ibid.*

<sup>110</sup> See para 5.4.2.

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