



CAIDP Update 6.02

January 15, 2024

The world of AI has been buzzing with activity, highlighted by the U.S. Congress' proposal of the Federal AI Risk Management Act. Internationally, the call for a treaty to regulate autonomous weapons by Human Rights Watch and the European Commission's solicitation of public input on AI and virtual world competition reflect the global community's focus on the challenges of regulating AI.

This edition also covers Saudi Arabia's publication of a generative AI guide, the EU's stance on AI treaty terms amidst U.S. opposition, and Argentina's investigation into the Worldcoin Foundation's biometric data practices.

CAIDP continues to play an active role in key AI policy developments, supporting the Civil-7 process of the G7 Leaders Summit and providing expert opinions in major publications. Additionally, our analysis of Canada's role in AI treaty negotiations reflects our focus on promoting AI governance that upholds human rights and democratic values.

AI POLICY NEWS

U.S. Congress Proposes AI Risk Management Act

On January 10, 2024, a major stride was taken in the regulation of AI in the U.S. with the introduction of the Federal AI Risk Management Act.

Spearheaded by Congressmembers Ted W. Lieu, Zach Nunn, Don Beyer, and Marcus Molinaro, this bipartisan bill requires federal agencies and their vendors to adhere to the AI risk management guidelines developed by the National Institute of Standards and Technology (NIST).



This legislative initiative follows a year marked by pivotal AI policy developments. Senators Richard Blumenthal and Josh Hawley's proposed [U.S. AI Act](#) in September 2023 aimed to establish robust AI oversight and consumer protection mechanisms. More broadly, President Biden's [Executive Order](#) on October 30, 2023, represented a significant step by the administration in shaping AI policy. The Order tasked federal agencies with setting high AI standards for their procurement processes, recognizing the government's unique position to drive market practices and elevate industry standards. However, the Executive Order, while impactful, bore limitations inherent to directives — lacking the depth and binding authority of comprehensive legislation. This gap underscored the necessity for robust, enduring laws to govern the development and use of AI, not just within federal agencies but across the broader technology landscape.

In a related and complementary legislative effort, U.S. Representatives Don Beyer and Anna Eshoo introduced the [AI Foundation Model Transparency Act](#) on December 22, 2023. The bill focuses on promoting transparency in AI foundation models, addressing issues of inaccuracy, bias, and opacity. This act directs the Federal Trade Commission (FTC), in consultation with NIST and the Office of Science and Technology Policy (OSTP), to establish standards for public disclosure regarding the training data, training mechanisms, and user data usage in AI foundation models. It aims to demystify AI decision-making processes, allowing users to better understand and trust AI applications, especially in critical sectors.

The FTC, in a blog post titled "AI Companies: Uphold Your Privacy and Confidentiality Commitments" stresses the importance of data privacy and ethical practices in AI, and warns model-as-a-service companies of the legal consequences of violating their privacy commitments. The article says, "Data is at the heart of AI development," and "Model-as-a-service companies that fail to abide by their privacy commitments to their users and customers, may be liable under the laws enforced by the FTC." CAIDP filed a detailed [complaint](#) urging the FTC to investigate OpenAI, ChatGPT's creator in March 2023.

The Federal AI Risk Management Act represents a pivotal synthesis of the U.S. AI Act's foundational principles and the strategic direction set by President Biden's Executive Order. While the U.S. AI Act laid the groundwork for stringent oversight and consumer protection in AI, the Executive Order highlighted the government's role in setting AI standards and influencing private sector practices. This new bill bridges the gap between these initiatives, turning the U.S. AI Act's proposed frameworks and the Executive Order's aspirational directives into enforceable requirements for federal agencies and vendors.

Human Rights Watch Urges Action on Treaty to Regulate Autonomous Weapons



Killer Robots: UN Vote Should Spur Action on Treaty

hrw.org · 4 min read

Following the United Nations General Assembly's resolution on "Lethal autonomous weapons systems,"

Human Rights Watch urged countries to promote negotiations "on a new international treaty to ban and regulate these weapons". "The General Assembly resolution on autonomous weapons systems stresses the urgent need for the international community to deal with the dangers raised by removing human control from the use of force," said Mary Wareham, arms advocacy director at Human Rights Watch. This resolution, voted in favor by 152 countries, acknowledges the "serious challenges and concerns" raised by such weapons systems, particularly those related to AI and autonomy.

The resolution calls upon UN Secretary-General António Guterres to gather views from countries and stakeholders on addressing the challenges and concerns posed by autonomous weapons systems "from humanitarian, legal, security, technological and ethical perspectives," with a report due to the General Assembly by September 2024. Human Rights Watch highlights that the resolution adds an agenda item on "lethal autonomous weapons systems" to the provisional agenda of the UN General Assembly in 2024. This move provides a platform for states to pursue action on this issue and brings to light concerns overlooked in past discussions, including ethical considerations, international human rights law, and the impacts on global security, regional and international stability.

EU Seeks Public Input on AI and Virtual World Competition



The European Commission announced the launch of two significant calls for contributions, focusing on the competitive aspects of virtual worlds

and generative AI. This initiative represents the Commission's efforts to gather a comprehensive understanding of the current market dynamics in these rapidly evolving sectors. By engaging with various stakeholders, including major digital companies, the Commission aims to ensure that these burgeoning markets maintain healthy competition levels. In addition to the calls for contributions, the Commission is closely examining agreements between major digital market players and generative AI developers, assessing their impact on market dynamics.

The Commission's request for contributions is an open invitation to all interested parties to share their experiences and insights on competition within virtual worlds and generative AI. The information gathered will guide the application of competition law in these new markets. The Commission is also scrutinizing Microsoft's investment in OpenAI, with an eye on whether it falls under the EU Merger Regulation.

In December 2023, the European Parliament and the Council reached a political agreement on the Commission's proposal for an AI Act. This important step means that they agree on the main ideas of these rules even though some technical details might still need to be worked out. This groundbreaking legislation, the first of its kind, aims to ensure that AI is safe and respects fundamental rights, while fostering innovation. Stakeholders are encouraged to submit their contributions by 11 March 2024.

Saudi Arabia Publishes Guide on Generative AI

The Saudi Data & Artificial Intelligence Authority (SDAIA) announced the release of a detailed guide on generative AI, aiming to elevate public understanding of AI technologies. The guide serves as a resource for comprehending the multifaceted nature of generative AI, offering a summary of its key components and an overview of the steps involved in developing a generative AI model. This initiative is part of SDAIA's broader efforts to inform and educate about the evolving landscape of AI technologies.



The guide delves into the numerous advantages of using generative AI. It highlights how generative AI can significantly increase productivity by enhancing employees' capacity to accomplish tasks more efficiently. The guide also underscores generative AI's role in improving services through customized user experiences and automating repetitive tasks across various sectors, thereby reducing operational costs. Furthermore, the guide examines generative AI's potential to drive innovation by creating new ideas for products and services.

EU Stands Firm on AI Treaty Terms Amidst US Opposition

In his report for Euractiv, Luca Bertuzzi

highlights the European Commission's stance against a US-led proposal to exempt the private sector from the world's first international treaty on AI. This treaty, spearheaded by the Council of Europe, is set to finalize by March, with potential adoption in May.



Bertuzzi emphasizes the EU's intent to align the treaty as closely as possible with its AI Act, opposing any limitations that would restrict the treaty's scope to public sector AI activities or allow optional private sector inclusion. The EU Commission, as Bertuzzi reports, argues that such limitations would diminish the treaty's value and send a wrong political message regarding human rights in the private field. The Commission also aims to ensure the treaty covers the entire lifecycle of AI systems, except for national security, military, and defense purposes, in line with the AI Act.

In January 2023, we at CAIDP, being deeply engaged in the treaty process, expressed significant concerns regarding the Council of Europe's decision to conduct AI treaty negotiations privately. This move deviates from our steadfast commitment to promoting transparency and democratic governance in the development of AI policies. While we commend the EU's effort, as outlined by Bertuzzi, to establish a comprehensive and rights-focused AI treaty, our focus is on the process of treaty-making itself as well. We believe that transparency is crucial not only in the treaty's content but also in its formulation. An open and participatory approach is essential to ensure that AI policies are democratically legitimate and effectively address the diverse impacts of AI on society.

Argentina Investigates Worldcoin Foundation for Biometric Data Handling

The Argentinian Data Protection Authority (AAIP) updated the public on its ongoing investigation into the Worldcoin Foundation. This



investigation was prompted by concerns about Worldcoin's practice of collecting facial and iris scans in exchange for cryptocurrency, potentially violating personal data protection. The AAIP's investigation began with a formal request for information from Worldcoin, focusing on the categories of data processed, the compliance with personal data processing principles, the security measures implemented, and the devices used for biometric scanning, including whether an impact evaluation had been conducted.

Following the initial response from Worldcoin, the AAIP took several steps. These included meetings with Worldcoin representatives to request further details about their data processing practices and security measures, ensuring compliance with Argentinian data protection laws. The AAIP also asked Worldcoin to include a privacy policy specifically for Argentina, register in the national database for foreign-based data managers, and conduct a data impact assessment for their biometric scanning procedures. Furthermore, the AAIP engaged with the Ibero-American Data Protection Network (RIPD) to form a working group, aiming to coordinate investigation efforts and share concerns at a broader level. The AAIP also reminded Argentinian citizens of their rights under the Decree, encouraging them to file complaints in case of any non-compliance by data controllers.

Join the movement & empower the AI policy change-makers

Your contribution makes a real difference:

Provide invaluable AI policy training to aspiring leaders in over 80 countries.

Support the development of our AI & Democratic Values Index Report, a vital resource for understanding AI's global impact.

Stay informed with our comprehensive updates on AI policy developments worldwide.

Help us continue our essential dialogue with policymakers, shaping the responsible evolution of AI.

Every donation helps the Center for AI and Digital Policy build a more informed and equitable AI-driven world.

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CAIDP ACTIONS

[Civil Society Launches C7 Process of G7 Leaders Summit](#)

The Civil-7 (C7) process for the 2024 G7 Summit has been officially launched.

CAIDP welcomes the launch of the 2024 Civil-7, the basis for the participation of civil society organizations in the program and policies established by the G7

Nations. With Italy hosting the summit in June, the stage is set for a significant gathering of global leaders and policymakers.



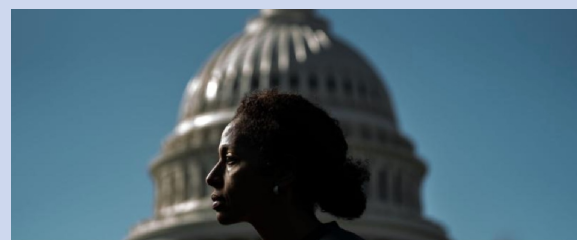
The Italian Civil Society Coalition, in line with Italy's G7 Presidency, is leading the C7 2024 process. The C7, as one of the official engagement groups of the G7, offers a vital opportunity for Civil Society Organizations (CSOs) to influence global policies. These organizations advocate for the environment, social and economic development, and well-being. This year, the C7's impact is more expansive than ever, bringing together over 700 organizations from around 70 countries. This broad representation ensures a collective and inclusive approach to policy development.

Last year, CAIDP supported the "C7 Communiqué - Technology, Digital Democracy, and Human Rights", focusing on critical issues such as human rights-based technology, surveillance tech and privacy, and the protection of children and youth in the digital space. CAIDP has prepared many recommendations on AI Policy for the G7. These recommendations are aimed at guiding G7 nations towards responsible and ethical AI development and use.

CAIDP President Offers Insight in Washington Post Article:

Merve Hickok, President of CAIDP, was recently featured in the Washington Post, providing a perspective on OpenAI's policy strategies in the article

"Meet the woman who transformed Sam Altman into the avatar of AI". Her insights highlight concerns about the influence of major AI companies on public policy.



Meet the woman who transformed Sam Altman into the avatar of AI
washingtonpost.com • 1 min read

CAIDP's Perspectives on Canada's AI Treaty Negotiations

CAIDP provided detailed comments on Canada's involvement in the Council of

Europe's treaty negotiations concerning AI. The Center affirms that the draft AI treaty aligns with key Canadian values and interests, particularly in the realms of fairness, transparency, and privacy. This alignment is reflected in the treaty's emphasis on privacy protection,



resonating with principles found in the Canadian Voluntary Code of Conduct for Advanced genAI Systems. CAIDP views the treaty as a strategic opportunity for Canada to extend its leadership in ethical AI discussions, particularly in its roles within international bodies like the GPAI, OECD, and G7.

CAIDP addresses the profound implications and risks of AI for Canadian society, emphasizing the need for human rights-centric policies. Concerns are raised about discriminatory AI practices and the risks they pose, especially to marginalized communities. The Center suggests that Canada should leverage its position to advocate for a rights-based approach in the treaty, moving beyond the EU's risk-based model. This approach would ensure comprehensive coverage of both public and private AI applications, aligning with Canada's commitment to AI governance.

In its final recommendations, CAIDP urges the Canadian government to push for robust, human-centric treaty provisions. This includes aligning the treaty's risk management framework with international standards like the G7 Hiroshima Guiding Principles. CAIDP highlights the treaty's role as a legally binding framework, facilitating standardized global collaboration on AI. The Center stresses the importance of involving civil society organizations in the policymaking process to uphold democratic values and ensure broad, effective stakeholder engagement.

AI POLICY EVENTS

Join us on January 16 at 18:30 CET via zoom: <https://lnkd.in/eDcY-fw2>

For participation via Zoom: Meeting ID 621 6249 8063; Passcode jR29SQ8K



Austria
U.S. Embassy

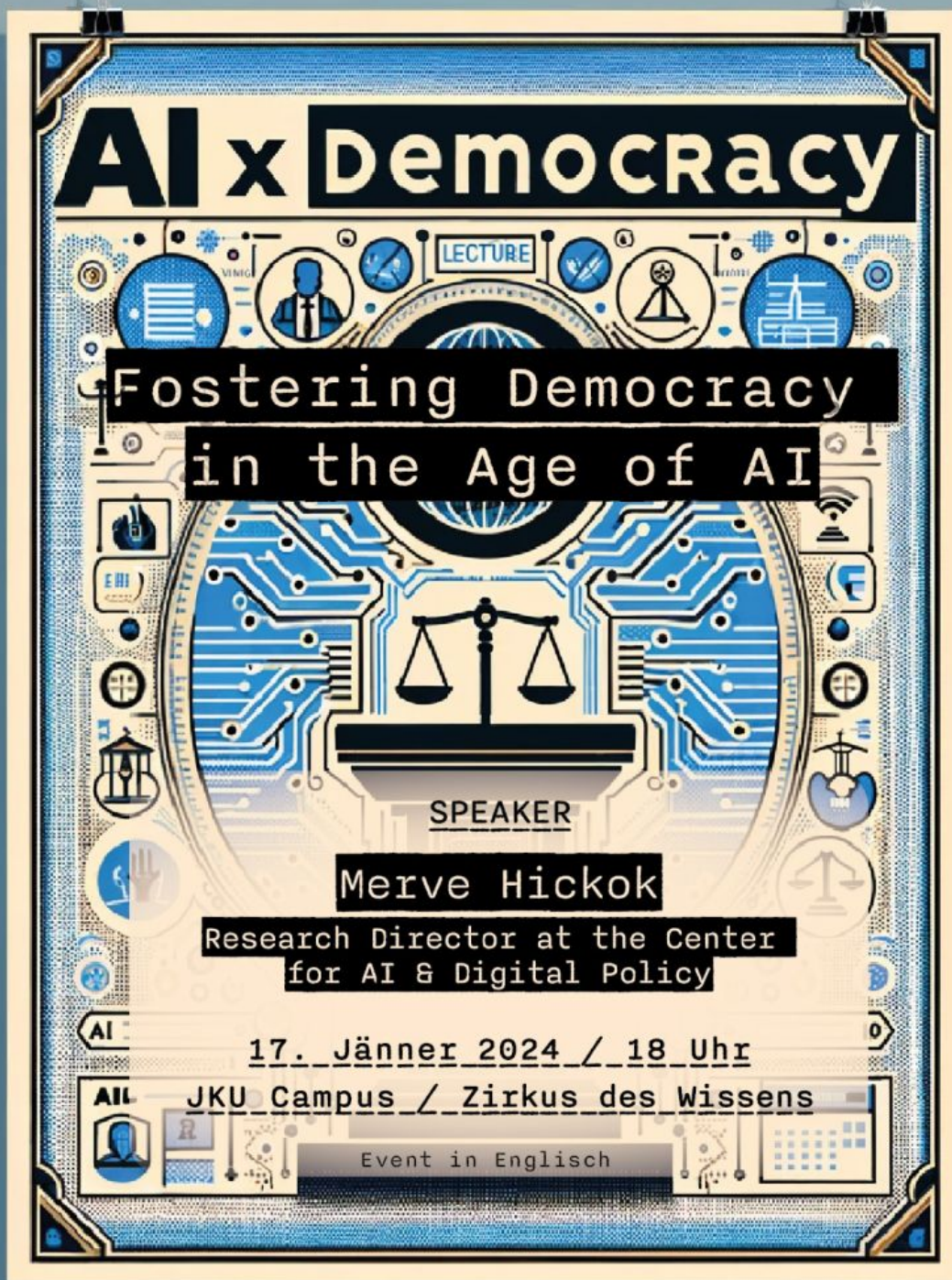
Fostering Democracy in the Age of AI

Join us for a deep dive into Artificial Intelligence's (AI) impact on democracy, exploring topics such as AI-driven misinformation, democratic transparency, and Digital Humanism.

Tuesday, January 16, 2024
6:30 p.m.

Join us via livestream.





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- US Embassy and the Austrian Ministry of Foreign Affairs, [Fostering Democracy in the Age of AI with Merve Hickok \(CAIDP\)](#), Vienna, Jan. 16,17, 2024
- [Committee on Artificial Intelligence Plenary meeting with Karine Caunes \(CAIDP\)](#), Council of Europe, Strasbourg, Jan, 23, 2024
- Knight Foundation, [2024 INFORMED Conference with Merve Hickok \(CAIDP\)](#), Miami, Jan. 22,24, 2024
- [Data Protection Day, "International Regulation of AI" with Marc Rotenberg \(CAIDP\)](#), Brussels, January 25, 2024
- [Global Forum on the Ethics of AI, Changing the landscape of AI Governance](#)

- with Merve Hickok (CAIDP), Slovenia, Feb. 4,6, 2024
- World Government Summit with Marc Rotenberg (CAIDP), Dubai, Feb. 12-14, 2024
- Committee on Artificial Intelligence Plenary meeting with Karine Caunes (CAIDP), Council of Europe, Strasbourg, March 11, 14, 2024
- CAIDP AI and Democratic Values, Washington, DC, April 4 2024
- CAIDP Graduation with keynote speaker Dr. Alondra Nelson, Washington DC, April 8, 2024

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