

Dr Jan De Bruyne presents on 'Regulating Artificial Intelligence in the European Union: Legal and Ethical Aspects'.

Dr Jan De Bruyne presented a paper at the Research Seminar Series at the School of Law, the University of Queensland, Australia discussing 'Regulating Artificial Intelligence in the European Union: Legal and Ethical Aspects' on 17 April 2020.

Artificial intelligence (AI) has become an area of strategic importance and a key driver of economic development. It has many benefits and can bring solutions to several societal challenges. At the same time, however, legal and ethical challenges remain and have to be carefully addressed. It is, therefore, not surprising that the regulation of AI is probably one of the most debated legal topics in the European Union (EU) and several of its Member States. This debate has only been strengthened with the recent European Commission's White Paper on *Artificial Intelligence - A European approach to excellence and trust*.

Some argue that the law will need a fundamental make-over to deal with the reality of AI. The question that arises from a legal point of view is thus whether the existing longstanding legal principles are compatible with these technological evolutions or, instead, new legislation will need to be adopted. After a more general overview of the existing legal and ethical framework on AI in the European Union, I will proceed with an analysis of the situation for damage caused by AI systems such as autonomous vehicles to find an answer to that question. The analysis uncovers some difficulties in the application of traditional tort law principles. Reliance on a fault-based liability regime, for instance, will become uncertain in the context of autonomous vehicles. Liability in traffic-related matters will, therefore, evolve from a fault-based mechanism towards forms of strict liability. Particular attention is thereby given to the application of the EU Product Liability Directive. It will eventually be assessed who should be held liable for the damage caused by self-driving cars and other AI systems by an extension (*de lege ferenda*).

Details of the presentation may be found at:
<https://law.uq.edu.au/event/session/13582>