

# AI Regulation

2023: A Year in Review

*A Year of Milestones and Challenges in AI Regulation*

# AI Regulatory Trends in 2023



01

## Global Standards for AI Governance

*A pivotal trend involved the widespread adoption of the OECD's AI principles as a universal guide for policymakers. Ratified by the OECD and Group of 20 (G20) in 2019, these principles play a crucial role in steering governments and organizations toward a human-centric and reliable AI framework.*

02

## Tailoring AI Governance with a Risk-Based Approach

*A prevailing trend among policymakers involved the adoption of a risk-based strategy for implementing AI principles. From a global standpoint, the translation of AI principles into practical measures remained a shared focus.*

03

## Sector-Specific Focus in AI Regulation

*A notable trend among policymakers is the acknowledgment of the necessity to incorporate sector-specific considerations into AI oversight. For certain jurisdictions, there remained a collective understanding that the diverse applications of AI can introduce unique or heightened risks in specific sectors.*

04

## Expanding AI Impact Across Policy Domains

*Regulators broadened their considerations beyond AI-specific regulations, delving into its implications for other policy realms such as data, cybersecurity, and digital content flows. The European Union ("EU") emerges as a leader, taking a comprehensive stance with legislation in each of these domains.*





# Australia

## Global Adoption of Secure AI Development Guidelines

In a collaborative effort, agencies from 18 countries embraced the "Guidelines for Secure Artificial Intelligence (AI) System Development" on November 27, 2023. Jointly developed by the United Kingdom's National Cyber Security Centre and the United States Cybersecurity and Infrastructure Security Agency, these guidelines are a milestone in AI governance. Tailored for data scientists, developers, and managers, the guidelines advocate a "secure by design" approach, positioning cybersecurity as integral to AI system development. The comprehensive framework spans four crucial areas—secure design, development, deployment, and operation and maintenance—each addressing specific considerations and mitigation strategies. This signifies a global commitment to ensuring the security of AI systems throughout their lifecycle.

## Navigating Data Privacy Challenges: DP-REG's Insights on Large Language Models

On November 23, 2023, the Digital Platform Regulators Forum (DP-REG) unveiled a working paper dissecting the realm of Large Language Models (LLMs) and their intersection with the regulatory duties of DP-REG members. Central to this exploration were data privacy considerations, underscoring the pivotal role of LLMs in collecting, using, disclosing, and storing personal information. The working paper emphasized the potential privacy risks arising from unclear handling of this information, particularly flagging concerns about LLMs disseminating inaccurate personal details and scraping data from public websites without proper consent. DP-REG underscored the far-reaching impacts of LLMs on individuals, emphasizing the need for vigilant oversight in the digital landscape.

## Closing the Chapter on Safe and Responsible AI: Outcomes of the Australian Consultation

As of July 26, 2023, the public consultation on "Safe and Responsible AI in Australia" has concluded, marking a crucial step in addressing the evolving landscape of artificial intelligence (AI). The associated discussion paper delves into potential approaches for mitigating AI-related risks, supporting the development of responsible practices, and outlining the current national regulatory framework along with international developments. Recognizing AI's positive impact on various aspects of life, the discussion paper acknowledges the rising uncertainties and public concerns stemming from rapid innovation in the field. The consultation sought insights on addressing gaps in existing approaches, specifying risks, identifying high-risk AI systems for potential bans, and establishing transparency requirements. Collected information will guide governmental deliberations, shaping regulatory and policy responses that align with the government's commitment to responsible AI, as outlined in the 2023-24 Budget.



# Brazil

## Advancing AI Safeguards: ANPD's Regulatory Sandbox Consultation Closure in Brazil

As of December 1, 2023, the National Data Protection Authority (ANPD) concluded the public consultation on the Regulatory Sandbox for Artificial Intelligence (AI) and Data Protection in Brazil. This initiative, developed in collaboration with the Development Bank of Latin America (CAF), aims to establish a controlled testing environment. Participants can assess their AI technologies against data protection frameworks, ensuring compliance and safeguarding individuals' rights. The closure of this consultation marks a significant step toward enhancing the regulatory landscape for AI in Brazil, fostering innovation while prioritizing data protection and individual rights.

## Addressing Risks: Introduction of Bill to Prohibit Obscene Content Generation Software (PL 3902/2023) in Brazil

On August 14, 2023, the Brazilian Chamber of Deputies introduced Bill PL 3902/2023, aiming to ban the development and commercialization of software and apps designed for creating false explicit or obscene content. This legislative move seeks to amend the Civil Rights Framework for the Internet (Law No. 12.965) by prohibiting the use, creation, distribution, and marketing of applications generating deceptive pornographic or obscene images and videos, commonly known as deep nudes. The proposed amendments enhance the responsibility of internet application providers in combating the dissemination of such content generated by artificial intelligence or other computer systems. The Bill outlines penalties for non-compliance, including warnings, fines, suspension of activities, or prohibition.

## Advancing AI Governance: Introduction of Bill No. 2338 of 2023 in Brazil

On May 3, 2023, the Senate of Brazil introduced Bill No. 2338 of 2023, focusing on regulating the use of Artificial Intelligence (AI) with a significant emphasis on consumer protection. The proposed legislation aims to empower consumers by ensuring transparency in AI interactions. If enacted, the Bill would mandate informing consumers when they engage with an AI system, providing insights into the decision-making process, and granting the right to request human oversight of AI decisions. Additionally, the Bill introduces mechanisms for individuals to challenge and seek a review of AI system decisions, recommendations, or predictions that have a substantial impact on their interests, reinforcing the commitment to consumer rights in the realm of AI.







# Canada

## Upholding Privacy in AI: OPC's Principles for Generative Technologies

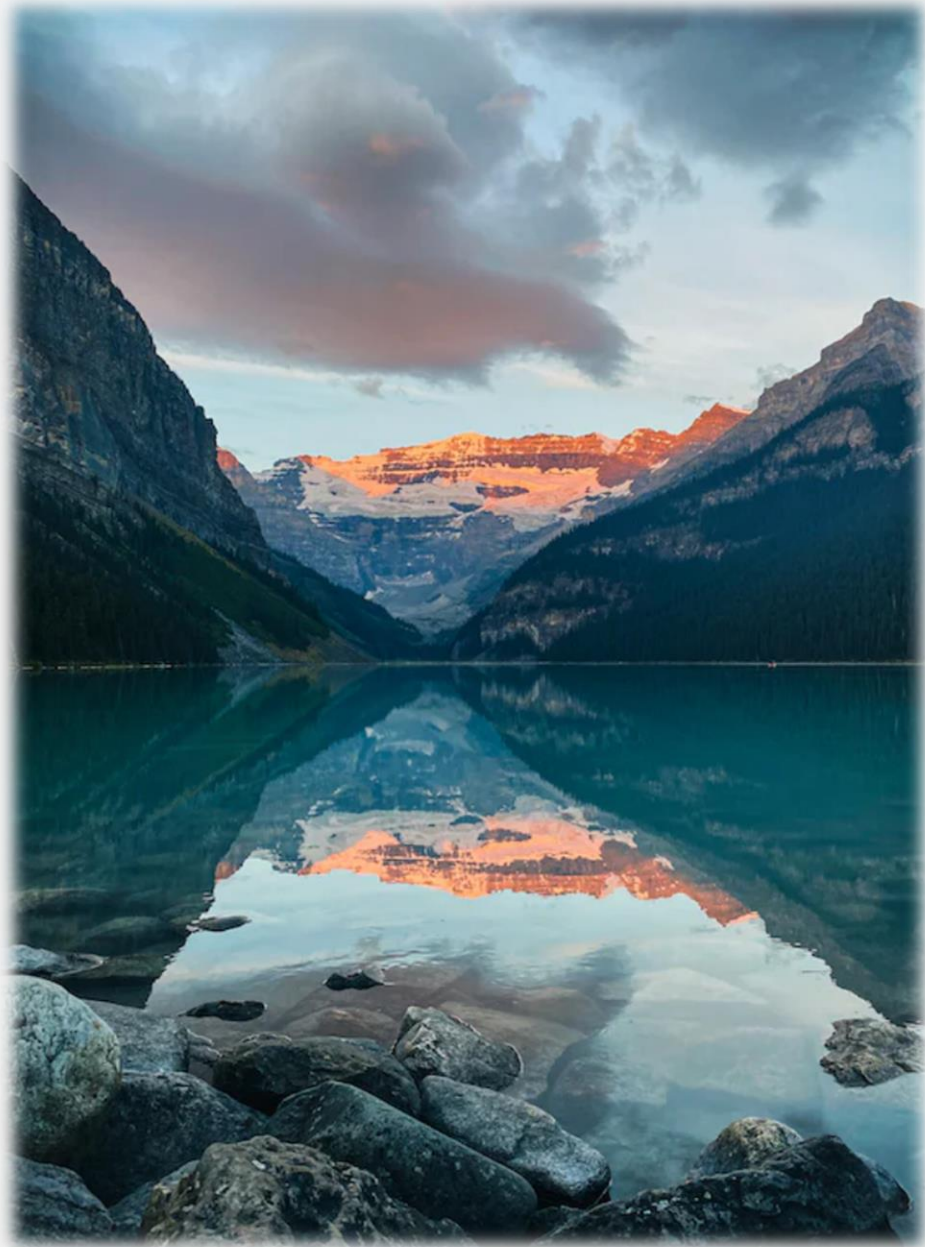
On December 7, 2023, the Office of the Privacy Commissioner of Canada (OPC) unveiled the "Principles for Responsible, Trustworthy, and Privacy-Protective Generative AI Technologies." Aimed at organizations involved in the development, provision, or utilization of generative AI, particularly those leveraging substantial data, including personal data, for AI training. The document aligns with privacy legislation, highlighting eight key principles crucial for privacy protection in generative AI technologies. These principles encompass legal authority and consent, appropriate purposes, necessity, and proportionality, openness, accountability, individual access, limiting collection, use, and disclosure, accuracy, and safeguards. The issuance underscores the OPC's commitment to fostering responsible and privacy-centric practices within the evolving landscape of generative AI.

## Strengthening Responsible AI: Additional Commitments to Voluntary Code of Conduct

On December 7, 2023, the Canadian Minister of Innovation, Science, and Industry unveiled additional commitments to the "Voluntary Code of Conduct on the Responsible Development and Management of Advanced Generative AI Systems." This announcement highlighted the voluntary pledges made by eight companies, namely AltaML, BlueDot, CGI, kama.ai, IBM, Protexxa, Resemble AI, and Scale AI. The Code of Conduct, a pivotal element in creating a secure environment for artificial intelligence (AI) in Canada, encompasses measures relevant to the operations involving generative AI systems. This initiative showcases ongoing efforts to foster responsible AI development and management, marking a collaborative commitment to ethical practices within the AI landscape.

## Navigating Copyright in AI Era: Conclusion of Public Consultation on Generative AI Implications

The Government of Canada concluded its public consultation on the implications of generative artificial intelligence (AI) for copyright on December 4, 2023. This comprehensive inquiry assessed the adaptation of copyright frameworks to text and data mining, focusing on scenarios where copyright works or other content, such as performances or sound recordings, are utilized in training AI systems. The inquiry also aimed to provide clarity on the application of copyright frameworks to works generated with or entirely by AI assistance. Lastly, it addressed the applicability of the liability regime in cases where AI-generated content potentially infringes on existing copyright-protected works. The inquiry underscores Canada's commitment to navigating the evolving intersection of AI and copyright laws.





# China

## Enhancing Oversight: Closure of Consultation on Facial Recognition Regulations by CAC in China

The Cyberspace Administration of China (CAC) concluded its consultation on September 7, 2023, regarding the draft Regulations for the use of facial recognition technology. This regulatory initiative introduces a pivotal business registration requirement for entities employing facial recognition technology in public spaces. Specifically, organizations possessing facial data on over 10,000 individuals must register with their local CAC branch. The registration process mandates a clear explanation of data collection purposes and a comprehensive outline of the implemented data protection measures. This move signifies China's commitment to fostering responsible use of facial recognition technology while reinforcing transparency and accountability.

## Strengthening AI Security: Closure of Consultation on TC260's Draft Basic Requirements

On October 25, 2023, the National Information Security Standardization Technical Committee of China (TC260) concluded its public consultation on the draft Basic Requirements for Security of Generative Artificial Intelligence (AI) Services. This regulatory initiative outlines stringent measures for Generative AI service providers. Key provisions include limiting the use of illegal or harmful training data to 5%, rigorous testing for compliance with 31 security risk categories, and ensuring generated content aligns with socialist values and legal rights while maintaining a 90% success rate in content quality. The draft also mandates testing to reject inappropriate queries with a success rate of 95%, underscoring China's commitment to robust AI security measures.

## Strengthening Cybersecurity Standards: Adoption of Practice Guide on Generative AI Content Identification

The Chinese National Information Security Standardization Technical Committee (TC260) marked a significant development on August 25, 2023, with the adoption of its Practice Guide to Cybersecurity Standards for Generative Artificial Intelligence (AI) Service Content Identification. This guide serves as a comprehensive framework, offering guidelines for content identification within generative AI services to align with regulatory frameworks, including the "Network Security Law" and "Generative Artificial Intelligence Service Management Interim Measures." Addressing text, image, audio, and video content, the guide introduces explicit and implicit watermark identification methods. Its primary objective is to assist generative AI providers in enhancing content identification practices, fostering compliance with regulations, and facilitating effective regulatory oversight.







# European Union

## Milestone Agreement: EU Parliament and Council's Accord on AI Act and European AI Board

On December 9, 2023, the Parliament and Council of the European Union achieved a significant breakthrough by adopting a provisional agreement on the harmonized rules for artificial intelligence (AI Act). This compromise agreement refines the definition of AI systems, aligning it with the OECD's proposed approach, and distinguishes AI from simpler software systems. Notably, the AI Act excludes systems used exclusively for military or defence purposes and those solely for research, innovation, or non-professional personal use. The agreement introduces the establishment of a European AI Board and AI Office within the Commission, with the latter tasked with monitoring compliance, conducting joint investigations, collaborating with national supervisory authorities, and providing guidance. A scientific panel of independent experts will contribute to developing evaluation methodologies and monitoring safety risks related to foundation models. Additionally, the AI Act incorporates a framework for AI regulatory sandboxes, facilitating the controlled development and testing of innovative AI systems in real-world conditions.

## Historic Accord: EU Parliament and Council's Groundbreaking Agreement on AI Act

On December 9, 2023, a momentous occasion unfolded as the Parliament and Council of the European Union reached a provisional agreement on the proposed harmonized rules for artificial intelligence (AI Act). This groundbreaking compromise refines the definition of AI systems in alignment with the OECD's approach, making a clear distinction from simpler software systems. Exclusions from the AI Act encompass systems dedicated to military, defence, research, innovation, or non-professional personal use. Notably, the Act introduces a ban on AI systems posing an "unacceptable risk," covering a spectrum of concerning applications. The enforcement mechanism involves fines, tiered according to the nature of violations, emphasizing the commitment to responsible AI governance. The next crucial steps involve finalizing the document and presenting it to the European Union Parliament and Council for adoption.

## UNESCO's Landmark Decision: Adoption of Ethics of Artificial Intelligence Recommendation

In a historic milestone, the General Conference of UNESCO, during its 41st session, formally embraced the Recommendation on the Ethics of Artificial Intelligence. This culmination followed a resolution initiated two years earlier in November 2019, marking the inception of the world's premier global standard-setting instrument specifically addressing the ethics of artificial intelligence. The recommendation underscores the pivotal role of evolving technologies in serving the collective interests of humanity. Furthermore, it emphasizes the imperative of adopting a human-centered approach to artificial intelligence within the ambit of both international and national regulations and regulatory frameworks.



# India



## **Bilateral Collaboration: UK-India MoU on Science, Research, and Innovation, Emphasizing AI**

On April 26, 2023, the UK and India solidified their commitment to collaborative advancements in science and innovation by signing a Memorandum of Understanding (MoU). This strategic agreement marks a significant step towards fostering joint research programs between the two nations. With a focus on various sectors, including Artificial Intelligence (AI) and Machine Learning, the MoU aims to facilitate groundbreaking initiatives that harness the collective expertise and resources of the UK and India. This collaboration underscores a shared commitment to advancing scientific frontiers and promoting innovation through international partnerships.

## **Strategic Partnership: India-Israel MoU on Industrial Research and Development, Emphasizing AI and Semiconductors**

On May 4, 2023, a significant milestone was achieved as the governments of India and Israel formalized their collaboration through a Memorandum of Understanding (MoU) on industrial research and development. This strategic agreement involves key entities such as the Indian Ministry of Science and Technology, the Indian Directorate of Defense Research and Development, and the Israeli Ministry of Defense. The focus of the MoU extends to crucial technological domains, including artificial intelligence (AI), quantum computing, and semiconductors. By fostering collaboration among public institutions, startups, companies, and venture capitalists, this MoU sets the stage for innovative advancements, reinforcing the commitment to technological excellence and shared progress.

## **Advancing Digital Innovation: Closure of TRAI's Consultation on Regulatory Sandbox**

On July 17, 2023, the Telecom Regulatory Authority of India (TRAI) concluded its consultation on the "Innovative Technologies, Services, Use Cases, and Business Models through Regulatory Sandbox in Digital Communication Sector Paper." This initiative aims to foster creativity and expedite the integration of cutting-edge technologies, including Artificial Intelligence, the Internet of Things, and edge computing, within the dynamic digital communication sector. The consultation paper meticulously explored existing global and Indian sandbox frameworks, seeking feedback and recommendations on the proposed draft framework. Encompassing participant eligibility, application procedures, evaluation criteria, rule waivers or modifications, oversight, and innovation funding, the framework positions India at the forefront of digital transformation.





# Israel

## Global Accord: Adoption of Bletchley Declaration on Artificial Intelligence

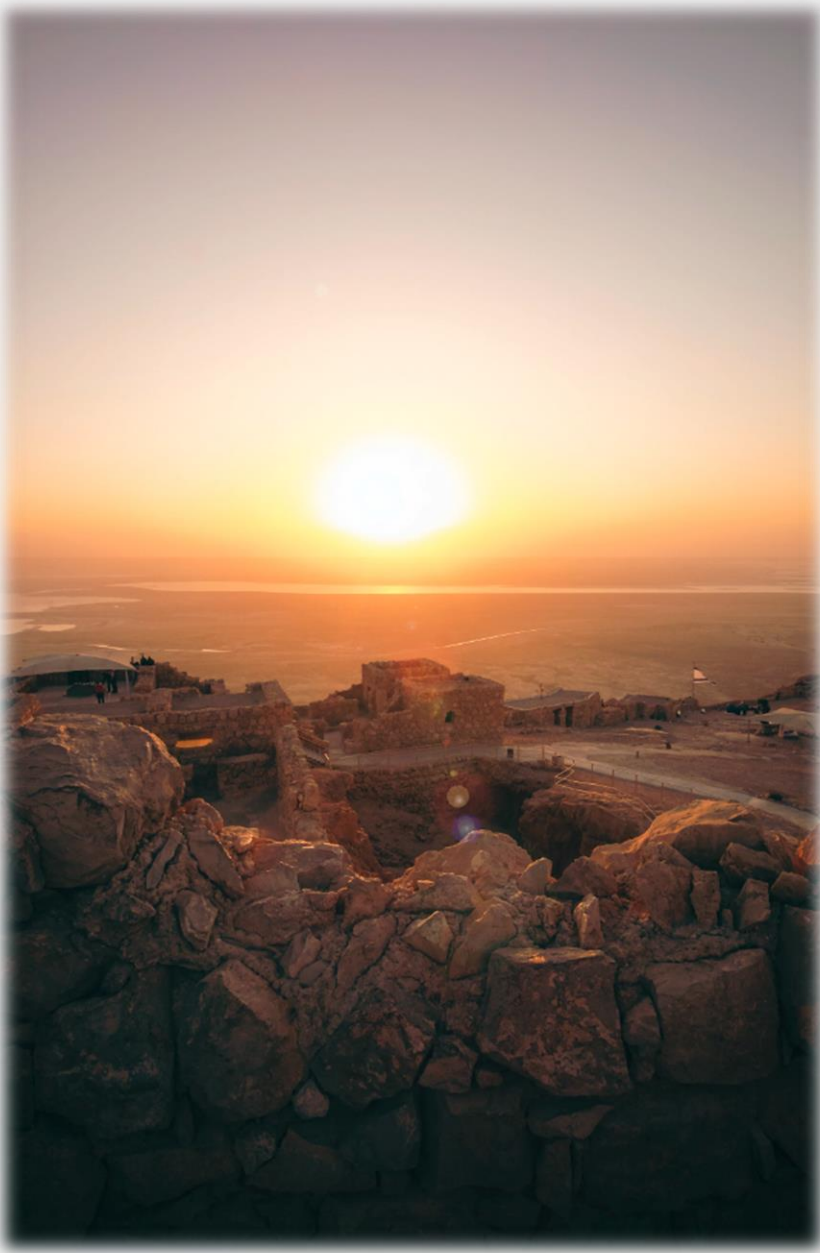
On November 1, 2023, a momentous occasion unfolded as 28 countries jointly adopted the "Bletchley Declaration on Artificial Intelligence" during the UK AI Safety Summit. This international declaration signifies a collective commitment to addressing the multifaceted risks associated with artificial intelligence (AI). The agreement centers on fostering global cooperation to mitigate potential intentional misuse or unintended control issues related to frontier AI. Prioritizing areas such as cybersecurity, biotechnology, and disinformation risks, the parties pledged to collaborate in identifying AI safety risks and cultivating a scientific, evidence-based understanding. Furthermore, the declaration emphasizes joint efforts in developing risk-based policies, acknowledging the potential variations in national approaches to AI governance.

## Global Initiative: Launch of UN High-Level Advisory Body on Artificial Intelligence

On October 26, 2023, the United Nations (UN) inaugurated the High-Level Advisory Body on Artificial Intelligence, marking a pivotal step in global AI governance. Comprising 32 multi-stakeholder experts across relevant disciplines, the Advisory Body is tasked with coordinating AI governance on a global scale. Over the next year, the Body will issue two significant reports. The first, slated for release in December 2023, will analyze the potential for global AI governance. The subsequent report, expected in the summer of 2024, will present final recommendations. This initiative underscores the UN's commitment to navigating the complexities of AI governance through expert collaboration and strategic analysis.

## Strengthening Collaborative Frontiers: India-Israel MoU on Industrial Research and Development

On May 4, 2023, a significant pact was forged as the governments of India and Israel signed a Memorandum of Understanding (MoU) on industrial research and development. This strategic agreement involves key entities, including the Indian Ministry of Science and Technology, the Indian Directorate of Defense Research and Development, and the Israeli Ministry of Defense. Focused on pivotal technological domains such as artificial intelligence (AI), quantum computing, and semiconductors, the MoU sets the stage for collaborative efforts in research and development. By fostering partnerships among public institutions, startups, companies, and venture capitalists, this initiative is poised to drive innovation and advancements in key sectors.





# Japan

## Global Governance Initiative: Conclusion of Consultation on International AI Guiding Principles

On November 5, 2023, the Science and Technology Innovation Promotion Office of the Cabinet Office of the Government of Japan concluded its public consultation on the "International Draft Guiding Principles for Organisations Developing Advanced AI Systems." This initiative follows the G7 Hiroshima AI Process, reinforcing Japan's commitment to global AI governance. Seeking input for international rules, guidelines, and codes of conduct in response to AI risks, the draft document articulates key principles. These include transparency, the establishment of governance policies and technical standards, as well as the implementation of robust security, content authentication, and data input controls. This marks a significant step toward shaping responsible practices in the development and use of advanced AI systems on a global scale.

## Bilateral Commitment: US-Japan Partnership for Growth and Innovation Statement on AI Regulation

On November 14, 2023, the United States (US) and Japan convened the second ministerial meeting of the Japan-US Economic Policy Consultative Committee (EPCC), culminating in the adoption of a joint statement. This statement solidifies their commitment to advancing the Hiroshima Artificial Intelligence (AI) process in collaboration with other Group of Seven (G7) members. Central to the pledge is the support for G7 Ministers in organizing multi-stakeholder discussions. Additionally, the parties commit to enhancing the interoperability of governance frameworks and developing a crosswalk between the National Institute of Standards and Technology AI Risk Management Framework and Japan's AI Guidelines. The statement also outlines plans for expanding semiconductor availability, crucial for generative AI development in both Japan and the US. This bilateral initiative underscores shared goals in advancing responsible AI regulation and fostering innovation in critical technological domains.

## Global Collaboration: G7 Leaders' Statement on Inclusive AI Governance and Interoperability

On December 6, 2023, the Group of Seven (G7) issued a pivotal statement underlining their unwavering commitment to advancing international discussions on inclusive artificial intelligence (AI) governance. The statement also emphasizes the promotion of interoperability between diverse AI governance frameworks. Aligned with democratic values, the G7 envisions a future of trustworthy AI, recognizing variations in specific approaches among its members. The overarching objective is to establish a foundation for safe, secure, and trustworthy AI. Importantly, the statement acknowledges and urges support for the Hiroshima AI Process Comprehensive Policy Framework, encompassing the International Guiding Principles and International Code of Conduct, further underscoring the collective dedication to responsible and inclusive AI development.







# New Zealand

## Fostering Responsible Biometric Practices: Introduction of Biometrics Privacy Code Exposure Draft

In a significant move towards enhancing privacy safeguards, the Office of the Privacy Commissioner, on November 23, 2023, unveiled plans to solicit public input on a forthcoming Biometrics Privacy Code. This targeted code addresses the escalating use of biometric data, encompassing technologies like facial recognition, retinal scans, and voice recognition. Key focal points of the code involve establishing criteria grounded in principles of proportionality, transparency, and purpose limitation. Particularly, the regulations seek to govern the collection of biometric data for integration into automated processes, emphasizing stringent guidelines for technologies such as facial recognition. Stakeholders are encouraged to contribute to the exposure draft during its slated review period in early 2024.

## Ensuring Privacy in AI Deployment: New Zealand's Guidance on Information Privacy Principles

On September 21, 2023, the Privacy Commissioner of New Zealand took a pivotal step by adopting comprehensive guidance on Artificial Intelligence (AI) and the Information Privacy Principles (IPP). This guidance meticulously delineates privacy considerations integral to the deployment of AI tools, aligning with the legal requirements outlined in the Privacy Act and IPPs. Key recommendations include the imperative of conducting a thorough Privacy Impact Assessment (PIA) before utilizing AI tools, with periodic updates. The guidance also delves into specific use cases, addressing concerns related to training data relevance, data alignment with original purposes, effective data tracking, management, and ensuring accuracy and fairness in AI tools through rigorous testing. This comprehensive approach aims to assist processors in meeting their legal obligations and fostering responsible AI practices.

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# Saudi Arabia

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In a historic milestone, the General Conference of UNESCO, during its 41st session, formally embraced the Recommendation on the Ethics of Artificial Intelligence. This culmination followed a resolution initiated two years earlier in November 2019, marking the inception of the world's premier global standard-setting instrument specifically addressing the ethics of artificial intelligence. The recommendation underscores the pivotal role of evolving technologies in serving the collective interests of humanity. Furthermore, it emphasizes the imperative of adopting a human-centered approach to artificial intelligence within the ambit of both international and national regulations and regulatory frameworks.

## Pioneering Collaboration: China-Saudi Arabia Strategic Partnership for Digital Economy

On December 9, 2022, the governments of China and the Kingdom of Saudi Arabia solidified their collaboration by signing a landmark agreement – the China-Saudi Arabia Strategic Partnership for Digital Economy Cooperation. This strategic alliance establishes a comprehensive framework for cooperation, encompassing key realms of the digital economy. Key focus areas include communications and information technology, emerging technologies, mobile communications infrastructure, digital entrepreneurship, artificial intelligence, advanced computing, quantum information technology, robotics, smart equipment, and industrial and commercial applications. The agreement signifies a significant stride toward mutual advancement in the rapidly evolving landscape of the digital economy.

## Groundbreaking Standards: Adoption of SDAIA AI Ethics Principles

On September 14, 2023, the Saudi Data and Artificial Intelligence Authority (SDAIA) marked a historic milestone by adopting the AI Ethics Principles. These principles serve as a comprehensive framework applicable to all entities engaged in the development and utilization of AI systems within Saudi Arabia. Aimed at fostering responsible practices, the principles cover crucial aspects such as fairness, privacy, humanity, social and environmental benefits, reliability, transparency, and accountability. The document delineates how each principle should be integrated across various stages of AI project lifecycles. It outlines the responsibilities of entities, designating the SDAIA as the regulatory authority and emphasizing the need for nominated individuals within adopting entities to fulfill key AI Ethics-related roles. Furthermore, the SDAIA commits to assessing compliance levels, offering recommendations based on assessments, and awarding motivational badges reflective of entities' adherence to these ethical standards.







# Singapore

## Milestone in Data Ethics: Closure of PDPC's Consultation on Advisory Guidelines

On August 31, 2023, a significant stride in data ethics was achieved as the Personal Data Protection Commission (PDPC) concluded its public consultation on the draft version of the Advisory Guidelines on the Use of Personal Data in AI Systems under the Personal Data Protection Act (PDPA). The guidelines play a pivotal role in elucidating the application of PDPA to the collection and utilization of personal data by organizations engaged in the development and deployment of AI systems with machine learning models. Notably, the guidelines address scenarios where organizations can leverage the Business Improvement and Research Exception, allowing the use of personal data without prior consent. However, when incorporating AI systems that gather and utilize personal data in products or services, organizations are obligated to uphold consent and notification requirements.

## Groundbreaking Initiative: Launch of Generative AI Evaluation Sandbox by AI Verify Foundation and IMDA

In a groundbreaking move, the Infocomm Media Development Authority (IMDA) and the AI Verify Foundation have jointly unveiled the "Generative AI (Gen AI) Evaluation Sandbox" on October 31, 2023. This initiative marks a significant step towards fostering global collaboration for the assessment of trusted AI products, specifically concentrating on Large Language Models (LLMs). Positioned within a broader strategy to establish a unified standard for evaluating Gen AI, the Sandbox invites industry partners to actively contribute to the development of evaluation tools and capabilities. Key features include the introduction of an Evaluation Catalogue, community engagement initiatives, enhancement of testing capabilities, formulation of new benchmarks, and strategic collaboration with leading industry players.

## Unveiling Singapore's Next Leap: National AI Strategy 2.0

On December 4, 2023, the Deputy Prime Minister and Minister for Finance of Singapore introduced the nation's evolved artificial intelligence (AI) strategy, aptly named AI Strategy 2.0. Building on the foundation of a prior strategy established in 2019, this comprehensive plan is structured around three focal areas: "activity drivers," "people and communities," and "infrastructure and environment." Key initiatives encompass the establishment of AI Centers, empowering governmental agencies with specialized knowledge, and a targeted increase in AI practitioners to 15,000 through robust training programs. Additionally, Singapore aims to bolster collaboration with leading cloud computing and chipmaker companies, enhancing computing capabilities to execute the strategy effectively over the next 3–5 years.





# South Korea

## Forging Ahead: UK-South Korea Pact on Science, Technology, and Responsible AI

On November 22, 2023, the United Kingdom and South Korea solidified their collaboration through a comprehensive science and technology agreement, integral to the broader bilateral Accord. The pact encompasses a steadfast commitment to cooperative efforts in the realm of safe and responsible artificial intelligence (AI), aligning with democratic principles. The Memorandum of Understanding (MoU) underscores their shared dedication to advancing critical technologies, including AI, quantum, semiconductors, and space. Specifically addressing AI and digital services, the collaboration aims to shape the use of AI in government services, fostering the exchange of knowledge and best practices for its responsible application and development.

## Advancing AI Privacy Governance: Closure of Public Consultation on PIPC Organization Rules Amendment

On January 14, 2024, the Personal Information Protection Committee (PIPC) marked the conclusion of a pivotal public consultation on the Partial Amendment to the PIPC Organization Enforcement Rules. This amendment heralds the formation of an exclusive Artificial Intelligence (AI) privacy team within the PIPC. The dedicated team is tasked with formulating comprehensive privacy policies tailored to the intricacies of AI, offering crucial consultations on related matters. Moreover, the amendment introduces internal rules governing the enforcement of data transfer regulations and outlines procedures for issuing orders to suspend data transfers to jurisdictions beyond borders.

## Advancing Bilateral Cooperation: US-South Korea Next Generation CET Dialogue Launch

In a significant move on December 8, 2023, the United States (US) and Korea jointly inaugurated the Next Generation Critical and Emerging Technologies (CET) Dialogue. This initiative is designed to bolster resilience against supply chain disruptions and secure competitive advantages on a global scale. The dialogue will specifically foster collaboration across six strategic technology domains, encompassing semiconductor supply chains, biotechnology, clean energy, quantum science, digital connectivity, and artificial intelligence (AI). Notably, the partnership places a robust emphasis on AI and standards. Both nations commit to deepening cooperation on international governance frameworks for AI, such as the US Political Declaration on the Responsible Military Use of AI and Autonomy, the G7 Code of Conduct, and events like the Korea Virtual Summit on AI, the Global AI Forum, and the Responsible AI in the Military Domain Summit (REAIM). In a bid to fortify their commitment, the US and Korea will establish a bilateral AI Working Group. This group will spearhead efforts in developing international standards, conducting collaborative research, and fostering interoperability in AI policies to ensure the safety, security, and trustworthiness of AI.







# United Arab Emirates

## Enhancing Data Protection: Implementation of Amendments to DIFC Data Protection Regulations

Effective September 1, 2023, the Dubai International Finance Centre (DIFC) initiated amendments to the Data Protection Regulations 2020, marking a significant stride in data governance. These revisions encompass comprehensive directives for the processing of personal data via autonomous and semi-autonomous systems, prominently including machine learning systems and artificial intelligence (AI). The Regulations extend their reach to govern the collection and utilization of personal data within digital communications and services, spanning multimedia messaging, email, in-app messaging, and any digital service employing AI. Moreover, they prescribe conditions for "behavioral advertising," encompassing direct marketing, cookie use for personalization, analytics, or advertising profiling, as well as pixel tracking, in-app tracking capabilities, cross-app tracking, and information exchange tailored for targeted marketing efforts.

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## Global Initiative: Launch of UN High-Level Advisory Body on Artificial Intelligence

On October 26, 2023, the United Nations (UN) inaugurated the High-Level Advisory Body on Artificial Intelligence, marking a pivotal step in global AI governance. Comprising 32 multi-stakeholder experts across relevant disciplines, the Advisory Body is tasked with coordinating AI governance on a global scale. Over the next year, the Body will issue two significant reports. The first, slated for release in December 2023, will analyze the potential for global AI governance. The subsequent report, expected in the summer of 2024, will present final recommendations. This initiative underscores the UN's commitment to navigating the complexities of AI governance through expert collaboration and strategic analysis.



# United Kingdom

## Pioneering AI Governance: The Introduction of the AI Regulation Bill in the UK Parliament

On November 22, 2023, the United Kingdom Parliament witnessed the introduction of the groundbreaking Artificial Intelligence (AI) Regulation Bill. This legislative milestone encapsulates a comprehensive definition of AI, categorizing it as technology facilitating the programming or training of devices or software for perceiving environments, interpreting data, and executing recommendations, predictions, or decisions through automated processing. The bill intricately introduces a set of AI principles, including safety, security, and robustness; transparency and explainability; fairness; accountability and governance; and contestability and redress. A notable inclusion pertains to intellectual property (IP) obligations. Developers engaging in AI training must adhere to stringent requirements, ensuring that third-party data and intellectual property are acquired through informed consent and that compliance with IP and copyright obligations is rigorously maintained.

## Advancing AI Accountability: The UK AI Regulation Bill with Labelling Provisions

On November 22, 2023, the United Kingdom Parliament witnessed the unveiling of the pivotal Artificial Intelligence (AI) Regulation Bill. The bill provides a meticulous definition of AI, categorizing it as technology that empowers the programming or training of devices or software for perceiving environments, interpreting data, and executing recommendations, predictions, or decisions through automated processing. Within its ambit, the bill introduces foundational AI principles encompassing safety, security, and robustness; transparency and explainability; fairness; accountability and governance; contestability and redress. Notably, the bill also mandates labelling obligations for entities supplying products or services entailing AI. This entails the imperative for suppliers to furnish customers with "clear and unambiguous health warnings, labelling, and opportunities to give or withhold informed consent in advance."

## Enhancing Accountability: UK's AI Regulation Bill and the Introduction of Audit Obligations

On November 22, 2023, a momentous stride in AI governance unfolded as the Artificial Intelligence (AI) Regulation Bill made its debut in the United Kingdom Parliament. The bill meticulously defines AI as technology facilitating the programming or training of devices or software for perceiving environments, interpreting data, and generating recommendations, predictions, or decisions through automated processing. Its pivotal components introduce core AI principles encompassing safety, security, and robustness; transparency and explainability; fairness; accountability and governance; contestability and redress. Most notably, the bill propounds an audit obligation, compelling businesses engaged in AI development, deployment, or utilization to permit accredited independent third parties to scrutinize their processes and systems.







# United States

## Unveiling Oversight: FCC Initiates Inquiry into AI's Role in Robocalls and Texts

In a significant move on November 15, 2023, the Federal Communications Commission (FCC) embarked on a formal inquiry delving into the impact of Artificial Intelligence (AI) on the pervasive issue of illegal and unwanted robocalls and texts. The inquiry holds a twofold purpose: first, to define the AI technologies subject to FCC regulatory oversight, and second, to elucidate the responsibilities of AI providers under the Telephone Consumer Protection Act (TCPA). A crucial aspect of this investigation involves the identification of robust mechanisms to verify whether AI technologies are accountable for generating the texts or voices associated with the nuisance of unwanted communication.

## Paving the Way for Responsible AI: The Introduction of SB 3312

In a notable development on November 15, 2023, the Senate Commerce, Science, and Transportation Committee introduced the Artificial Intelligence (AI) Research, Innovation, and Accountability Act of 2023 (SB 3312). This comprehensive legislation sets forth significant mandates aimed at instilling accountability and transparency in the realm of AI. The Act advocates for explicit content labeling, distinguishing between human-generated and AI-generated content, along with categorizing AI systems into "generative," "high-impact," and "critical impact." Notably, large internet platforms are directed to establish user notifications regarding the utilization of generative AI. The National Institute of Standards and Technology (NIST) will collaborate with stakeholders to formulate risk-based guidelines for high-impact AI systems. Concurrently, the Office of Management and Budget will supervise the implementation process. For companies engaging with critical-impact AI, stringent risk assessments and compliance with a certification framework, overseen by independent organizations and the Commerce Department, are mandated. The Commerce Department is further empowered to prescribe standards and ensure adherence.

## Strengthening Oversight: FTC Resolution on AI-Related Investigations

In a significant move on November 21, 2023, the Federal Trade Commission (FTC) enacted a pivotal resolution aimed at bolstering regulatory measures in the AI landscape. This omnibus resolution marks the adoption of compulsory processes, akin to subpoenas, specifically tailored for non-public investigations involving products and services utilizing artificial intelligence (AI), encompassing the dynamic field of generative AI. This resolution, valid for a decade, streamlines the issuance of civil investigative demands (CIDs) by FTC staff in AI-related probes, ensuring an expedited yet judicious process while upholding the Commission's vigilant oversight. Given the pervasive integration of AI in diverse products and services, the resolution underscores the FTC's commitment to effective regulatory scrutiny.





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<https://www.ai-and-partners.com/>



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