

# Integrated European – level measures regarding artificial intelligence in relation to human rights

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## Abstract

This paper explores the integrated measures adopted at the European level to regulate the use of artificial intelligence (AI) in order to ensure that human rights are respected and protected. The influence of artificial intelligence in various domains, from the economy to social life, has grown considerably. With this in mind, the European Union (EU) has developed a legislative and regulatory framework to enable the use of these advanced technologies without prejudice to human dignity, fundamental freedoms and human rights. This includes the implementation of a risk-based approach, which classifies AI applications according to their potential impact on individual rights and freedoms. In addition, the EU promotes training and education on the ethical use of AI. Improving the digital skills needed in Europe is essential so that citizens can benefit from new technologies to their advantage and avoid their potential pitfalls. The research underlines the importance of a formal framework leading to an AI-based ecosystem that promotes innovation, but at the same time respects fundamental human values and rights. Artificial intelligence can significantly improve the quality of life of citizens, but associated risks and good risk prevention measures must be considered. The prudent use of new technologies is an issue of concern to countries around the world, which is why international cooperation initiatives are essential to harmonise global standards and promote responsible AI governance. The European Union aims to develop citizens who are able to navigate and positively influence technological development without being affected by their fundamental rights, which has a significant long-term impact in a society that wants to be anchored to new realities but also maintain social equity.

**Keywords:** protecting citizens in the context of new technologies, AI risks, education and digital skills.

## 1. Introduction and conceptual delimitations

Societies are evolving at a rapid pace and these changes must support the people who form them, without harming them, especially in terms of rights and freedoms. In the context of the development of new technologies, the presence of artificial intelligence is increasingly present in people's everyday lives.

The concept of artificial intelligence (AI) refers to systems that “exhibit intelligent behaviour by analysing their environment and taking action, somewhat autonomously, to achieve specific goals” [1]. Its presence in our lives has grown over time, influencing private, social and political life. [2] Although it is a fundamental element of the ideas of reforming communities and its potential is well known, the use of artificial intelligence presents a number of risks, as well as effects that can be classified as negative. From this perspective, we would mention the impact that artificial intelligence could have on fundamental rights such as privacy, dignity, freedom of expression, movement, security and data protection. [3]

The use of artificial intelligence is intended to improve the lives of citizens, including through the provision of quality healthcare, safer transport, products and services tailored to their needs, increased accessibility of information and resources for education and training. In the private sector, artificial intelligence can underpin both the development of

new products and services and improve the management of work and related resources. There are also major contributions in crucial areas of current interest at European level, such as the green and circular economy, agriculture, tourism, medicine, etc. Involving AI in improving public services could also lead to cost reduction and increased performance, with benefits both for the human resource that makes up public administrations and for citizens. AI can be used to revolutionise areas such as “public transport, education, energy and waste management, and can improve the sustainability of products”. [4]

Unfortunately, however, the under- or over-use of artificial intelligence can be a danger, leading either to problematic implementation and failure to meet objectives, or to the generation of new problems, which underlines the need for balance in their use and a good understanding of them. Liability for the damage that AI could cause is also one of the controversial issues in this area, also affecting citizens' trust in new technologies. At the same time, opinions on the effects of AI on democracy are controversial, and can be both positive in terms of increased engagement, information and transparency, and negative in terms of the algorithms of social media platforms that automatically sort the information that reaches the user. [4]

On the labour side, AI has created dissension because it could lead to the elimination of a significant number of jobs, even if at the same time it will allow the creation of new jobs and the improvement of existing ones. Education could not be bypassed by AI, and the use of artificial intelligence could play a key role in preventing unemployment and qualifying people. [4]

The relationship between new technologies, including artificial intelligence, and human rights has not been uniformly established in the literature and among practitioners, as it is complex and can be influenced by a multitude of factors. It is precisely the novelty of this topic that poses challenges to its study, as it is a topic of interest with long-term impact. [5] The presence of AI in all daily activities is arousing interest and encouraging research, being part of the new reality for which the world needs to be prepared through knowledge.

## **2. Artificial intelligence at EU level**

In order both to allow artificial intelligence to be used to its full potential and to prevent possible negative effects and human rights infringements, regulation is necessary. The lack of a legal framework that provides clarity on the concept and includes rules on the limits of data use could lead to poor use of AI and a human rights imbalance. The regulatory framework should also take into account how the impact of AI is monitored, the liability for breaches and possible sanctions. [6]

In view of these considerations, there is a growing concern at European level among international bodies to produce recommendations, studies and reports on artificial intelligence, its impact on human rights and the action that should be taken. [7] The presence of artificial intelligence is not just an individual issue for some European countries, but part of the evolution of society in general, which is why a regulatory framework at European level is imperative.

The European Commission's own Communication COM/2018/237 on Artificial Intelligence for Europe stated that “the European Union needs to provide for a coordinated approach to artificial intelligence in order to achieve maximum results, but also to be able to meet the challenges it brings”. [1].

Prior to this communication, the European Economic and Social Committee stated in its opinion 2017/C 288/01 [8] that artificial intelligence crosses borders, and for this reason the appropriateness of global regulation must be assessed. AI regulation must draw clear boundaries so that fundamental rights and social values are not affected.

In all the measures taken, the European Union has taken into account the stimulation of industry and research through artificial intelligence, taking into account safety and fundamental human rights. Transforming the EU through artificial intelligence was set out in *the European AI Strategy* [1] in 2018 and considered the importance of the human factor in the process. [9]

2018 also saw the establishment of an Artificial Intelligence Expert Group, AI HLEG, to advise the Commission on the process of setting up a “European Alliance for Artificial Intelligence”, to facilitate the implementation of the European AI Plan and to generate a proposal for a document on the ethics and use of AI in relation to fundamental rights, both EU and Charter of Fundamental Rights. [10]

This group of experts published in 2019 the components that AI must meet to be considered trustworthy, namely legality, compliance with ethical principles and values, and resilience, technically and socially. The verification of the 3 components is done through an analysis of 7 requirements: 'human involvement and oversight; technical robustness and security; privacy and data governance; transparency; diversity, non-discrimination and fairness; societal and environmental well-being; accountability. [7]

Given the emergence of the field, the year 2021 marked new steps in artificial intelligence, namely: the Commission Communication on promoting a European approach to AI; a review of the coordinated Plan on Artificial Intelligence; the European Commission proposal for a Regulation laying down harmonised rules on AI and relevant impact assessment (the Regulation will be formally adopted in 2024). Concern for human rights is directly reflected in three interlinked legal initiatives, namely: a European legal framework for AI to address fundamental rights and safety risks; a framework on civil liability – adapting liability rules in the digital age and AI; a review of sectoral safety legislation (relating to technical equipment, safety, etc.). [9]

In its actions, the European Commission has taken into account the risks that AI poses and has sought to address them through a specific set of rules so as to play a leading role in AI worldwide. Divided into four categories of risks (unacceptable, high, limited, minimal/non-existent), the use of AI-based systems that affects safety, livelihoods and human rights is clearly prohibited. The high degree of risk of AI systems entails specific and strict obligations to be considered, limited risks must comply with specific

transparency requirements, and minimal or non-existent risks are not subject to specific requirements. [11]

The regulations aimed to protect rights such as “non-discrimination, the right to human dignity, respect for privacy and protection of personal data, equality between women and men, freedom of expression, freedom of assembly, the right to an effective remedy and to a fair trial” [3].

### **3. Education, a long-term measure**

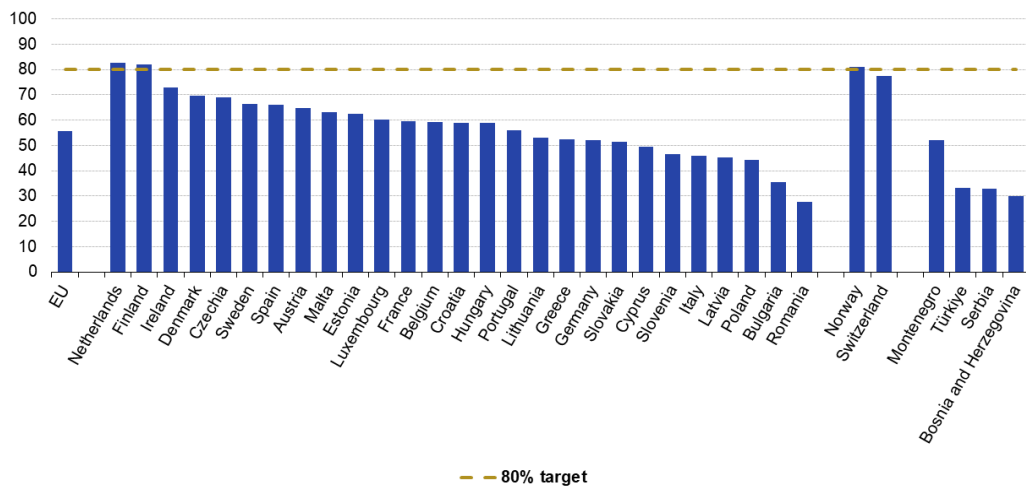
The measures taken at EU level are not only intended to set formal parameters for the use of artificial intelligence and prevent possible negative effects, but also to address the impact of artificial intelligence in a pragmatic and long-term way. From this perspective, the European Commission has generated a comprehensive plan to improve the skills needed in Europe as early as 2016. Acquiring and upgrading digital skills among citizens was part of the Commission's Recommendation to Member States. In this learning context, the Commission's concern for digital education cannot be ignored, wanting to exploit the effects of artificial intelligence in learning and training programmes. [1] Training European citizens is essential in facilitating the understanding and use of new technologies to their advantage, avoiding their potential pitfalls.

Thus, the European Commission has taken a human-centred approach to artificial intelligence, giving particular importance to digital skills. From this perspective, the priorities are nurturing talent and improving skills, developing a policy framework to ensure trust in artificial intelligence systems, and promoting the EU's vision of artificial intelligence in the world through the lens of sustainability and trust.

Looking at basic digital skills, Figure 1 shows the digital skills situation for the 16-74 age group in 2023. Thus, with an EU average of 55.6%, we see that although society has evolved at an accelerated pace and digitisation and artificial intelligence are increasingly making their presence felt in people's daily lives, preparing people for the digital age remains an area for improvement, especially in the countries at the bottom of the league table.

Digital competence indicators are an essential element of the key performance indicators in the context of the Digital Decade for Europe and the EU's “Digital Agenda”. According to this initiative, more than 20 million information and communication technology (ICT) specialists are expected to be reached by 2030, with an equitable gender distribution. It also aims to ensure that at least 80% of the population have basic digital skills. In addition, a full digitisation of public services is targeted, including full online access to essential public services, ensuring that all citizens have access to health records and that 80% of citizens obtain and use their digital identity. [12]

**Individuals with at least basic digital skills, 2023**  
(% of individuals aged 16-74)



Source: Eurostat (online data code: isoc\_sk\_dskl\_i21)



Fig. 1. People with at least basic digital skills, 2023 (% of individuals aged 16-74)

Source: Eurostat [13]

**4. Conclusions and final considerations**

Societies are evolving at a rapid pace through technology, and even as trends and citizens' needs change, ensuring their fundamental rights remains a priority that cannot be ignored. The presence of artificial intelligence-based systems and the habituation to them is increasingly felt in everyday life. Although their purpose is to improve and simplify our lives, they must be used in accordance with clear rules, so as to ensure that good intentions exist and possible negative effects are minimised.

Although artificial intelligence is ubiquitous, there has not been a concomitant process of human training. The use of AI and new technologies has a direct impact on the whole population, and reaching their full potential depends on people's ability to exploit them and keep up with their evolution. Educating, training and developing human resources is essential for future sustainable societies. From this perspective, preparing citizens for the digital age should be a priority for countries around the world, especially in relation to the impact that digitisation and the use of artificial intelligence will have on the field of work.

The regulations found at EU level are essential as this is an issue that crosses borders and requires an integrated perspective. The feasibility and quality of the measures could make the European Union a global benchmark for artificial intelligence technologies.

Moreover, the role of national laws is crucial. Each state must put in place procedures that allow the relevant authorities to assess the impact of AI-based systems on human rights. [14]

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