



Joint industry call for a risk-based AI Act that truly fosters innovation

Brussels, 29 September 2023

We, the undersigned industry associations, represent developers, deployers, and users of artificial intelligence (AI). Since the presentation of the AI Act by the European Commission, our associations have consistently supported a risk-based approach to AI regulation.

We support the AI Act's overarching objectives of promoting trust and innovation in AI, and our members are all committed to the safe and responsible development, deployment and use of AI.

While we recognise and welcome the efforts of European co-legislators to improve the AI Act, we are concerned that some of the proposed measures would run counter to the objectives of the regulation and would disproportionately impact European businesses and consumers. In particular, the departure from the AI Act's original risk-based and technology-neutral approach risks inhibiting the development and use of AI in Europe. Moreover, the multiplication of

overlapping rules in the AI Act, the introduction of vague concepts, as well as the broad extension of the list of high-risk use cases and the list of prohibited AI systems, would create unnecessary red tape and legal uncertainty.

As acknowledged by European Institutions and Member States, AI is expected to massively contribute to the growth of the EU economy, as well as to improve healthcare, boost productivity, and address climate change.

As the co-legislators aim to find an agreement on the AI Act before the end the year, our associations urge the EU Council and Parliament to:

- Maintain the AI Act's risk-based approach, and focus on GPAIS and foundation model if used for high-risk applications;
- Allow developers of such systems to forbid high-risk uses or to limit liability for actions by third parties;
- Ensure a fair balance of responsibilities and sharing of relevant information across the AI value chain;
- Limit Annex III to truly high-risk use cases;
- Steer clear of duplicating existing legal requirements (e.g. DSA, political ads regulation, Copyright Directive, GDPR, DMA, PWD);
- Avoid unintentionally banning legitimate practices (such as biometric categorisation);
- Apply workable rules and reduce red tape to a minimum;
- Support and preserve Europe's thriving open source AI ecosystem;

Europe has a unique opportunity to define sensible rules for the development, deployment, and use of AI for the next decade, and to set a strong example for the world on how to best regulate AI. Industry is hopeful that the co-legislators will strike the right balance between trust and innovation in AI.

Signatories (in alphabetical order):

[Alliance Française des industries du Numérique \(AFNUM\)](#) - [HATVP](#)
[American Chamber of Commerce to the EU](#) (AmCham EU) - 5265780509-97
[Anitec-Assinform - Associazione italiana per ICT](#) - Italian number: 425231932048-54
[Association des services Internet communautaires \(ASIC\)](#) - [HATVP](#)
[Bundesverband Digitale Wirtschaft \(BVDW\) e.V.](#) - 479540331468-69
[BSA | The Software Alliance](#) - 75039383277-48
[Computer & Communications Industry Association \(CCIA Europe\)](#) - 15987896534-82
[DOT Europe](#) - 53905947933-43
[eco – Verband der Internetwirtschaft e. V.](#) - 483354220663-40
[European Tech Alliance \(EUTA\)](#) - 189607519323-76
[Infobalt](#) - Lithuanian number: 122361495
[Information Technology Industry Council \(ITI\)](#) - 061601915428-87
[SAPIE \(Slovak Alliance for Innovation Economy\)](#) - 793779648066-85
[Związek Przedsiębiorców i Pracodawców \(ZPP\)](#) - 868073924175-77
[Związek Cyfrowa Polska \(ZIPSEE Digital Poland\)](#) - NIP: 5222802518 - KRS: 0000250359