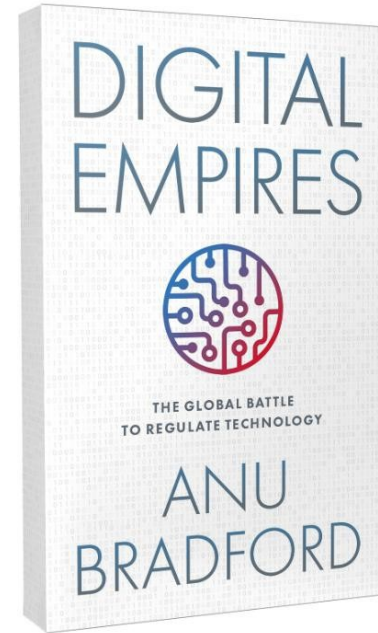


•The AI Act is a landmark legislative achievement that will have a significant impact on the development of AI. The EU defied the often-voiced arguments that AI cannot be legislated or that it is too early to intervene given the fast-evolving nature of this technology. The passing of the AI Act adds to the growing momentum across jurisdictions to regulate AI. It sets a powerful example that AI can be regulated and provides a template on how to do that. Many governments are taking note and will be likely emulating several aspects of the law, even if they do not copy every provision. We may also observe a Brussels Effect as several AI developers are likely to conform to the AI Act also outside the EU. After all,



Success in spite of fierce lobbying!





In addition to (self-declared) lobbying budgets vastly exceeding those of Pharma/Oil/Fin Big Tech created a Web of “helpers”

- Academic faculties (e.g. competition economics)
- Think tanks and NGO's
- SME's and SME organizations
- Start -up organizations
- Legal and economic consultancies
- **ACCESS TO POWER**
- High level meetings with EC and Heads of State on AIA
- GAFAM CEO's shuttled to Europe (case: Sundar Pinchai)
- Increased AI Act lobbying in Member States once it became clear that the EC and EP would not budge further.

Amazon's think tank affiliations



 declared think tank affiliations in 2021

 currently declared think tank affiliations

 currently non-declared think tank affiliations



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The Council remains the Black Box of EU policy making

- The least transparent of EU institutions as far as lobbying is concerned
- Difficult for citizens to know who lobbies their government on EU policies
- This time there was lobbying by European companies together with the US Big Tech
- **Case study: Mistral (F)**
- In charge of EU relations: Cedric O (former state secr. for digital)
- Initiated open letter signed by 150 EU companies saying
- “ The AI Act would jeopardize EU’s competitiveness and technological sovereignty” (echoed by French Minister)
- **Case study : Aleph Alpha** (position echoed by German Minister)

Old narrative



New Narrative and Strategy

- BIG TECH IS 'IRREPLACEABLE' WHEN IT COMES TO SOLVING PROBLEMS
- 'WE'RE JUST DEFENDING SMES AND CONSUMERS'
- FEAR OF CHINA
- **STRATEGY:**
 - Big Tech publicly supports new rules, but only soft rules, shaped by themselves.
 - Try to block any regulation with enforcing power
 - If that fails, try to water down concrete regulation and its implementation
- **It's not over yet!**

The AI Act timetable

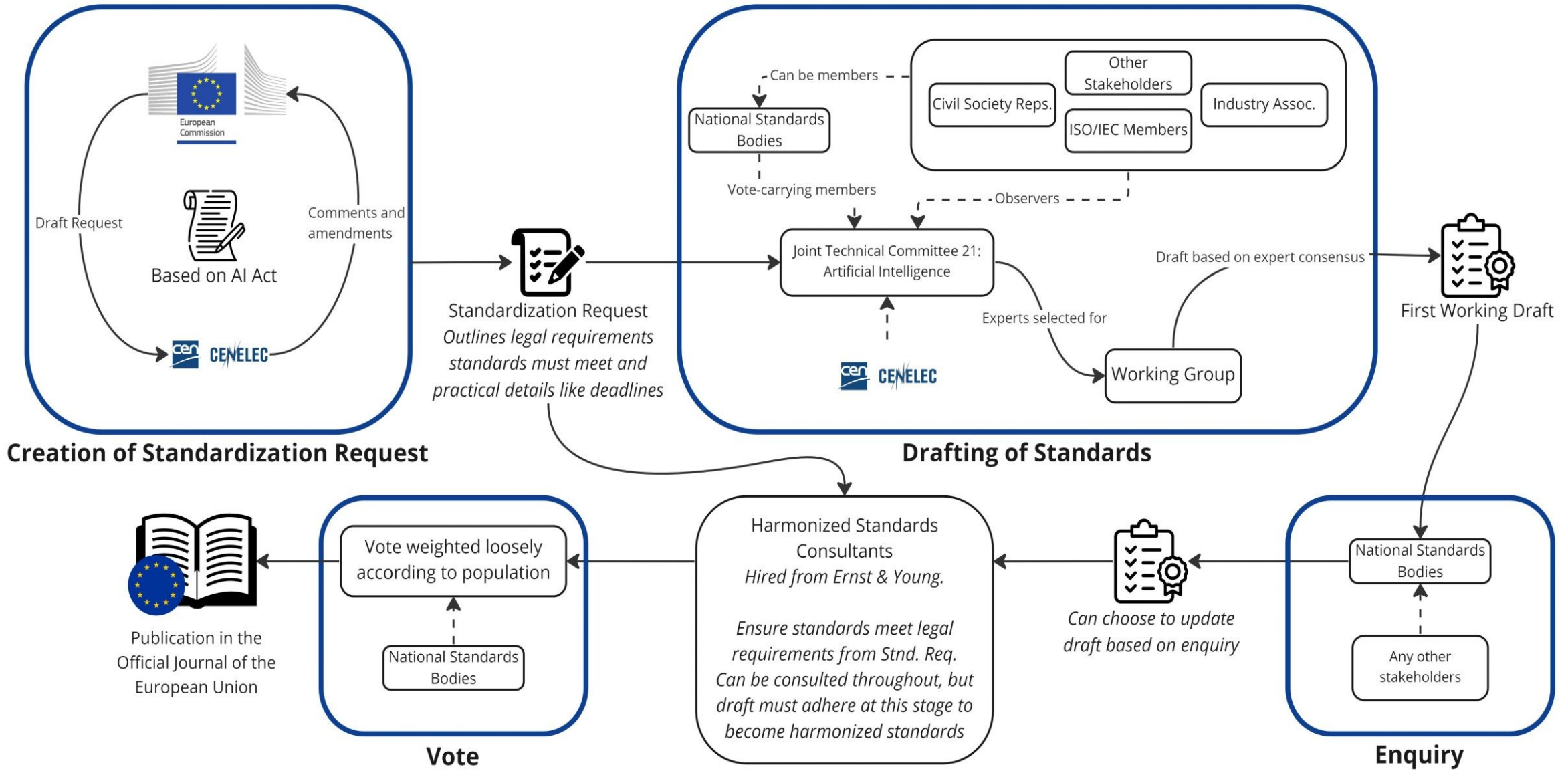
- Final consolidated text in February 2024
- The final text of the AI Act will likely be published in the Official Journal of the European Union in April 2024 and **enter into force after 21 days**
- The AI Act would then become applicable two years after its entry into force. Some specific provisions will apply within six months, while the rules on GPAs will apply within 12 months.
- **So we are looking at 2026!**

In the meantime (2025) “Harmonized standards”

- Not all standards developed in the EU are harmonised standards, only those intended to support EU legislation (like the AI Act)
- From (vague) requirements to concrete technical ones
- E.g. “suitable risk management measures”
- European Standards Organizations: CEN, CENELEC, ETSI
- To involve also National Standards Bodies, stakeholder organizations

How Dighum and like-minded organizations can help

- Monitor AI Act progress in parallel with technology developments and flag problems
- From consolidated document to standards to ...final Act, it remains a **moving target!**
- Be ready to identify and address **implementation** problems
- Co-ordinate with like-minded organizations
- Contribute to leveraging the “Brussels Effect”
- Already first contacts with Canada, S.Korea, Philipines, India, Taiwan...
- Also California and some 20 other states in the US
- **KEEP OPEN the public statement with ADDENDUM**



The Development Process for Harmonized Standards

A new AI Regulator?

- The EU institutions agreed on establishing new administrative infrastructures including:
- **An AI Office**, which will sit within the Commission and will be tasked with overseeing the most advanced AI models, contributing to fostering new standards and testing practices, and enforcing the common rules in all EU member states
- **A scientific panel of independent experts**, which will advise the AI Office about high-impact GPAI models, contribute to the development of methodologies for evaluating the capabilities of foundation models and monitor possible safety risks related to foundation models;
- **An AI Board**, which comprises EU member states' representatives, will remain as a coordination platform and an advisory body to the Commission while contributing to the implementation of the AI Act (e.g. designing codes of practice); and
- **An advisory forum for stakeholders** will be set up to provide technical expertise to the AI Board.

- This is a historical achievement, and a huge milestone towards the future! Today's agreement effectively addresses a global challenge in a fast-evolving technological environment on a key area for the future of our societies and economies. And in this endeavour, we managed to keep an extremely delicate balance: boosting innovation and uptake of artificial intelligence across Europe whilst fully respecting the fundamental rights of our citizens.
- **Carme Artigas**, Spanish secretary of state for digitalisation and artificial intelligence

