

# EU moves closer to passing one of world's first laws governing AI

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The EU has taken a major step towards passing one of the world's first laws governing artificial intelligence after its main legislative branch approved the text of draft legislation that includes a blanket ban on police use of live facial recognition technology in public places. The European parliament approved rules aimed at setting a global standard for the technology, which encompasses everything from automated medical diagnoses to some types of drone, AI-generated videos known as deepfakes, and bots such as ChatGPT. MEPs will now thrash out details with EU countries before the draft rules – known as the AI act – become legislation. “AI raises a lot of questions socially, ethically, economically. But now is not the time to hit any ‘pause button’. On the contrary, it is about acting fast and taking responsibility,” said Thierry Breton, the European commissioner for the internal market. A rebellion by centre-right MEPs in the EPP political grouping over an outright ban on real-time facial recognition on the streets of Europe failed to materialise, with a number of politicians attending Silvio Berlusconi's funeral in Italy. The final vote was 499 in favour and 28 against with 93 abstentions. European leaders are expected to push back on a total ban on biometrics, with police forces across the continent keen to utilise the potential to recognise criminals as they walk down a street or through public areas. The EPP had argued the technology could be of vital importance in combating crime and in counter-terrorism intelligence as well as in searches for missing children. Emotional recognition, which is used in parts of China to identify tired truck drivers, for example, will also be banned at work places and in schools under the proposed law. The European parliament president, Roberta Metsola, described it as “legislation that will no doubt be setting the global standard for years to come”. She said the EU now had the ability to set the tone worldwide and that “a new age of scrutiny” had begun. Brando Benifei, a co-rapporteur of the parliament's AI committee, which progressed the legislation to the voting stage, said that on facial recognition the law would provide “a clear safeguard to avoid any risk of mass surveillance”. His fellow co-rapporteur, Dragos Tudorache, said that if the legislation had already been in force, the French government would not have been able to pass a law this year to enable live facial recognition for crowd surveillance at the 2024 Olympics. To combat the high risk of copyright infringement, the legislation will oblige developers of AI chatbots to publish all the works of scientists, musicians, illustrators, photographers and journalists used to train them. They will also have to prove that everything they did to train the machine complied with the law. If they do not do so, they could be forced to delete applications immediately or be fined up to 7% of their revenue, which could run to hundreds of millions of euros for tech giants. “There are plenty of sharp teeth in there,” Tudorache said. He said talks with the European Council and the European Commission would begin and that he would enter them with a

mandate from the parliament rather than “red lines” on the disputed facial recognition issue. Benifei described the EPP’s attempts to throw out the blanket ban on mass surveillance on the grounds that it would stop police using the tool for security as propaganda, because authorities would still be able to use biometric data including CCTV footage as they already do to pursue criminals. There is also growing clamour to regulate AI across the Atlantic, as pressure grows on western governments to act fast in what some describe as a battle to protect humanity. While AI proponents hail the technology for how it will transform society, including work, healthcare and creative pursuits, others are worried by its potential to undermine democracy. Even if the EU’s ambitious target to reach an agreement on the law by the end of the year is achieved, it would not come into force until 2026 at the earliest, forcing the EU to push for a voluntary interim pact with tech companies. Margrethe Vestager, the EU’s antitrust chief, told reporters that a balance might yet be struck as parliament reflected those who supported a ban on principled grounds relating to privacy as well as others who take a “slightly more pragmatic or security-oriented approach”.