



## Technology Industries of Finland Position to AI Regulation

Over the past years, artificial intelligence (AI) has not only moved to the top of the agenda for businesses, but also policymakers, academic research institutions and the broader public – and with great potential comes great pressure to regulate.

In European policy discussion, AI is often met with suspicion: risks associated with privacy and (lack of) human control as well as fears related to replacement of existing jobs. It is of importance to understand that there is gap between “actual developed and applied AI” and the “AI we should be regulating”. Today’s narrow AI is mostly a support function that helps human beings to slip repetitive, mechanical tasks and allows us to concentrate on tasks where our cognitive capacity and common sense prevail.

**AI is the capacity to do the right thing at the right time, a set of technologies with both economical and societal potential.**

An attempt to regulate AI is an attempt to regulate future technological progress. AI is developing fast. Methods to develop solutions and handle data have not yet matured to standardised practises. This creates a challenge to regulators and a threat that misplaced regulation might hinder development of AI in Europe. This highlights the greatest risk Europe is facing with AI: falling behind in development and application of AI.

To encourage development of AI in Europe, we need data and regulatory environment that provides freedom in detail but guides towards sustainable, disciplined development of AI solutions. In a post-GDPR society it is essential that we develop balanced and fair practices to process omnipresent personal data. As to non-personal data, sharing of best practices and in some instances, clarity on application of competition law might be used to create trust and accelerate the development.

When regulation is considered, it should be very clear which are the objectives that are advanced and protected by such regulation. Regulation should concentrate only on issues that have or will have the biggest impact in line with these objectives.

- Only humans and human agencies can be regulated, not technology.
- Regulation should be risk-based. Risk is dependent on nature and content of the dataset and area of application of the AI solution. It should be acknowledged that in certain areas risks can be very low.
- AI is an artefact, made and operated by humans and human agencies. It is well established in law that humans and human agencies have responsibility in operating artefacts. Existing regulation needs to be carefully analysed at the first stage.
- Regulation should be general in its approach and leave enough room for developers and deployers to find best practices to implement it.
- Regulation could be based on accountability. A way to show accountability is to keep documentation. Documentation provides for the capacity for explanation at the level of abstraction of how the machine was built and how it operates. By using documentation producer of AI solution can give an understandable explanation of AI solution’s operation.



### Further information:

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