AGE Platform Europe
168 avenue de Tervueren, box 2, B-1150 Brussels
Tel: +32 2 280 14 70
www.age-platform.eu

12 June 2020

Consultation on the White Paper on Artificial Intellingence
Addendum to input into section 2 of the survey "An ecosystem of trust"

AGE Platform Europe is a European network of non-profit organisations of and for people, which aims to voice and promote the interests of the 200 million citizens aged 50+ in the European Union (Eurostat, 2018). Our work focuses on a wide range of policy areas such as anti-discrimination, employment of older workers and active ageing, social protection, pension reforms, social inclusion, health, elder abuse, intergenerational solidarity, research, accessibility of public transport and of the build environment, and new technologies.

Why paying focus on older persons?

For a long time, AGE is working on the impact of new technologies on older persons to highlight the specific challenge they face, as well as the positive impact these technologies can bring to older persons. Artificial intelligence, with machine learning algorithms and automated decision making, is opening new opportunities but also concerns. We would like to highlights mainly three issues that are typically impacting older persons:

- **Digital exclusion:** the accelerated digitalisation of services is putting at risk of further exclusion older persons, with a clear link with social inequalities, social isolation and digital illiteracy.
- **New technologies in care:** as clearly explained and demonstrated in a report published by the UN Independent Expert on the Human Rights of Older Persons (July 2017), new technologies are increasingly used in the care sector. They hold a promise to enhance older people's well-being, but also they also create risks that shouldn't be neglected.
- **Ageism:** while it is not always obvious and clearly visible, it has to be considered as a major risk factor. This is where the quality of dataset, the training of these date, the way new technologies are designed and implemented is crucial.

For more information, you can refer to our work:

- In February 2019, AGE participated to the consultation on the ethical guidelines developed by the AI High Level Group of Experts (AI HLG). At that time we praised the approach adopted by the AI HLEG while highlighting **key concerns in relation to ageing such as the age bias of algorythms** which are not really reflecting the complexity of society or the complex question of robots in care settings.
We called for a clear ethical framework based on and fully aligned with human rights,

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without any exception. We underlined the importance of the quality of dataset and of user involvement in the design of new solutions and digital literacy to better equip users are crucial. We made clear that self regulation was not the ideal solution to fully and equally protect users.

• In parallel, we joined a coalition led by BEUC and OSEPI which delivered A Human-Centric Digital Manifesto for Europe (September 2019) with clear recommendations to the new European Commission to look beyond digital single market issues, and focus on creating new rights-based policies and regulations based on freedom, democracy, equality, and the rule of law to ensure that existing offline rights are protected online.
The political guidelines and commitment made by President Von der Leyen in relation to digital technologies very much echo this Manifesto. It emphasizes how key **democratic values and fundamental rights are an essential basis.** In relation to AI, the manifesto notably requested a **binding legislative framework to ensure fair, transparent and accountable AI-powered automated decision-making (ADM) technologies**. It also underlined how critical **digital literacy** and **user engagement** are.

• In December 2019, AGE contributed to the Questionnaire on new and emerging digital technologies and human rights of the UN Advisory Committee of the Human Rights Council. In our response we underlined the benefits of new technologies and how they can help realise older people's rights to health, autonomy, independence and to ensure their full participation in society. We have also highlighted key challenges, in terms of safety, autonomy, privacy and equal treatment among others, as well as some gaps in the existing human rights framework that is not adequately equipped to address issues arising from technological innovation.
On top of that, we insisted that **without a clear prohibition of age discrimination and an explicit obligation for States to ensure access to support in old age, human rights law remains deficient**. Older people are even more vulnerable than other groups to ill-health, exclusion, marginalisation, abuse and neglect. For example, the rights to support of persons with disabilities are guaranteed under human rights law, while those of older persons aren't. When they age, people are more likely to be excluded from the benefits of technology or to suffer from their negative implications because human rights norms have treated older people's rights as less serious than the rights of other groups. **Against this lack of legal clarity and the increasing use of technologies in the care of older persons it is crucial to discuss their human rights implications and to set standards in order to ensure the equal enjoyment of all human rights by older persons**.

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- AGE is also engaged in a number of EU funded project whose work and results can inform the reflection around AI, here are some examples:

➢ **Euroageism project** - http://euroageism.eu/

EuroAgeism is a multi-disciplinary, inter-sectorial, international research, training and supervision program on ageism. Some of its researchers are working on **ageism and new technologies:**

- Ageism in the Use and Design of Digital Technology-
https://euroageism.eu/projects/living-lab-ecosystems-for-co-design-with-older-people/
- Addressing Ageism through Empowerment and Awareness: Older Adults and Everyday Technology Use -https://euroageism.eu/projects/addressing-ageism-through-empowerment-and-awareness/
- Blog post on "Internet Connectedness of Older Adults in the Time of COVID-19: digital divide and its impact" https://euroageism.eu/policy_projects/internet-connectedness-of-older-adults-in-the-time-of-covid-19/

➢ **Pharaon & Shapes** – https://age-platform.eu/project/pharaon
https://www.age-platform.eu/project/shapes

Pharaon (Pilots for Healthy and Active Ageing) and SHAPES (Smart and Healthy Ageing through People Engaging in supportive Systems) are large-scale European pilot projects. They are integrating digital solutions into open interoperable platforms with the objective to make smart and active living for Europe's ageing population a reality. Strong ethical frameworks are being finalised to support the pilot sites activities.

➢ **Nestore & i-Prognosis** – https://age-platform.eu/project/nestore https://age-platform.eu/project/i-prognosis.

Both projects develop applications based on artificial intelligence and big data, notably with older persons as end users. They have also delivered ethical guidelines on the development and management of these AI applications.