



EUROPEAN COMMISSION

*Brussels, 17.12.2021  
C(2021) 9858 final*

*Dear President,*

*The Commission would like to thank the Senat for its Opinion on the proposal for a Regulation of the European Parliament and of the Council laying down harmonised rules on artificial intelligence (Artificial Intelligence Act) and amending certain Union legislative acts {COM(2021)206 final}.*

*The proposed Artificial Intelligence Act is part of a larger package, launched on 21 April 2021, aiming to turn Europe into a global hub for trustworthy artificial intelligence. It will guarantee the safety and fundamental rights of citizens and strengthen artificial intelligence uptake, investment and innovation across the EU.*

*The Commission welcomes the Senat's support for the proposed Artificial Intelligence Act and the Commission's goal to create a single framework at EU level to increase trust in artificial intelligence and mitigate the risks associated with the technology.*

*The Commission also welcomes the Senat's support for the approach to prohibited artificial intelligence systems, which are considered contrary to the values of the European Union.*

*The Commission notes the Senat's position that the exceptional use of 'real-time' biometric identification systems without prior authorisation by a judicial or independent administrative authority should be limited and the judicial review of such use strengthened. The Commission refers to exceptional situations in which urgency requires immediate action and where prior approval is therefore not possible.*

*The Commission notes the Senat's concerns on the topic of environmental protection and highlights the work done by the High-Level Expert Group on Artificial Intelligence resulting in the Assessment List for Trustworthy Artificial Intelligence, which lists environmental well-being as a key requirement for trustworthy artificial intelligence. In*

*Tomasz GRODZKI  
Marshal of the Senat  
Ul. Wiejska 6  
PL – 00-902 WARSAW*

*this context, the Commission would like to underline that Article 69 of the Artificial Intelligence Act encourages providers of artificial intelligence systems (or organisations representing them) to draw up codes of conduct that include provisions for environmental sustainability. Furthermore, bringing artificial intelligence into play for climate and environmental protection forms one of the key proposals of the Commission's Coordinated Plan on Artificial Intelligence 2021 Review<sup>1</sup>.*

*The Senat's Opinion has been forwarded to the relevant Commission services taking part in the legislative negotiations between the European Parliament and the Council.*

*The Commission hopes that the clarifications provided in this reply address the issues raised by the Senat and looks forward to continuing the political dialogue in the future.*

*Yours faithfully,*

*Maroš Šefčovič  
First Vice-President*

*Thierry Breton  
Member of the Commission*

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<sup>1</sup> COM(2021) 205 final