

# ALIGNER

Towards a more secure Europe

## ALIGNER'S SISTER PROJECTS

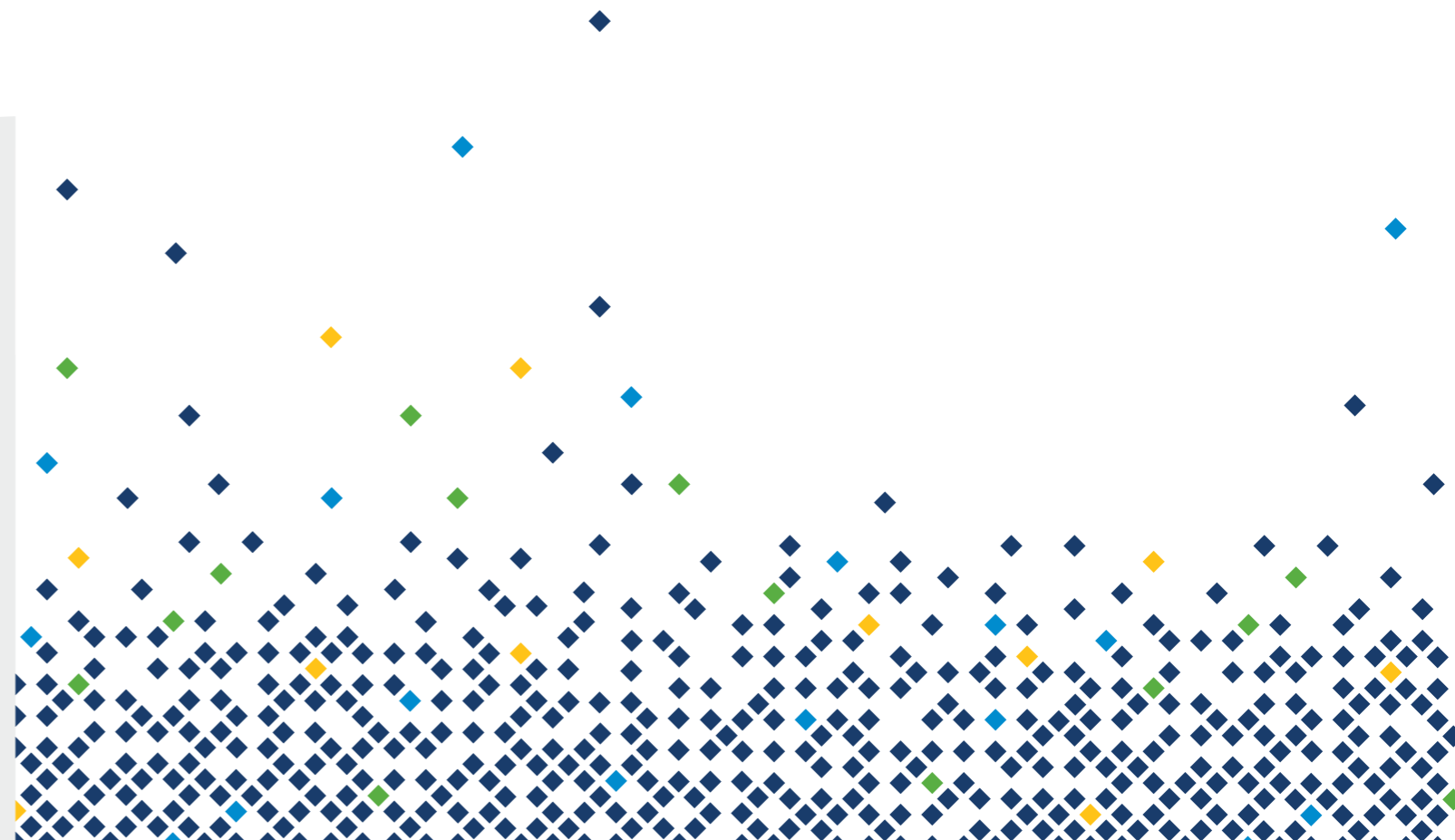
ALIGNER is not alone in its project activities. Together with two other EU-funded projects, it builds an Artificial Intelligence cluster that closely collaborates. These projects are:

popAI - [www.pop-ai.eu](http://www.pop-ai.eu)

STARLIGHT - [www.starlight-h2020.eu](http://www.starlight-h2020.eu)



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## THE NEED FOR ETHICAL AND LEGAL ASSESSMENTS OF AI SYSTEMS

In the last decade, AI applications have immensely flourished in diverse fields, including that of policing and law enforcement. Today, European law enforcement agencies are increasingly implementing AI technologies to enhance their abilities to prevent, investigate, detect, and prosecute crimes, as well as to predict and preempt them.

However, law enforcement AI raises numerous concerns about its possible negative effects on individuals and society: for instance, AI systems can be biased and reinforce discrimination; the reasoning behind an AI output can be non-explainable and hard to challenge by defendants in court; or a generalized and untargeted use of AI systems can lead to a situation of mass surveillance and deter individuals from exercising their rights and freedoms.

To guide police and law enforcement agencies and minimize the negative impact their use of AI may have, two instruments are often invoked: ethics and law. But how can law enforcement agencies make sure and prove that their use of AI is ethically and legally compliant?

## THE ALIGNER FUNDAMENTAL RIGHTS IMPACT ASSESSMENT

To support law enforcement agencies with the ethical and legal assessment of AI systems that they aim to deploy, the H2020 project ALIGNER developed a Fundamental Rights Impact Assessment (AFRIA) template.

The AFRIA consists of two connected and complementary templates:

1. The Fundamental Rights Impact Assessment template, which helps law enforcement agencies identify and assess the impact of their AI systems on those fundamental rights most likely to be infringed; and
2. The AI System Governance template, which helps law enforcement agencies identify the relevant ethical standards for trustworthy AI and mitigate the impact on fundamental rights.

The templates are operational and ready to be implemented in the governance systems of law enforcement agencies. Prior to the deployment of the AI technology for law enforcement purposes, a diverse and multidisciplinary team of legal, operational and ethical experts can perform an AFRIA to inform the decision-making process on the if, when, why and how of the deployment. The AFRIA can then be recorded, reviewed, and further updated throughout the whole lifecycle of the AI technology, to reflect eventual changes in the functioning of the technology and/or its circumstances of deployment.

## THE FUNDAMENTAL RIGHTS IMPACT ASSESSMENT

The Fundamental Rights Impact Assessment consists of 17 challenges, covering presumption of innocence and right to an effective remedy and to a fair trial, right to equality and non-discrimination, freedom of expression and information, and right to respect for privacy and family life and right to protection of personal data.

1. Presumption of innocence and right to an effective remedy and to a fair trial		
Everyone charged with a criminal offence must be presumed innocent until proved guilty according to law. Everyone whose rights and freedoms are violated has the right to an effective remedy before a tribunal. Everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal previously established by law, including rights:		
❖ to be informed promptly of the nature and cause of the accusation; to be defended in person or through legal assistance of their own choosing; to have the free assistance of an interpreter if they cannot understand the proceedings and evidence as well as scrutinise and counteract the evidence presented against them; and to obtain an adequately reasoned and accessible decision.		
Challenge	Evaluation	Envisaged impact level
1.1 The AI system does not communicate that a decision/advice or outcome is the result of an algorithmic decision		
1.2 The AI system does not provide percentages or other indication on the degree of likelihood that the outcome is correct/incorrect, prejudicing the user that there is no possibility of error and therefore that the outcome is undoubtedly incriminating	Whether, to what degree and how the challenge relates to the AI system	Level of negative effect
1.3 The AI system produces an outcome that forces a reversal of burden of proof upon the suspect, by presenting itself as an absolute truth, practically depriving the defence of any chance to counter it		
1.4 There is no explanation of reasons and criteria behind a certain output of the AI system that the user can understand		
1.5 There is no indication of the extent to which the AI system influences the overall decision-making process		

Example of Fundamental Right Impact Assessment

## THE AI SYSTEM GOVERNANCE

The AI System Governance template consists of 43 minimum standards, covering human autonomy, transparency, diversity, non-discrimination and fairness, democracy and societal wellbeing, privacy and data governance, technical robustness and safety, and accountability.

Benchmark		1. Human autonomy						
Component	Minimum standards to be achieved	Initial impact estimate		Additional mitigation measures implemented	Final assessment		Responsible department	Timeline
		Challenge no.	Impact level		Final estimated impact level	Further actions		
Human agency	Characteristics that the AI should embed	Link with fundamental rights		How the minimum standard is implemented and how it mitigates the impact	Final level of negative effect and how to further improve			
	☐ The AI system allows meaningful interactions	[1.5]						
	☐ There are procedures to describe the level of human involvement and the moments for human interventions	[1.5]						
Human oversight	☐ The AI system does not affect human autonomy by interfering with the user decision-making process	[2.2]						
		[4.1]						
		[1.2]						
		[1.3]						
		[1.5]						
		[4.1]						

Example of AI System Governance Template

## WANT TO KNOW MORE?

The AFRIA templates and their handbook can be freely downloaded from ALIGNER's website, via the following link:



<https://aligner-h2020.eu/fundamental-rights-impact-assessment-fria/>

In case you would like to discuss or provide feedbacks on the AFRIA, you can reach out to Donatella Casaburo (donatella.casaburo@kuleuven.be) or Irina Marsh (irina.marsh@cbnreltd.com).

## ABOUT ALIGNER

ALIGNER is a European Commission-funded Coordination and Support Action that brings together European actors at the cross section of AI, Law Enforcement, and Policing to collectively identify and discuss needs for paving the way for a more secure Europe in which AI supports law enforcement agencies while simultaneously empowering, benefiting, and protecting the public.

To achieve this, ALIGNER has established a forum for exchange between practitioners, civil society, policymaking, research, and industry to design an AI research and policy roadmap meeting the operational, cooperative, and collaborative needs of police and Law Enforcement.

Duration: 36 months 01/10/2021 – 30/09/2024

Website: [www.aligner-h2020.eu](http://www.aligner-h2020.eu)