German Bundestag

19th electoral term

Decision

At its 174th sitting on 11 September 2020, on the basis of Bundestag printed paper 19/22181, the German Bundestag adopted the following decision:

Future artificial intelligence technologies as a success factor for a strong and innovative Europe - An opinion on the European Commission White Paper on Artificial Intelligence

I. The German Bundestag notes:

The development of artificial intelligence (AI) is advancing rapidly worldwide. The German Bundestag wants to shape the future and pursue an AI trajectory grounded in European values. The guiding objective for AI is to improve people's lives, foster innovation, secure prosperity, bolster social cohesion and increase participation.

Artificial intelligence (AI) technologies help better diagnose diseases, perform high-precision procedures and provide customised care to patients but also proactively protect the health of an entire society. All this is happening right now in Germany, Europe and the whole world over in the context of the Covid-19 pandemic. But this is just one field of application for a highly complex technology that harbours huge potential benefits. In its form as the interaction between algorithmic processes and large collections of data, artificial intelligence has long since become part and parcel of everyday life for people and companies, be it in the health care system, mobility, agriculture, finance or many other areas, for instance for better traffic control, in aerospace, for energy saving or in the field of smart towns and cities to make them more pleasant places to live, to curb environmental pollution and for climate protection. AI also harbours considerable growth potential when it comes to value creation. Collaborative robots in manufacturing can make humans' work easier.

In the field of cutting-edge research, too, Europe is well positioned with regard to AI to seize the economic opportunities that arise. New challenges are emerging though. One of them is the possible emergence of a new competition between regimes - between liberal democracies on the one hand and digital authoritarianism on the other. AI has the potential to change the economic balance of power and in turn geopolitical constellations.

This makes it all the more important for Germany and Europe to remain at the global forefront of AI so that they can continue to tap into the knowledge, resources and tools that enable them to promote the practice of their values of democracy, freedom, human rights and the rule of law throughout the world.

AI is set to become one of the key technologies of this decade. The German Bundestag considers the medium and long-term significance of AI technologies for

economic stability, sustainable growth, social innovation and living and working in Germany and Europe as a whole to be extraordinarily high. A national AI strategy, combined with the implementation and support of high-quality and trustworthy AI systems geared above all to benefiting society and based on a human-centric approach, is seen as one of the key policy options, as is Germany joining forces with its EU partners to create the right underlying conditions for AI systems to make their development, implementation and use successful, sustainable and responsible.

The aim in all of this is to have a formative voice in the international transformation process, which goes hand in hand with the global competition between locations to attract business, in order to set standards worldwide - like with the General Data Protection Regulation (GDPR) - and to have an enduring influence over international developments, which are currently heavily dominated by Asian and US players. Here, too, "AI made in Europe" must be rooted in the European Union's system of values in order to extensively improve not just economic growth but also social prosperity. At the same time, data protection and data security must be ensured. By combining the advantages of cloud and edge technologies, the EU's position as global leader in low-energy AI systems can also be expanded in the area of "sustainable AI". The aim must be for Europe to be among the leaders in the global competition for AI, from basic research and teaching, to the development of fields of application, to specific, globally successful business models. This success will be secured when the requisite skilled workers are available in science and industry. This is why the focus also needs to be on vocational education and training. AI and digitalisation need to become an integral part of initial, continuing and further education and training. It is also imperative that society gains trust in AI by enabling it to understand and access this technology, allowing society as a whole and each individual to share in the benefits, and employees being able to count themselves among the winners of this development thanks to good working conditions and successful further training. Above and beyond this, what is needed is the right investment conditions to ensure that sufficient venture capital is available. There is also a need for future-proof regulation to ensure that highly valued start-ups stay in Europe. Successful scaling first of all requires courage and agility and second strategic foresight and structured governance. Strategic scaling combines both aspects.

In light of all of this, in addition to the national AI strategy developed by the Federal Government, the German Bundestag has established a study commission to assess the societal responsibility and economic, social and environmental potential of AI, which will present policy recommendations in autumn 2020. Furthermore, the German Bundestag regularly discusses individual issues and the need for amendments to legislation in connection with AI in the relevant specialised committees.

On 19 February 2020, the European Commission presented a White Paper "On Artificial Intelligence - A European Approach to Excellence and Trust" COM (2020) 65 final, which was shored up by a "European Data Strategy" COM (2020) 66 final and a European Strategy on "Shaping Europe's digital future" COM (2020) 67 final.

With the White Paper on Artificial Intelligence, but also, *inter alia*, the report on the safety and liability implications of AI, the Internet of Things and Robotics, the European Commission has put forward an approach for how it intends to harness the benefits of deploying AI for science, business and society on the one hand, and how it intends to counter the potential risks associated with it on the other. The most important building blocks of the AI approach are cited as being the creation of an "ecosystem of excellence", in the sense of mobilising private and public sector partnerships, and an "ecosystem of trust", in the sense of creating a legal

framework that respects fundamental rights and builds trust to provide greater legal certainty. These two elements of the AI approach are supplemented by safety and liability requirements to ensure trustworthy and responsible use of AI. Specific measures to implement these aims are set out.

Furthermore, the European Commission sees a need to create a regulatory framework for AI or to amend the current legal framework, which, given the rapid development of AI systems, should leave scope for further technological developments, be close to the field of practice and not excessively prescriptive. Clearly defined regulatory "sandboxes" can help gain and use insights before these are broadly applied. The envisaged regulatory arrangements would have to ensure effective protection of fundamental rights - including data protection, privacy and non-discrimination -, guarantee the real-life safety of users, for instance with regard to the use of AI in road transport, and provide the requisite legal clarity for businesses and consumers. Here, the paper also addresses the effective functioning of safety and liability rules.

The European Commission points to risk-based incremental regulation and in turn, also to incremental obligations placed on the different target groups (developers, operators, manufacturers) based on the degree of risk arising from the use of AI (for data, health, etc.). The possibilities of a mandatory prior conformity assessment and labelling requirements are also addressed. A suitably responsible policy towards AI technology could constitute a unique selling point compared to other countries and regions in handling this technology.

The European Commission has launched a public consultation on the White Paper, whose findings are to be incorporated into the revision of the AI strategy. This motion states the German Bundestag's opinion on the White Paper and calls on the Federal Government to assert the following matters in the future negotiations:

The European Commission is on the right track by focusing on the societal and economic potential of AI, by seeing data and AI as two sides of the same coin, and by seeking to enable data to be used better. We support the idea of Europe-wide AI regulation and the emphasis on trust-based and human-centred AI. When designing possible regulatory measures, however, care must be taken to ensure that they leave scope for innovation. They must also be consistent with other regulatory arrangements (such as data protection, cybersecurity, product safety, etc.).

The potential and opportunities of AI for society and the economy should be addressed even more as a general rule. The use of AI and its continuous further development harbours many opportunities to promote sustainable development by harnessing new technological solutions. This holds true not only in the field of environmental technologies, but also and above all when it comes to more efficient, resource-saving and agile work processes, for example in manufacturing and administration. This is because whether the potential the technology harbours can be tapped into and risks can be minimised depends on the further development and social acceptance of and trust in the technology. Especially given the risk assessment carried out in the White Paper, a positive perspective focussing on the benefits should be at the fore. The aim must simultaneously be to minimise risks.

Algorithms do not take decisions themselves - this guiding principle is important because it serves as the counterweight to any deliberate or inadvertent concealment of responsibilities. Humans take decisions and have responsibility, not technology. And it should stay that way. This is why the opportunities harboured by new technologies should be more firmly embedded in any future strategy, also so as to create general objectives such as non-discrimination, improved enforcement of rights, equal opportunities and participation opportunities for individuals, etc.

Here, it should be borne in mind that the use of AI systems preserves and potentially can even strengthen the self-determination of the individual as an actor and his or her freedom of choice. At the same time, this should enable the use of AI where it is helpful to humans thanks to its faster cognitive or reaction capabilities, for instance in autonomous driving.

A trustworthy "AI made in Europe" brand which meets a set catalogue of predefined criteria can provide an edge in international competition. German and European companies already stand for innovative, safe and robust AI systems, especially in the B2B (business-to-business) sector. Now it needs to be ensured that European AI developers and providers do even better through excellence and trust. This means stepping up innovation, scalability and speed, and catching up in the B2C (business-to-consumer) sector. In addition to this, efforts need to be made to ensure that the infrastructure required for efficient, effective, safe and stable AI use is available and can be tailored swiftly to needs.

The German Bundestag therefore appeals to the European Commission to strike a better balance between the two pillars - excellence and trust - and to inject more dynamism into the system. Another pillar with an "ecosystem of agility" could be introduced to ensure that there is the necessary freedom and scope for experimentation. The goal must be to create an attractive environment in Europe which enables responsible AI developments to be scaled up quickly. Only then can investment incentives for private and institutional investors be bolstered, which will allow innovative AI companies in Europe to grow and make the transformation process a success for existing SMEs and large companies.

The angle adopted is crucial. When regulating AI, the European Commission must take the specific application context as its basis because AI systems are very diverse in their characteristics and application and develop very dynamically. A regulatory one-size-fits-all solution would not duly reflect this. Various sectors that entail potential risks to life and limb, such as medicine or road traffic, are already subject to special authorisation or due diligence requirements. Any specific AI regulation must be aligned with existing sector-specific regulation. Deep-tech developments that work closely with humans, such as surgical robots or braking systems, often entail huge potential benefits, but also risks. So it is important to weigh up the benefits and risks sensibly to make AI use possible. Here, the European Commission must ensure that all protected assets and protection goals are coherently safeguarded or applied.

The European Commission proposes classification into high-risk and low-risk sectors. What will be crucial here is which factors are cumulated and how appropriate and practice-related the approach is - because risk assessments need to reflect both the probability of damage and the potential seriousness of the damage. They must bear in mind that the same AI application can trigger different risks - depending on how it is used. Within a sector, too, distinctions must be made depending on how AI is used in the particular case. Regulatory, documentation and liability requirements should be designed on the basis of this understanding. It should therefore be reviewed whether the dual risk system proposed by the EU Commission is sufficient. The recommendations of the Data Ethics Commission and those of the German Bundestag's Study Commission on Artificial Intelligence, which will present its final report in autumn, should be incorporated into this review.

The supplementary criteria for identifying high-risk AI systems need to be fleshed out in order to avoid legal uncertainty and over-regulation. This includes clearly defining what constitutes a "significant" impact on parties affected or the "exceptional instances" that lead to an AI system being categorised as high-risk, for instance. Furthermore, it must be clear and straightforward to determine whether a

given data-driven application is an AI application. The reference to “immaterial damage” in the definition of risk is too open and should be rendered more precise to ensure practicability.

One conceivable approach here would be to use existing standardisation and normative instruments. In Germany, we have opted for a path that establishes the necessary regulations, but at the same time leaves room for freedom of innovation, which is so important. In the scope of the Federal Government’s AI strategy, standardisation is one of twelve central policy fields and in turn an important building block for this key topic of the future. The AI Standardisation Roadmap Steering Group established by the Federal Ministry for Economic Affairs and Energy and the German Institute for Standardisation (Deutsches Institut für Normung e.V.) are working on a standardisation roadmap of this kind. A model like this could also serve as a template for regulatory instruments at European level. Standardisation helps to keep the regulatory framework sound and flexible. It provides a platform for the discussion of technical questions where all expert groups are already represented and lawmakers can draw on their expertise. This principle also strengthens Europe in international competition as a location for the best solutions and products in the field of AI. What is important here is that the transparency of procedures is ensured.

The German Bundestag calls for a dynamic market development to be supported within clear rules, which also enables dynamic market authorisation of AI systems in Germany and Europe, since - as the European Commission rightly states - too normative a legal framework would engender disproportionate costs and effort, above all for small and medium-sized enterprises. Tried-and-tested processes for norms and standards, approval and supervision must be relied on. AI specifics should be added without creating parallel structures. The aim must be to enable safe AI applications on a broad basis – including when combined with data science and robotics - for the people in Germany and Europe and to make them legally certain for companies.

The European Commission also sets forth the establishment of prior conformity assessments to ensure that high-risk AI applications comply with mandatory requirements. Such prior assessments could include certification procedures. The possibility of introducing certification for AI systems should be examined. On the one hand, certification of AI systems by competent and mandated institutions could constitute a unique selling point compared to Chinese and US providers and consequently pave the way for a “European approach”. From the manufacturer’s perspective, this harbours the hope of the developed AI products increasing in value and being able to generate higher sales; from the user’s point of view, it means higher quality, safety and trust.

This would allow better European products that meet the criteria and legal requirements to prevail worldwide. On the other hand, a micro-managed approach to certification can also lead to over-regulation, significantly slowing the speed of innovation. Innovation and process-oriented certification based on clear rules could be a way to strike a balance between the pros and cons outlined above. European and national institutions, such as the European Union Agency for Cyber Security (ENISA) or the Federal Office for Information Security (BSI), should be involved in certification processes.

The German Bundestag sees safe and secure AI systems as a basic prerequisite for an “ecosystem of trust”. The German Bundestag therefore appeals to the European Commission to take the aspect of information security more into account. The complexity of current AI models cannot be mastered with traditional IT security procedures. New procedures for the information security of AI systems therefore need to be developed in line with needs.

How and by whom the risk inherent in given AI systems is to be determined ex-ante will be pivotal. As the contexts in which AI systems learn are subject to unforeseeable changes, and since at the same time it is difficult to develop fully adaptive learning systems, the potential risks are often difficult to determine in advance. It is also difficult to predict or control what data the learning system will receive during the period of use and what changes and malfunctions may occur after the test phase. Although the dynamic nature of products and their environment is not a phenomenon that is unique to AI systems, modern, self-learning and continually learning AI systems cast a new light on the question of the relationship between these dynamics and regulation.

The German Bundestag shares the view of the European Commission that various forms of human oversight are necessary for high-risk AI applications, though the degree of oversight must be decided on a case-by-case basis.

The German Bundestag is sceptical about creating a central European AI watchdog, for instance in the form of a European agency, and feels intensified cooperation between various national and supranational supervisory authorities makes more sense and would be more efficient. Existing approaches from the domain of product safety and occupational health and safety could provide specific models here, like those already practised by the Federal Institute for Occupational Safety and Health (BAuA).

An opportunity to deal with the rapid pace of technological development or to keep pace with it may - especially in low-risk sectors – be regulated self-regulation or co-regulation by means of standards. It should also be examined to what extent to a voluntary labelling scheme in the form of self-assessment may be effective. Prior to any voluntary labelling scheme, clear, transparent rules and indicators based on international standards must be agreed on. National schemes should definitely be avoided. An EU minimum standard, which could be extended at national level if necessary, should be given preference.

As new regulation inevitably entails effort and expense, in particular for start-ups and small businesses, it only adds value in the cost-benefit analysis if a real need exists. This must be seen primarily in terms of creating an attractive ecosystem for innovation and excellence - because AI developers and users are already subject to a wide range of European legislation, such as consumer protection, product safety and product liability, in addition to fundamental rights impacts. These must continue to be complied with when deploying AI systems. The use of artificial intelligence has to be just as safe as other products. At the same time, it must be ensured that an evidence-based data basis is created for it to further evolve from.

There should also be a review of where improvements can be made in order to first facilitate the development and implementation of AI deployment, and second to provide legal certainty in Europe for providers and users alike and to standardise and pool authorisation procedures. This holds particularly true for antitrust and competition law provisions or safety and liability regulations. The findings of the Commission of Experts on Competition Law 4.0 should also be taken into account here.

Product safety and product liability rules also fundamentally apply to AI applications, but their specificities, such as opacity, make the rules difficult to apply and enforce. The German Bundestag therefore sees a need to revise these provisions selectively - in a sector-specific form, too - in order to close existing loopholes or to do away with ambiguities. *Inter alia*, the time at which the item is “placed on the market” which is decisive in terms of safety, and potentially also the definition of the term product need adjusting, since AI applications can change the way they work, be it as a result of updates or the learning process. These and other changes

are necessary to provide legal clarity for businesses, to protect the legal rights of citizens and to boost trust in and acceptance of new technologies.

As no technology is perfect, people need to be effectively protected from harm from AI systems and no gaps in liability must be accepted. Here, it is important to create a consistent system that is also proportionate. A functioning liability system for AI must strike a careful balance between risk prevention on the one hand and avoiding an excessively strict level of liability for the manufacturers and developers of AI technology on the other hand, which is untenable or prevents innovation in this field – bearing in mind global competition.

In the case of self-learning systems, existing law alone is not in a position to conclusively determine whether a system has a flaw (in particular a design or programming flaw) within the meaning of product liability law. The answer to this question also and above all hinges on technical assessments because a flaw in this context constitutes a breach of the recognised state of the art, to be determined by standards or by technical experts. Here, it might make sense to specify the "legitimate expectation" regarding the safety and security of an IT system. In the case of non-learning AI systems, which are not used until they have reached their final "learned" state, the liability situation is not fundamentally any different from other products.

The German Bundestag therefore sees no need to amend the liability rules in their entirety in order to reflect developments in the field of AI. However, selective adjustments to the law will be necessary to duly take into account certain AI characteristics, especially learning systems. The envisaged distinction between high and low-risk AI should also be reflected in the liability rules. It is only to especially risky artificial intelligence use cases that especially strict rules should apply.

The operators of "high-risk systems" of this kind should therefore be responsible for "any damage to the legal rights of others" caused by the AI, as is the case for animal or vehicle owners in the system of strict liability under German law, for instance. It is important here to strike a balance between the responsibilities of manufacturers, developers, operators and users. Companies must be aware of their liability risks along the entire value chain, be able to lower or prevent them and be able to cover or insure themselves effectively against these risks. It is important that liability is based on the product in question, for instance the vehicle, so that different liability provisions are not created for the same item (conventional and autonomous vehicles). For owners of high-risk or other CRITIS-relevant AI uses, a reporting obligation to government authorities, comparable to corresponding provisions of the IT Security Act (IT-SiG) and the Act on the Federal Office for Information Security (BSI Gesetz), should be considered. When doing so, the legitimate interests of authorities with duties involving the exercise of State authority in the field of security must be duly taken into account in the context of their own reporting obligation.

Fundamentally, the German Bundestag welcomes the development of ethical and trustworthy AI throughout the EU economy, but the question arises as to whether the ethical aspects should only be focused on through a potential regulatory framework or whether they should not also be addressed by appropriate positive incentives in the ecosystem of excellence. The view that a common approach at EU level bolsters competitiveness on global markets also hinges on whether the European regulatory framework is also suited to continuing to promote innovation and not to it relocating to other parts of the world.

When designing the measures in the area of excellence, the transfer idea should be more in the spotlight and, for instance, it should be ensured that, in addition to basic research at universities of excellence, applied research at regional universities of applied sciences - which benefits small and medium-sized businesses in

particular - is also promoted. Since the measures will be funded mainly from the new MFF (mainly from the "Digital Europe" and "Horizon Europe" programmes, but also from the European Structural and Investment Funds), the feasibility of the measures ultimately hinges on these programmes being adequately funded.

In addition to the ecosystem of trust, the ecosystem of excellence is of key importance. The ecosystem of excellence should be bolstered further. This can be achieved *inter alia* by creating a European network of national competence centres and clusters, developing European AI ecosystems and by universities, research institutions, SMEs and industry cooperating in border regions. This will make it possible to keep talent in Europe and compete with other global players in the race for the brightest minds.

The public's perception of AI is currently a more risk-driven one, but this is essentially a technological development that can be of great benefit to people and should bolster Europe's digital sovereignty. As long as there is a feeling in society that it cannot follow or trust technological developments, though, the concerns about supposedly uncontrollable AI will persist. Employees at companies in particular have major reservations and concerns about the future of their jobs and these need to be eliminated or allayed, for instance through co-determination possibilities, training and measures to secure jobs. Minimising mistakes in the use of technology is certainly important, but so is the realisation that no system, neither human nor AI operated, can be perfect. In situations requiring a quick reaction, in particular, such as in emergency medicine or road traffic, AI already acts very precisely and makes a major contribution to minimising risks.

Transparency, trust, safety and flexibility are key to pushing AI implementation forward in Europe. A realistic analysis of strengths and weaknesses is therefore what is needed when updating the AI strategy. Furthermore, the focus must be just as much on enabling as on regulating. With an eco-system triad of excellence, trust and agility, the European Commission can potentially create the basis for joint action both for the economy and as a community of values.

II. The German Bundestag welcomes the fact that the European Commission

1. has recognised the potential and opportunities of AI for the economy and society;
2. wants to re-coordinate cooperation with and between Member States by the end of 2020 by revising the 2018 European AI Strategy;
3. wants to assume a leading role in AI by means of an "ecosystem of excellence", complemented by protective measures for citizens by means of an "ecosystem of trust";
4. is seeking to adapt and further harmonise the legal framework and instruments in order to adequately address the specificities of AI systems and to implement the digital single market in this area as well;
5. is proposing an approach to AI regulation that is sector and application-specific and aims to strengthen the existing liability regime in those sectors where high risks arise in association with AI systems;
6. envisages adjustments to existing product safety and product liability legislation to provide legal clarity regarding AI-based products;

7. wants to facilitate the creation of centres of excellence and test and reference centres to help focus and pool skills and to link European, national and private investment more;
8. wants to actively encourage the development and operation of networks of leading universities and higher education institutions in the EU to attract the best teachers and scholars and to offer globally leading AI master's degree courses, as well as to tap into the potential arising from the EU's research framework programmes;
9. wants to support the implementation of AI at small and medium-sized enterprises (SMEs);
10. is proposing a new partnership for AI, data and robotics under the umbrella of Horizon Europe where the public and private sector work together;
11. wants to improve the evidence base on potential risks and cyber-threats in connection with AI applications;
12. is focussing on the development of sustainable AI;
13. is calling for greater involvement in global forums.

III. The German Bundestag calls on the Federal Government

1. to bolster and pool research and transfer funding for AI by prioritising it in the existing financial framework and to maximise potential spending on R&D;
2. to take measures to ensure a better data situation for research. Research on the impact of the use of AI on democracy, government, the economy, labour and society in particular urgently needs reliable data;
3. when providing national funding, to ensure compatibility with EU research funding and openness to cooperation and research consortia in the EU;
4. to step up research efforts in the field of AI further;
5. to strengthen the development of existing AI networks but also to identify "flagships" and promote them within the scope of available budgetary funds;
6. to work towards the AI being fully incorporated into education, initial and continuing training and education;
7. in the continued process of drafting the legislative act on the subject of AI, in its dealings with the European Commission to advocate and work towards a better balance between the "ecosystem of excellence" and the "ecosystem of trust" being able to be struck and a third pillar of "agility" being added which creates scope for experimentation, emphasises the tangible benefits of AI applications more and always keeps in mind the competitive factor of speed;
8. to work towards ensuring that in the area of the ecosystem of excellence - in addition to global players - small and medium-sized enterprises and start-ups are sufficiently included, so as to give young founders better access to research and innovation, for instance;

9. to include social entrepreneurship and social innovation in the scope of support for AI;
10. to improve conditions for strengthening the EU venture capital market with a focus on AI start-ups, including by providing investment security for private investors by means of multi-annual partnerships between start-ups and the public sector
11. to enable European AI regulation, in particular with the aim of fully implementing a genuine European Single Market and boosting the global competitiveness and innovativeness of European AI companies, while providing a high level of legal certainty for providers and users;
12. to ensure that the specificity of AI as a technology is taken into account as a whole, but that, generally, no higher regulatory hurdles are imposed, and instead that comparable rules are applied as for other technologies;
13. to continue to expand AI funding in a targeted manner within the scope of the available budgetary funds and to gear it in particular towards start-ups, applied research and scientific expertise, and to support the transfer to SMEs and to an efficient infrastructure;
14. in regulation, to press for a differentiated sector-specific and application-specific approach to risk assessment;
15. to ensure that fundamental rights and European values (such as non-discrimination, safety and security, pluralism, trustworthiness, data protection, privacy) are further strengthened and fully exercised through the use of AI;
16. to make full use of the existing possibilities offered by standardisation and certification formats and not to begin with product certification - which is difficult for AI systems - but also with process certification;
17. to further develop competition and antitrust law in order to prevent a monopolisation of data, introduce clear rules of conduct for dominant platforms and heighten legal certainty for cooperation in the digital economy;
18. to continue to promote European cooperation in the field of cyber security, especially with regard to the development and application of encryption technologies.

IV. The German Bundestag calls on the Federal Government in particular

1. to continue to promote the topic of AI as a focus of the German EU Council Presidency and to put the relevant references to the topic of data prominently on the agenda;
2. to link the strategic orientation for AI and for data policy. The objective should be to ensure Europe assumes a leading role in AI in the future, and at the same time secures its digital sovereignty in global competition;
3. to make headway with the conception of efficient, secure, trustworthy and sovereign European data infrastructures and data rooms, as is currently already being funded in the scope of the GAIA-X project initiated by the Federal Government – the prerequisite for this is also secure and trustworthy communication infrastructures;

4. to incorporate the findings the German Bundestag's Study Commission on Artificial Intelligence when updating the Federal Government's AI strategy;
5. in the future societal discourse on AI, to address potential and opportunities even more so as to strengthen the acceptance of AI in society.

V. The German Bundestag asks the European Commission

1. to strengthen the benefits-focussed view towards positive potential and effects for society, the economy and science from using AI and by stressing the general aims such as non-discrimination, improved enforcement of rights, equal opportunities and opportunities to participate when designing AI;
2. to strike a better balance between the two pillars of excellence and trust and to add a third pillar in the form of an "ecosystem of agility";
3. to pursue application-specific regulation which, in particular when categorising risk, factors in not just the seriousness of damage but also the likelihood of damage;
4. to further differentiate and specify the criteria for identifying high-risk AI systems;
5. to supplement existing norms and standards with AI specifics;
6. to put in place certification centred on innovation and processes in the prior assessment of AI risks;
7. to strive for better cooperation with national and supranational supervisory authorities;
8. for low-risk AI, to examine the possibility of implementing self-regulatory or co-regulatory mechanisms to accommodate the speed of AI development;
9. to introduce new regulation in areas where there are currently gaps in protection or where there is a need for greater legal certainty for providers and users of AI systems. In the scope of this, the possibility of combining authorisation procedures should also be examined;
10. to enable a balanced liability regime which also enables innovation and accommodates the protection interests of users;
11. to expand the "ecosystem of excellence" to include applied fields and universities of applied sciences as well.