Miles Apart

Comparing key AI Act proposals

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The table below provides an analysis of several transatlantic policy proposals on how to regulate the most advanced AI systems. The analysis shows that the recent non-paper circulated by Italy, France, and Germany (as reported by Euractiv) includes the fewest provisions with regards to foundation models or general purpose AI systems, even falling below the minimal standard that was set in a recent U.S. White House Executive Order. While the non-paper proposes a voluntary code of conduct, it does not include any of the safety obligations required by previous proposals, including by the Council's own adopted position. Moreover, the non-paper envisions a much lower level of oversight and enforcement than the Spanish Presidency's compromise proposal and both the Parliament and Council's adopted positions.

policy@futureoflife.org

	IT/FR/DE Non-Paper	White House Executive Order	Spanish Presidency Compromise Proposal	Parliament's Adopted Position	Council's Adopted Position
Required safety obligations					
Identifying and documenting potential risks	Not included	Included	Included	Included	Included
Conducting internal/external red-teaming	Not included	Not included	Included	Partially included	Partially included
Conducting independent audits/testing/evaluations	Not included	Not included	Included	Partially included	Partially included
Demonstrating the reduction and mitigation of reasonably foreseeable risks to health, safety, fundamental rights, the environment and democracy and the rule of law	Not included	Included	Partially included	Included	Included
Establishing data governance measures	Not included	Not included	Partially included	Included	Included
Designing and developing models in a way that achieves appropriate levels of performance, predictability, interpretability, corrigibility, safety and cybersecurity	Not included	Not included	Not included	Included	Partially included
Compute-related monitoring					
Governmental monitoring of large training runs/large-scale compute clusters	Not included	Included	Included	Partially included	Not included
Required documentation of computing power/large-scale compute clusters	Not included	Included	Included	Partially included	Not included
Governance body oversight					
Calls for a governance body to develop guidelines for safe development of the models	Partially included	Included	Included	Included	Included
Governance body oversees compliance with transparency obligations	Included	Included	Included	Included	Included
Governance body is capable of sanctioning providers not complying with transparency obligations	Included	Not included	Included	Included	Included
Governance body oversees compliance with non-transparency safety obligations	Not included	Not included	Included	Included	Included
Governance body is capable of sanctioning providers who fail to comply with non-transparency safety obligations	Not included	Not included	Included	Included	Included
Governance body can enforce rules by requesting documentation, carrying out compliance controls, and carrying out investigations	Partially included	Included	Included	Included	Included
Mandatory registration of certain models to a central database	Not included	Included	Included	Included	Not included
Mandatory establishment of a quality management system to ensure/document compliance with obligations	Not included	Not included	Partially included	Included	Partially included
Code of conduct					
Establishment of voluntary codes of conduct	Included	Included	Included	Not included	Included
Information sharing					
Required sharing of information along the value chain (such as through model cards)	Included	Partially included	Included	Included	Included
Required documentation/reporting of information on intended use/instructions for use of the model	Included	Included	Included	Included	Included
Required documentation/reporting of potential limitations/non-mitigable risks	Included	Included	Included	Included	Included
Required documentation/reporting of any red-teaming results	Included	Included	Included	Included	Included
Required documentation/reporting of any safety mitigations undertaken	Not included	Included	Included	Included	Included
Required reporting of ownership/possession of model weights	Not included	Included	Not included	Not included	Not included
Report to be made to a government authority	Not included	Included	Included	Included	Included
Some reporting requirements are based on computing power/capacity	Not included	Included	Included	Included	Not included

Legend: ▮ Included   ▮ Partially included   ▮ Not included