

## The ethical side of the Digital Single Market Strategy

04 Luglio 2018  
media LAWS

Di Maria Vittoria La Rosa

**Within the context of the European Digital Single Market Strategy, the development of an environment stimulating investments in artificial intelligence (AI) has been identified since the beginning as a priority to be tackled. To this purpose, several actions are being undertaken at different levels.**

From a purely economic perspective, Vice-President for the Digital Single Market Andrus Ansip has recently stated that *“We need to invest at least €20 billion by the end of 2020”*. Also, from a regulatory standpoint the Commission has repeatedly stressed the importance of working on a legislative framework making the free flow of non-personal data easier and opening up more data for reuse. But besides financial and regulatory aspects, there is more. There are ethical implications.

It is crystal clear that AI may raise moral questions that must be addressed. In this respect, we could refer to the need to level the playing field from an ethical perspective. This is indeed a big deal as in the EU ethical matters have traditionally been left to the Member States’ choices, such fact resulting in a variegated pattern of approaches to themes such as abortion, same-sex marriages, LGBT adoption or constraints to scientific research. In other words, despite the *“common values”* referred to under the EU Charter of Fundamental Rights, it can be easily recognized that there is no common approach in Europe on a number of sensitive matters, but rather a mosaic of approaches which is coherent with the EU *“United in diversity”* motto<sup>[1]</sup>. Considering this, no Member State is currently prepared or willing to give up its sovereignty on ethical matters, and the EU itself is seldom showing interest for a strengthening of its influence on these topics.

Given this background, the AI - and the Digital Single Market Strategy with it - interestingly become one of the few fields where Europe is trying to build a common approach not only from a regulatory or financial perspective, but also from an ethical one. To this purpose, on 9 March 2018 a call for a High-Level Expert Group on AI was issued. The call resulted in the establishment of the Expert Group, which has met for the first time on June 2018. Among its tasks, the Group is in charge of drafting ethics guidelines that will build on the work of the European Group on Ethics in Science and New Technologies and of the European Union Agency for Fundamental Rights in this area. Dignity, non-discrimination and gender protection are amongst the issued the guidelines are supposed to address<sup>[2]</sup>.

We’ll see what the work of the Expert Group will result in: nonetheless, the need to handle the challenges of the digital market not only from an economic perspective but also from a moral standpoint may be perceived as a positive signal in a scenario where excessive focus on purely monetary matters is boosting nationalisms and populisms. Interestingly, the digital market could become not only a driver of economic growth, but also an occasion to strengthen a common identity across Europe and a field where the need to

find shared solutions could hopefully prevail on national egoisms.

[1] [http://www.zaoerv.de/75\\_2015/75\\_2015\\_3\\_a\\_531\\_578.pdf](http://www.zaoerv.de/75_2015/75_2015_3_a_531_578.pdf).

[2] <https://ec.europa.eu/digital-single-market/en/news/commission-appoints-expert-group-ai-and-launches-european-ai-alliance>.

Redatto il 27 giugno 2018

**TAG:** *intelligenza artificiale, Mercato Unico Digitale, New Media, Diritto dell'Unione Europea, Diritto delle nuove tecnologie e delle comunicazioni, Diritto dell'economia e economia politica, New technology*

---

### **Avvertenza**

La pubblicazione di contributi, approfondimenti, articoli e in genere di tutte le opere dottrinarie e di commento (ivi comprese le news) presenti su Filodiritto è stata concessa (e richiesta) dai rispettivi autori, titolari di tutti i diritti morali e patrimoniali ai sensi della legge sul diritto d'autore e sui diritti connessi (Legge 633/1941). La riproduzione ed ogni altra forma di diffusione al pubblico delle predette opere (anche in parte), in difetto di autorizzazione dell'autore, è punita a norma degli articoli 171, 171-bis, 171-ter, 174-bis e 174-ter della menzionata Legge 633/1941. È consentito scaricare, prendere visione, estrarre copia o stampare i documenti pubblicati su Filodiritto nella sezione Dottrina per ragioni esclusivamente personali, a scopo informativo-culturale e non commerciale, esclusa ogni modifica o alterazione. Sono parimenti consentite le citazioni a titolo di cronaca, studio, critica o recensione, purché accompagnate dal nome dell'autore dell'articolo e dall'indicazione della fonte, ad esempio: Luca Martini, La discrezionalità del sanitario nella qualificazione di reato perseguibile d'ufficio ai fini dell'obbligo di referto ex art 365 cod. pen., in "Filodiritto" (<https://www.filodiritto.com>), con relativo collegamento ipertestuale. Se l'autore non è altrimenti indicato i diritti sono di Inforomatica S.r.l. e la riproduzione è vietata senza il consenso esplicito della stessa. È sempre gradita la comunicazione del testo, telematico o cartaceo, ove è avvenuta la citazione.