Artificial Intelligence frameworks

European approach

Artificial Intelligence frameworks

2020

Shaping Europe's digital future

- White paper on AI (hand in hand with European Strategy for data) -

2021

Artificial Intelligence Act proposal

2022

AI liability Directive proposal & revision of Product liability Directive

Funding support 2021 - 2027

National Resilience and Recovery Fund

Coordinated plan for Artificial Intelligence

Digital Europe programme

Horizon Europe

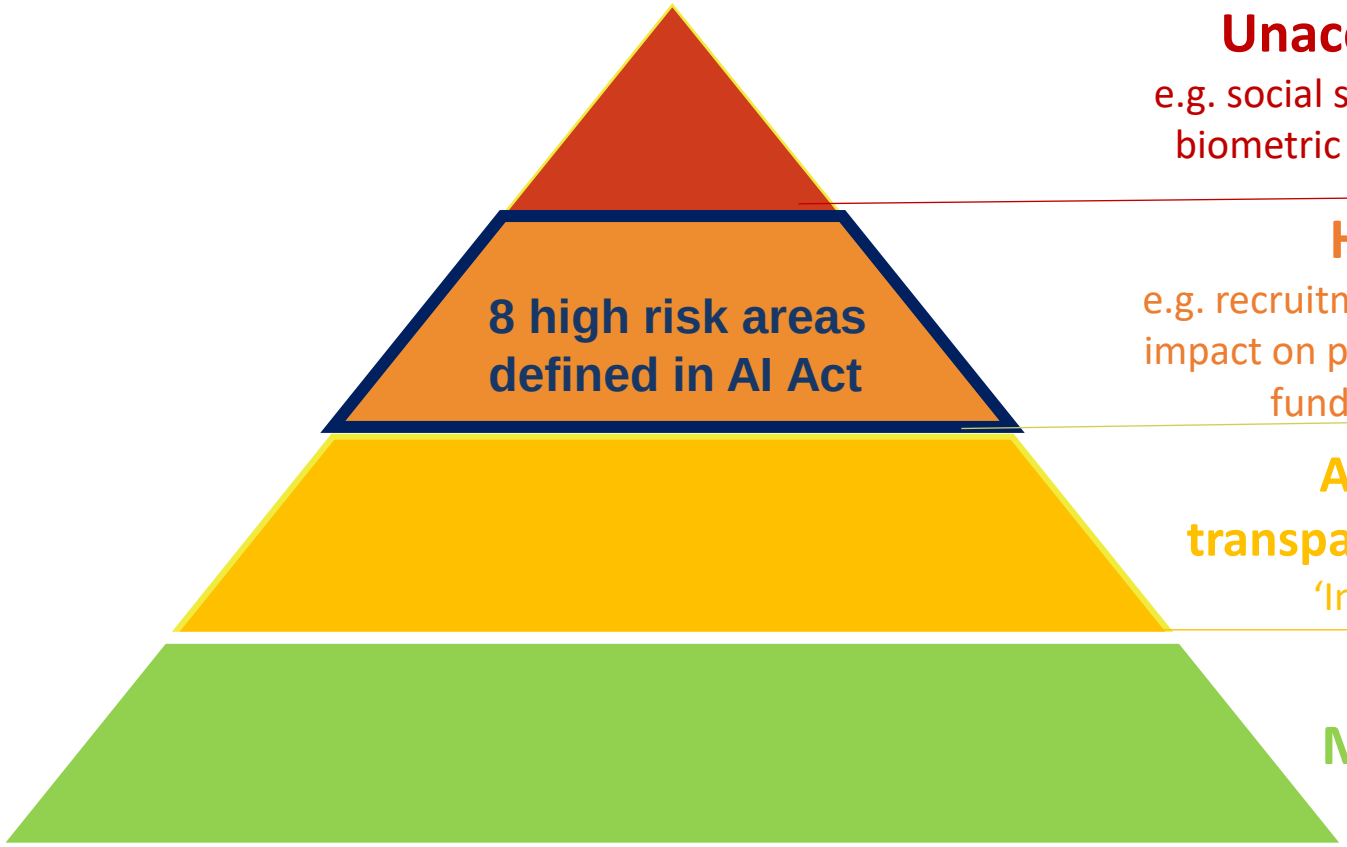
ANNEX I
ARTIFICIAL INTELLIGENCE TECHNIQUES AND APPROACHES
referred to in Article 3, point 1

(a) Machine learning approaches, including supervised, unsupervised and reinforcement learning, using a wide variety of methods including deep learning;

(b) Logic- and knowledge-based approaches, including knowledge representation, inductive (logic) programming, knowledge bases, inference and deductive engines, (symbolic) reasoning and expert systems;

(c) Statistical approaches, Bayesian estimation, search and optimization methods.

Regulation proposal is a risk focused Defines four categories of risks



Unacceptable risk
e.g. social scoring by governments; biometric identification in public

Prohibited

High risk
e.g. recruitment, medical devices; impact on people's safety or their fundamental rights

Permitted
subject to compliance with AI requirements and ex-ante conformity assessment

AI with specific transparency requirements
'Impersonation' (bots)

Permitted
but subject to information/transparency obligations

Minimal or no risk

Permitted
with no restrictions

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REQUIREMENTS FOR HIGH-RISK AI SYSTEMS

Applies to providers & users in Union, and in 3rd country located when output produced by the system is used in the Union;

Artificial Intelligence Act proposal – 2022 progress

January	The lead committees of the EP, the Internal Market (IMCO) and Civil Liberties, Justice and Home Affairs committees (LIBE), had their first joint exchange of views on the AI Act proposal.
February	French Presidency circulated a compromise text of Articles 16-29 , covering the obligations of users and providers of high-risk systems. Later, circulated another compromise text of Articles 40-52, which concern harmonised standards, conformity assessments and transparency obligations for certain AI systems
March	JURI published their amendments on the AI Act. ITRE published their draft opinion on the AI Act one day later.
April	IMCO and LIBE committees, published their draft report.
May	French Presidency published the text on Article 4a proposing to regulate general purpose AI systems, which are AI systems capable of doing a wide range of tasks, such as aim to understand images and speech, generate audio and videos, detect patterns, answer questions and translate text.
June	Over three thousands of amendments were submitted in total.

Artificial Intelligence Act proposal – 2022 progress

June	The French Presidency of the Council of the EU circulated their final compromise text before Czech took over the presidency. The Czech Presidency of the Council of the EU shared a discussion paper with other EU governments, listing the main priorities of the AI Act for them.
September	The Committee on Legal Affairs (JURI) at the European Parliament adopted their opinion on the AI Act as the last committee in the Parliament.
October	first political debate in EP

HOT ISSUES		
Biometric recognition	**Scope**	**AI database**
forbids “placing or making available on the market, the putting into service or use of remote biometric identification systems that are or may be used in publicly or privately accessible spaces, both offline and online.”	an exemption for public authorities in third countries and international organisations that use the AI in the context of international cooperation or judicial cooperation agreements and if they are covered by a data adequacy decision or an agreement on fundamental rights.	draft included an obligation for the providers of AI systems most likely to cause harm to be registered in an EU database.

Artificial Intelligence Act proposal – 2022 progress

- The new compromise, the fourth in total, was discussed at the EU Council's Telecom Working Party this Tuesday - 25 October.
- If no significant issue arises, the EU ambassadors might green-light the text by mid-November.

a narrower definition of Artificial Intelligence (AI), a revised and shortened list of high-risk systems, **a stronger role for the AI Board** and reworded national security exemption.

Scope:

In terms of scope, the new text clarifies that exemption for military, defence and national security also applies to **any use of AI systems, not only to the placement on the market**.

Another exemption has been added for people using AI for non-professional purposes, which would fall outside the scope of the AI regulation except for the transparency obligations.

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Revision of the product liability directive

Open fo feedback until 11the December 2022

- ✓ Modernising liability rules for circular economy business models
- ✓ Modernising liability rules for products in the digital age: allowing compensation for damage when **products like robots, drones or smart-home systems** are made unsafe by updates or AI,
- ✓ software can also be considered a product and therefore covered by EU product liability rules
- ✓ Creating a more level playing field between EU and non-EU manufacturers
- ✓ Putting consumers on an equal footing with manufacturers - to disclose evidence, more flexibility to the time restrictions to introduce claims, and by alleviating the burden of proof for victims in complex cases, such as those involving pharmaceuticals or AI.

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AI Liability directive

- ✓ Proposed on 28th September 2022 – open for feedback until 28 November
- ✓ to complement the currently negotiated Artificial Intelligence Act
- ✓ To harmonise certain rules for claims outside of the scope of the Product Liability Directive, when **damage is caused due to wrongful behaviour**. This covers, for example, **breaches of privacy**, or damages caused by safety issues. The new rules will, for instance, make it easier to obtain compensation if someone has been discriminated in a recruitment process involving AI technology.
- ✓ to tackle consumers' liability claims for damage caused - the burden of proof in the case of non-contractual fault-based civil law claims brought before national courts for damages caused by an AI system
- ✓ national liability rules, currently in place across the EU MS ill-equipped for adequately dealing with liability claims for damage caused by AI- means that under the existing liability rules, victims bear the burden of proof and as such have to prove a wrongful action or omission of an action by a person who caused the damage

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