



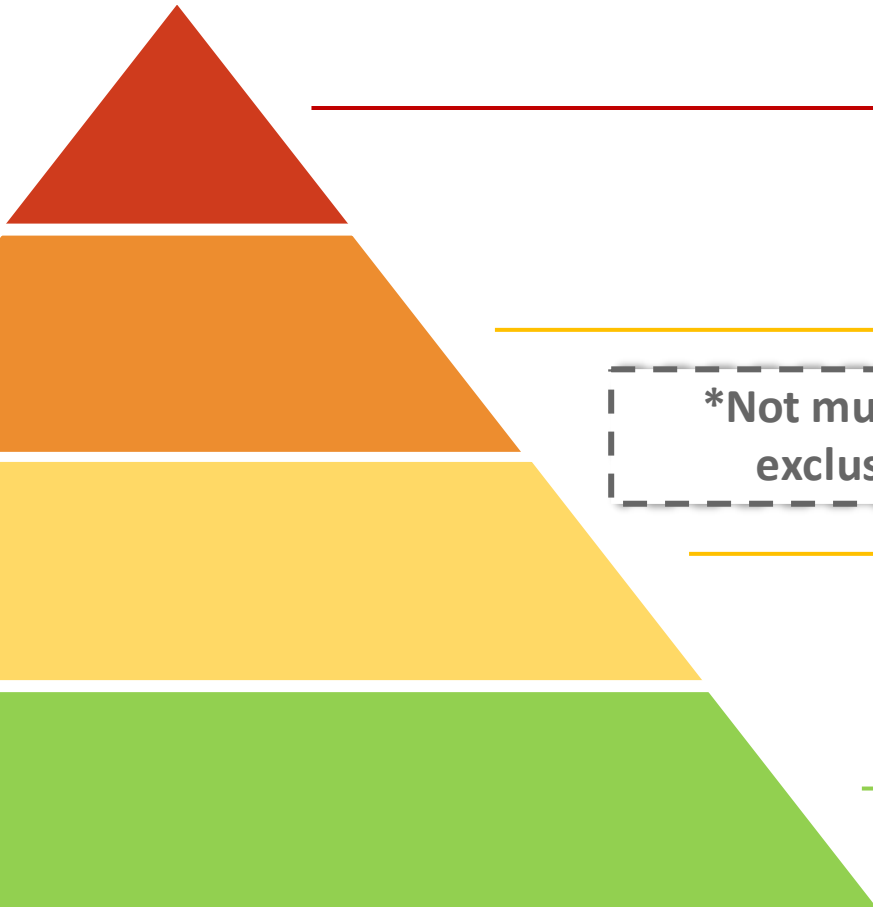
European
Commission

SHAPING EUROPE'S DIGITAL FUTURE

The AI Act and the role of standardisation

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Risk-based approach



*Not mutually exclusive

Unacceptable risk

e.g. social scoring, remote biometric identification in publicly accessible spaces

Prohibited

High risk

e.g. recruitment, medical devices

Permitted subject to compliance with AI requirements and ex-ante conformity assessment

'Transparency' risk

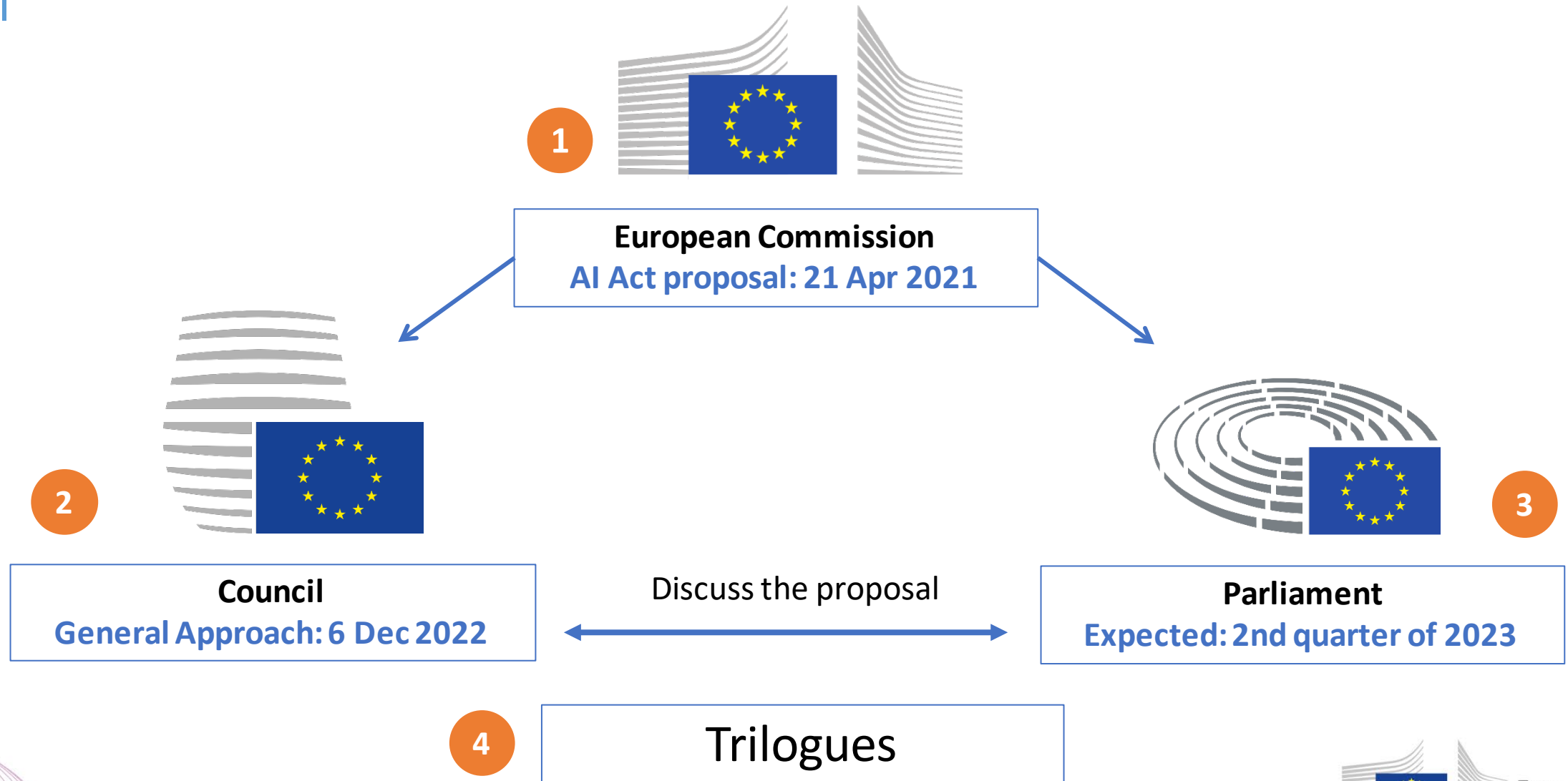
'Impersonation' (e.g. chatbots)

Permitted but subject to information/transparency obligations

Minimal or no risk

Permitted with no restrictions

Ordinary legislative procedure within the EU



The AI Act: a NLF legislation (1)

AI Act is a New Legislative Framework (NLF) type legislation

- **Requirements** are described in the legislation
- **Technical solutions to comply with the requirements** can be provided by **standards**, other **technical specifications** or **be developed** in accordance with general engineering or scientific knowledge



Annex II relates to the so-called Old Legislative Framework: **section B lists the Union harmonisation legislation to which the AI Act does not directly applies** (but **requirements will apply in the future**, when adapting existing rules) → including Regulation (EC) No 300/2008 and Regulation (EU) 2018/1139 **covering aviation**

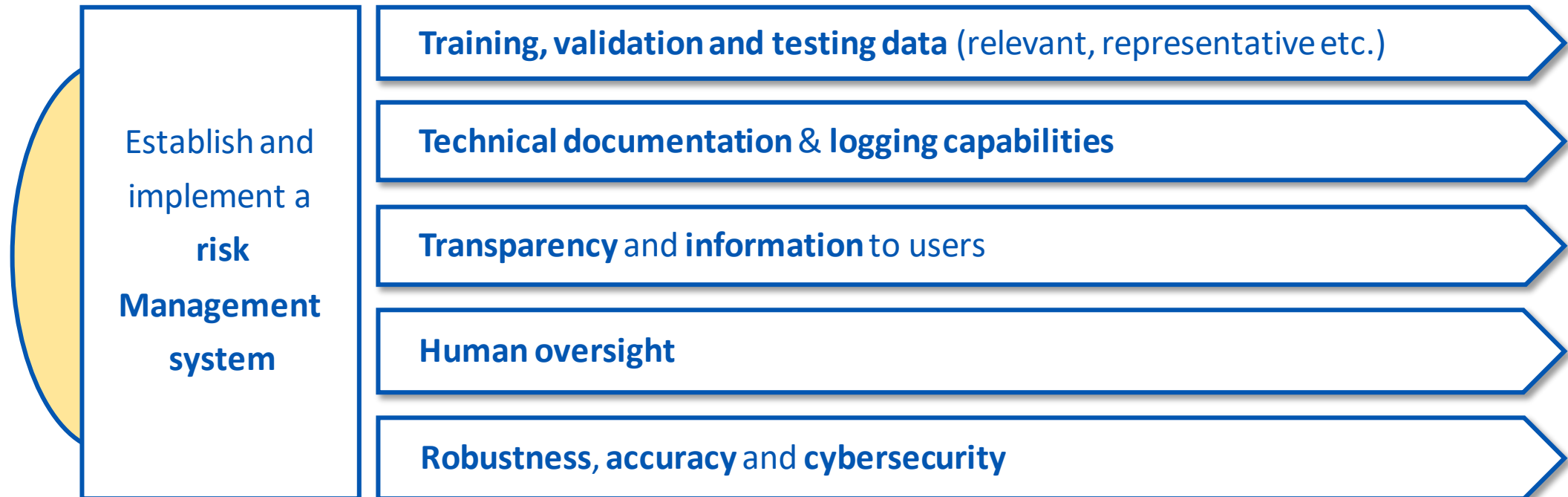
The AI Act: a NLF legislation (2)

Objective: help to remove obstacles to free movement of goods in the EU internal market, while producing an environment which promotes international trade

- **Flexibility for producers:** can use technical solution of their choice
- **No need of regular adaptation of the law to technical progress**
- **European harmonized standards:**
 - reg. (EU) 1025/2012 on European standardization
 - not mandatory, but will enable harmonisation of practices across EU and facilitate demonstration of compliance by operators
 - presumption of conformity with relevant requirement - Art. 42(1)
 - issued by European Standardisation Organisations (CEN/CENELEC & ETSI) on mandate by Commission
 - agreements between ESO and International Standardization Organizations (e.g. ISO/IEC and ITU)

EC activities related to AI standardization (1)

- **Horizontal** harmonised standards will have to be produced to **operationalize requirements** of the AI Act
- Requirements for high-risk AI systems cover the **following areas**:



EC activities related to AI standardization (2)

Objective: To have a large subset of harmonised standards available 3-6 months before the date of application of the future AI Act

Main activities up to date:

- **Mapping research** about relevance of ongoing standardisation activities (JRC reports)
- **Strong engagement** with European and international standardisation organisations and direct participation in certain strategic standardisation activities
- **Preparation of first standardisation request** (to be adopted very soon)
- **AI chosen as a test-case** to improve the standardisation system: driver for larger mobilisation of stakeholders and experts

Thank you



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