Hybrid CoE
The European Centre of Excellence for Countering Hybrid Threats

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Statement to the Grand Committee of the Finnish Parliament on the Artificial Intelligence Act

Introduction

The EU's new AI regulation aims to ensure that Europeans can trust what AI has to offer.

The EU Commission has proposed new rules and measures to make Europe the global centre for trusted artificial intelligence (AI). The combination of a legal framework for AI and a new plan coordinated with Member States aims to ensure the security and fundamental rights of people and businesses, while promoting AI diffusion and increasing investment and innovation in AI across the EU.

With its regulations, the EU wants to develop new global standards to ensure that AI is trustworthy. By creating the standards, the EU wants to pave the way for ethical technology worldwide and ensure that it remains competitive in this itself.

Fundamental to the new EU approach to trustworthy AI is a risk-based approach that distinguishes between:

- Unacceptable risks: AI systems that are considered a clear threat to security, livelihoods and human rights will be banned. This includes AI systems or applications that manipulate human behaviour to circumvent the free will of users (for example, voice assistant toys that encourage minors to engage in dangerous behaviour), as well as systems that allow authorities to assess social behaviour (social scoring).

- High risk: AI systems that pose a high risk when AI technology is used in certain areas, including schooling or vocational training; important private and public services. Strict requirements must be met before such systems can be placed on the market to include
- Adequate risk assessment and mitigation systems;
- High quality of data sets fed into the system to minimise risks and discriminatory outcomes;
- Logging of operations to allow traceability of results;
- detailed documentation with all necessary information about the system and its purpose to enable authorities to assess its compliance;
- clear and adequate information for users;
- adequate human supervision to minimise risks;
- high levels of robustness, security and accuracy.

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Special transparency obligations apply to lower risk levels.

At minimal risk the free use of applications such as AI-powered video games or spam filters is granted. It is expected that the vast majority of AI systems fall into this category.

Statement and recommendations:

In general, an EU level regulation (including common standards) of the use of AI is very essential and the new comprehensive approach can be welcomed.

The new regulation shall be in line with the Union's general normative framework and the acquis communautaire.

Bottom line: data protection is the foundation for AI regulation.

Before using new technologies, a data protection impact assessment and thus a risk analysis must be carried out. The EU's Artifical Intelligence Act does not aim to modify data protection requirements to facilitate AI use. Rather, the facilitation of AI use is to take place through a specific regulation that is intended to reduce the existing legal uncertainty among companies.

Observations on standardisarion and management of the AI regulation system:

The standardization process and requirements for the hight risk AI system can be welcomed. Maintenance of a variety of national practices would seriously challenge the key goals set for the regulation.

What comes to the management system established to support an efficient and harmonized implementation and monitoring of the regulation some questions concerning the competence of the European AI Board remain unanswered. This board that is proposed to be established is meant to be a coordinating and advisory body providing advice and sharing good practices might play an important role in the long run also what comes to perspectives to future technological innovations and development with consequences for AI-based solutions. A careful specification of competences of the AI board- including access to information- is thus essential from the beginning.