

Peter Mangaly

Draft a memo on the key points of the EU AI Act and its implications for international AI policy.

AI Assistant

Introduction

This memo provides an overview of the European Union Artificial Intelligence Act (EU AI Act) and its implications for international AI policy. The EU AI Act, which came into force on 1 August 2024, is the world's first comprehensive legislation to regulate artificial intelligence (AI). This memo will discuss the key provisions of the Act, its requirements, and its potential impact on international AI policy and harmonization efforts.

Statement of Facts

The EU AI Act, formally known as Regulation (EU) 2024/169, was introduced to regulate the development and use of AI technology within the European Union. The Act includes specific provisions addressing generative AI and foundational models, which are AI models used as the backbone for multiple applications. The Act also mandates transparency obligations and safeguards to prevent the production of illegal content by AI systems. Additionally, the EU has initiated efforts to harmonize AI regulations internationally, including a joint initiative with the United States to draft a voluntary AI Code of Conduct.

Legal Standards/Rules

The EU AI Act is a comprehensive piece of legislation that introduces several key provisions and requirements:

- Generative AI systems are subjected to new transparency obligations, including the publication of summaries of copyrighted material used for training the system [Artificial Intelligence: Canadian and International Trends](#).
- The Act mandates that creators of generative AI systems must install safeguards to prevent their technologies from producing illegal content [Artificial Intelligence: Canadian and International Trends](#).
- The EU has also announced a joint initiative with the United States to draft a voluntary AI Code of Conduct, which includes agreed-upon standards for AI risks audits and transparency requirements [Artificial Intelligence: Canadian and International Trends](#).

Analysis

The EU AI Act represents a significant step towards regulating AI technology and addressing the challenges posed by generative AI. By introducing transparency obligations and requiring the publication of summaries of copyrighted material used for training AI systems, the Act aims to address copyright and privacy issues [Artificial Intelligence: Canadian and International Trends](#). However, these requirements have been met with resistance from tech developers who view them as technically infeasible.

The Act also mandates the installation of safeguards to prevent the production of illegal content by

AI systems, which is a crucial measure to ensure the responsible use of AI technology [Artificial Intelligence: Canadian and International Trends](#). These provisions reflect the EU's commitment to promoting fairness, security, and accountability in AI development and deployment.

On the international front, the EU's joint initiative with the United States to draft a voluntary AI Code of Conduct highlights the importance of harmonizing AI regulations across borders [Artificial Intelligence: Canadian and International Trends](#). This initiative aims to establish agreed-upon standards for AI risks audits and transparency requirements, which could serve as a model for other countries to follow.

Furthermore, the ongoing discussions at the World Intellectual Property Organization (WIPO) regarding the harmonization of exceptions authorizing web scraping and deep learning underscore the need for a coordinated global approach to AI regulation [Generative AIs Challenged By Copyright and Related Rights: A Comparative Approach in European and U.S. Law](#). Such efforts could help address the legal complexities associated with AI and ensure that the rights of AI designers and users are clearly defined.

Conclusion

The EU AI Act is a landmark piece of legislation that sets a precedent for AI regulation worldwide. By addressing key issues such as transparency, copyright, and the prevention of illegal content, the Act aims to promote the responsible development and use of AI technology. The EU's efforts to harmonize AI regulations internationally, including its joint initiative with the United States, further emphasize the need for a coordinated global approach to AI policy. As AI technology continues to evolve, it is essential for policymakers to work together to address the challenges and opportunities it presents.

Content supporting AI-generated response:

[Artificial Intelligence: Canadian and International Trends](#) | Practice Notes | Oct 2, 2023

[Artificial Intelligence: Canadian and International Trends](#) | Practice Notes | Oct 2, 2023

[Generative AIs Challenged By Copyright and Related Rights: A Comparative Approach in European and U.S. Law](#) | Practice Notes | Jun 1, 2023