



Social Partner Consultation 2021 Report on the application of the EU Charter of Fundamental Rights

Brussels, 21 May 2021

The Confederation of European Security Services (CoESS) is glad to have the opportunity to contribute to the European Commission’s Social Partner Consultation on “Fundamental rights and Artificial intelligence” as part of the European Commission’s annual report on the application of the Charter of Fundamental Rights in the EU.

Our contribution aims to stress that respect of fundamental rights, and human oversight at the interface of users and Artificial Intelligence (AI) solutions, can only be guaranteed by adequately skilled, qualified and, where relevant, licensed users and workers. Representing a labour-intensive sector that is expected to increasingly integrate AI solutions in its services, CoESS perceives adequate training and qualifications of users of “high-risk AI” (as defined in the European Commission’s proposal for an Artificial Intelligence Act) as the game changer for the respect of fundamental rights in Europe. Workers operating “high-risk AI” must have the necessary skills and qualification to fulfil human oversight provisions, as set out in Articles 14 and 29 of the proposal.

CoESS is highly concerned that the European Commission’s proposal does not adequately consider the human factor in AI, and respectively the skills requirements of workers operating high-risk AI: Articles 14 and 29 of the proposal expect an extensive skills-set from workers without providing a framework for mandatory training and qualification of “high-risk AI” users. The wording of this section disregards the interface between humans and AI.

Already as part of the [stakeholder consultation](#) on the European Commission’s White Paper on AI, CoESS stressed the relevance of human autonomy and oversight over high-risk AI solutions. Human autonomy, oversight, review and, if needed, intervention, are crucial to ensure that any decision made by AI tools does not violate fundamental rights. Users’ skills are the very basis of human autonomy and oversight. Users should be empowered through dedicated curricula and qualifications to reasonably self-assess or challenge the system. The European Commission’s proposal for an Artificial Intelligence Act falls short in this regard, bearing the danger that workers, who are not adequately trained and qualified for operating “high-risk AI”, are not able to fulfil the obligations laid out in Articles 14 and 29 - a consequence which poses an important risk to the respect of fundamental rights of citizens.

CoESS is therefore convinced that AI skills strategies are required along the entire value chain (developers, procurers, users, testers) based on sectoral needs, taking account of STEM and non-STEM skills, to ensure a human-centric AI approach. For specific high-risk applications, curricula and a licensing framework based on formal qualifications must be introduced, if necessary incl. vetting, for developers, users (incl. private security companies and workers) and testers. Close cooperation with sectoral Social Partners is crucial for the development of curricula to guarantee that qualifications meet market needs and are adapted to the specific use-cases of AI in different sectors. Furthermore, a range of disciplines should be involved in the development of curricula, including ethics experts, neuroscientists, psychologists and sociologists.

CoESS recalls the importance of seeing respect of fundamental rights by AI as a chain. Each link, from developers to manufacturers and users, needs to act, and interact, responsibly in order to maintain integrity of the system and a human-centric approach. To do that, each actor needs to be empowered by the right skills-set. CoESS feels that the European Commission's proposal should be developed further by European Parliament and Council in order to meet this objective.

About CoESS

CoESS acts as the voice of the private security industry, covering 23 countries in Europe and representing 2 million security officers as well as over 45,000 companies. The private security services provide a wide range of services, both for private and public clients, ranging from Critical Infrastructure facilities to public spaces, supply chains and government facilities. CoESS is recognised by the European Commission as the only European employers' organisation representative of the private security services. Representing a labour-intensive sector, CoESS is actively involved in European Sectoral Social Dialogue with UNI Europa and multiple EU Expert Groups - including SAGAS, SAGMAS, LANDSEC, RAILSEC and the EU Operators Forum for the Protection of Public Spaces.

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