

# CIPL Response to the EU Commission White Paper on AI

## How to Leverage the GDPR, Accountability and Regulatory Innovation in AI Development, Deployment, and Uptake

The European Commission is seeking to propose an EU regulatory approach to artificial intelligence. CIPL recommends a **minimal, risk-based and layered approach to regulating AI, relying on existing laws and standards and building on accountable practices of organisations**. This approach should be backed by innovative regulatory oversight and co-regulatory instruments.

To properly maximise AI benefits while minimising risks, the EU AI regulatory approach should:

### Rely on impact assessments to trigger application of the law:

- Account for context and impact of AI rather than the sector it is utilised in or its type
- Provide illustrations of rebuttable presumptions of high-risk, rather than pre-defined classifications
- Reserve prior consultation with regulators to the most risky AI uses where risk cannot be mitigated

### Foster innovation through accountable practices of organisations:

- Set forth a general risk-based accountability requirement and outcomes
- Incentivise accountable practices and encourage co-regulatory tools
- Any AI rules must not duplicate, nor conflict with, the requirements in the GDPR

### Enable consistent and modern approaches to regulatory oversight:

- Keep the competence of data protection authorities intact when AI involves the processing of personal data
- Set up regulatory hubs composed of AI experts from different regulators for consistency purposes
- Enable innovative regulatory oversight through data review boards and regulatory sandboxes

Access CIPL's full  
response to the EU  
Commission's AI White  
Paper by clicking here

