Joint letter from European industry players:

Europe needs proportionate regulation to be a leader in AI research and development

Dear Commissioner Jourová, Dear Commissioner Breton, Dear Director General Viola

Dear MEP Tudorache, Dear MEP Benifei, Dear MEPS

Dear Spanish Presidency of the Council

We, the undersigned signatories across the European region, consider that the EU is uniquely positioned to define sensible rules for the development and use of Artificial Intelligence (AI) for the next decade and to set a strong example for the world on how to regulate AI best.

In this respect, we support the European AI Act's overarching objectives of promoting trust and innovation in AI. As acknowledged by European institutions and Member States, AI is expected to contribute massively to the EU economy's growth.

We have some important concerns about some of the options that the co-legislators have recently been considering concerning the **regulation of foundation models and general purpose AI systems** (GPAI), which run the risk of creating a bottleneck in developing AI at the European level. For example, the proposal for GPAI at scale creates substantial overlaps and legal uncertainty with the remaining parts of the AI Act. For us, the regulation of GPAI should be confined to systems deployed in high-risk applications. It should be appropriately scoped and defined, accounting for the complexity of the AI value chain.

Regarding **risk assessment**, we believe that performance-based benchmark tests and evaluations are more appropriate as they consider safety measures and establish the closest approximation of risk. For us, there is no one-fits-all solution. It would be impractical and ineffective to require external testing before and after marketing, regardless of risk level. Requirements, such as external testing before and after marketing and regardless of identified risk, will result in an unworkable framework. The regulation should specify the objective of addressing new risks related to new model capabilities and the need to develop proportionate mitigation measures. The details of assessing risks, defining evaluations to determine which models are in scope, and appropriate mitigation measures should be further discussed, especially at the expert level.

We understand the importance of **transparency.** However, any proposed technical measures should be feasible and effectively build trust in AI.

We support harmonized, consistent, and effective outcomes across the EU regarding the regulation. The responsibilities and powers across all regulatory authorities should be consistent and in line with the EU market surveillance framework and include experts and international stakeholders. We should avoid overlaps and duplications of EU regulations. For us, the new regulation regarding AI must apply workable rules and reduce red tape to a minimum, preserving Europe's innovation and competitiveness through AI development and adoption, including through its open-source AI ecosystem and contributing to its development.

We strongly advocate for collaborative approaches to ensure that the most advanced developments are reflected and broadly accessible. In conclusion, we support the co-legislators to fully utilize the available time frame to reach the best possible agreements for all parties involved and to negotiate a coherent legal framework for artificial intelligence in Europe. This framework is essential to develop innovative AI technology further and ensure that Europe is a leader in AI research and development.

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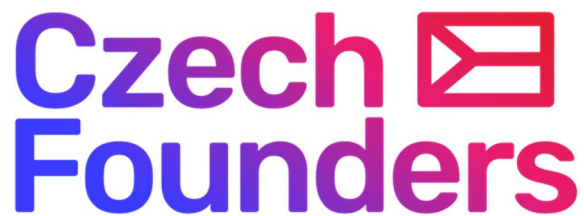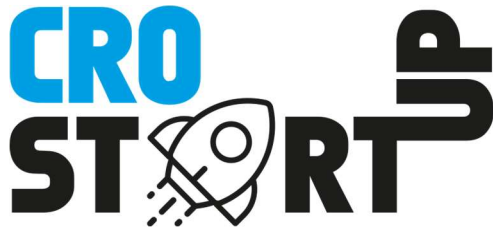
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