

# AI Regulation



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The European Commission presented on 21 April its Regulation on a European Approach for Artificial Intelligence. The Regulation aims at creating a legal framework for Artificial Intelligence, fostering innovation, and maximizing the benefits of AI while ensuring the safety of EU citizens by ensuring the trustworthiness of AI systems.

## Safety of AI systems

Dr2 Consultants provides you with a visual summary of the risk-based approach adopted by the Commission to ensure the safety of AI systems:



AI systems posing a clear threat to the safety, livelihoods, and rights of people.

These include:

- AI systems or applications manipulating human behaviour to circumvent users' free will
- AI systems or applications allowing social scoring by governments.

The proposal remains unclear on how these conditions will be evaluated.

AI systems posing an unacceptable risk are banned from being commercialized in the EU.



AI systems and applications posing limited risk need to respect transparency obligations.

This means that users need to be informed that they are interacting with an AI system (ex: chatbots).



AI system with a variety of sensitive applications, such as:

- Critical infrastructures (ex: transport)
- Education (ex: exam scoring)
- Essential private and public services (ex: credit scoring)
- Law enforcement (ex: evaluation of evidence)
- Migration and border control management
- Safety components of products
- Administration of justice
- Remote biometric identification

High-risk systems will be subject to strict obligations for commercialization, including adequate risk assessment and mitigation systems, high quality datasets and appropriate human oversight.



AI systems and applications posing minimal risk to citizens' rights and safety can be used freely.

Ex: AI-enabled video games or spam filters.



Next to ensuring the safety of AI systems, the AI Regulation aims at fostering innovation in AI technology development. The AI Regulation includes an update of the 2018 Coordinated Plan on AI, which puts forward a vision to accelerate investments in AI and spur the implementation of national AI strategies, remove fragmentation, and address global challenges.

## Innovation in AI

- Enabling the development of AI** | Funding from the Digital Europe, Horizon Europe and Cohesion Policy programmes and from the Recovery and Resilience Facility allocated to the exchange of policy insights, data sharing and investment in computing capacities.
- Fostering AI excellence** | Setting up public-private partnerships, mobilizing research, development, and innovation capacities. Facilitating access of SMEs and public administrations to testing and experimentation facilities and digital innovation hubs.
- Developing trustworthy AI globally** | Developing talents and skills by supporting traineeships, doctoral networks and postdoctoral fellowships in digital areas. Promoting the European vision of sustainable and trustworthy AI globally.

## Analysis

The AI Regulation builds up on the AI White Paper published in February 2020. The regulation strongly focuses on securing AI systems and avoiding the proliferation of high-risk AI systems on the market. However, the terms used to describe high-risk systems and banned systems are vague and unclear, which could complicate the enforcement of the regulation.

Compared to a draft version of the Regulation leaked a few days prior to the official publication by the European Commission, measures to support innovation in AI have been expanded, notably committing funding to development of trustworthy AI.

Curious to know what the impact of the AI Regulation will be for your business? Don't hesitate to [get in touch with us](#) and our digital team will explore with you the opportunities this publication provides.