



FORUM OF INDIAN REGULATORS

Report on Webinar

with

Ms. Laura Galindo – Romero

AI Policy expert

OECD Artificial Intelligence Policy Observatory

on

“Emerging Trends in AI Regulation”

Date: 29th July 2020

Time: 2:30 – 4:00pm (IST)

Organized by: -

Forum of Indian Regulators Centre



**Indian Institute of
Corporate Affairs**
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About the Speaker



Ms. Laura Galindo – Romero

AI Policy expert

**OECD Artificial Intelligence Policy
Observatory**

Ms. Laura Galindo-Romero is a member of the CDEP Artificial Intelligence team at the OECD in Paris. As part of her work at the OECD AI Policy Observatory, she has focused on national AI strategies and policies by collecting and analyzing AI policies from over 60 countries and the EU. She is also involved in the activities of the OECD Network of Experts on AI (ONE AI). She holds a Master in the Science of Law (J.S.M) from Stanford Law School and is a qualified Lawyer. She has pursued further studies in Economics, Business, Design, and Philosophy. Laura has worked as an international legal advisor to the Presidency of Colombia, as Law Professor on International Public and Economic Law, and as an international arbitration practitioner for three large law firms in Bogotá, London and Paris. Her current work and research interests lie at the intersection of legal and policy concerns about technology (particularly AI) and complex systems theory.

About the Moderator



Dr. Abha Yadav

**Head – School of Competition Law & Market Regulation
Director, FOIR Centre, IICA**

Dr. Abha Yadav (Ph.D) is a faculty at IICA who leads research and capacity building initiatives at the School of Competition Law & Market Regulation. She is also Director of the Forum of Indian Regulators (FOIR) Centre at IICA which is the knowledge and capacity building hub for the Central and State government regulators of the country. Dr. Yadav steers policy discussions, thematic discourses and enhancement of capacity building initiatives that are an integral and vibrant part of this unique Centre. Dr. Yadav serves as Course Director of the prestigious Certificate course in Competition Law and Advanced Professional Course in Competition Law and Market Regulation. She is faculty for Competition Law, Law and public policy, Freedom of Information, Regulatory Affairs, Laws for women, Regulatory Impact Assessment, Labour laws etc. Dr. Yadav is a recipient of the prestigious Fox International Fellowship at Yale University, U.S.A. and the Lok Sabha of India Fellowship. She is an eminent scholar who has lectured widely on various legal issues in India and internationally.

Participant Profile

Regulatory officials from FOIR member organizations, Government officials, academicians and others from the field of regulation.

No. of participants who attended the webinar: 72

Participant categorization:

FOIR Member officials: 25

Academicians: 18

Law firms, Professionals & Students: 6

Others: 15



सत्यमेव जयते



Program Outline

The School of Competition Law & Market Regulation and Forum of Indian Regulators (FOIR) Centre at Indian Institute of Corporate Affairs (IICA) successfully conducted a webinar with Ms. Laura Galindo - Romero, AI Policy expert, OECD Artificial Intelligence Policy Observatory on "Emerging Trends in AI Regulation" on 29th July 2020 (Wednesday). The webinar with Ms. Laura Galindo-Romero is the tenth webinar of an International webinar series organized by the School of Competition Law & Market Regulation to create awareness on various regulatory concepts, issues and International best practices. The webinar series covers a range of topics from the field of regulatory affairs and market regulation and engages speakers from across the globe including academicians, subject experts and Senior regulatory officials. The participants of the webinar include officials from FOIR member organizations, government officials, academicians and others working in the field of regulation.



Mr. Stephen Gibson
Board Member & Interim
Chair of the UK Government's
Regulatory Policy Committee



Ms. Loretta Joseph
Fintech Advisor to
Mauritius Government's
Financial Services
Commission



Mr. Daniel Trnka
Senior Policy Analyst at
Regulatory Policy
Division, OECD



Dr. Thibault Schrepel
Faculty Associate, Harvard
University & Asst. Professor,
European Economic Law,
Utrecht University, Netherlands



Ms. Tierno Centella
Deputy Head of Unit
Centre for Competition
& Consumer Policy



Mr. Ariel Ezrachi
Slaughter & May
Professor of Competition
Law & Policy



Mr. Eric Thomson
Founder, Envelope
Economics & Ex-
OECD Regulatory
expert



**Dr. Pradyumna
Bhagwat**
Head of Research-
Global initiative,
Florence School of
Regulation, Italy



Dr. Peter Whelan
Professor of Law &
Deputy Director-
Centre for Criminal
Justice Studies,
University of Leeds

Program Flow

The program began with a welcome speech by Dr. Abha Yadav, Head, School of Competition law & Market regulation & Director, FOIR Centre. She introduced the speaker Ms. Laura Galindo - Romero and threw light on the relevance of the topic in the current scenario. Dr. Yadav further elaborated the format of the webinar to the participants.

Ms. Laura Galindo-Romero thanked the School of Competition Law and Market regulation and FOIR Centre, IICA for organizing the webinar which would enhance knowledge sharing & increase discussions on the topic.

The webinar was led by Ms. Laura Galindo-Romero, AI Policy expert, OECD Artificial Intelligence Policy Observatory on "Emerging Trends in AI Regulation" and moderated by Dr. Abha Yadav. The "Lead talk by Ms. Laura Galindo-Romero" was followed by a Question-answer round, where several questions were taken up from the participants by the moderator which were efficiently answered by the speaker.

The participants received insights on the global perspective of Artificial Intelligence policy making strategies adopted by several countries. The speaker and participants appreciated IICA for organizing the webinar & appreciated the program's content.

The webinar ended with a vote of thanks by Dr. Abha Yadav, Head, School of Competition Law and Market Regulations and Director FOIR Centre (IICA)

Artificial Intelligence today is transforming the lives of people across the globe and no sector is untouched from the use of AI. From Google's voice assistant Siri to search engines monitoring our choices/preferences on the web, it is making predictions, suggestions and taking decision making to the next level using data algorithms & machine learning.

Several industries are tapping into the benefits of AI and applying it to develop education supporting platforms, smart medical equipment or devices, e-commerce platforms and smart gadgets. AI has the capability of solving problems that a human mind cannot. The predictions & decision making by the AI technology is carried out by using algorithms & machine learning technology which collects data from the internet. The use of such data by AI needs to be regulated as it flags several concerns such as biased decision making & privacy of user data.

Hence the need for Regulation arises for the ethical deployment of AI. The framing of privacy & data usage guidelines for the purpose of regulating AI is a much-needed requirement in the country and across the globe. Regulating Artificial Intelligence is no doubt a challenging process at the current stage as the process of using algorithms by the AI for making predictions is somewhat unexplainable, therefore regulating Artificial intelligence requires utmost care and technical knowledge to frame adequate regulations.

The webinar led by Ms. Laura Galindo Romero threw light on the topic "Emerging trends in AI Regulation" and shared the global perspective on framing strategies for regulating AI.

Lead Talk by Ms. Laura Galindo-Romero

Ms. Laura Galindo - Romero, AI Policy expert, OECD Artificial Intelligence Policy Observatory gave a lead talk on "Emerging Trends in AI Regulation" and highlighted the need for adequate regulations in addressing AI related concerns. She stated that Artificial Intelligence is an evolving field and lawyers being at the core of the legal framework are pursuing the AI Concerns very seriously.

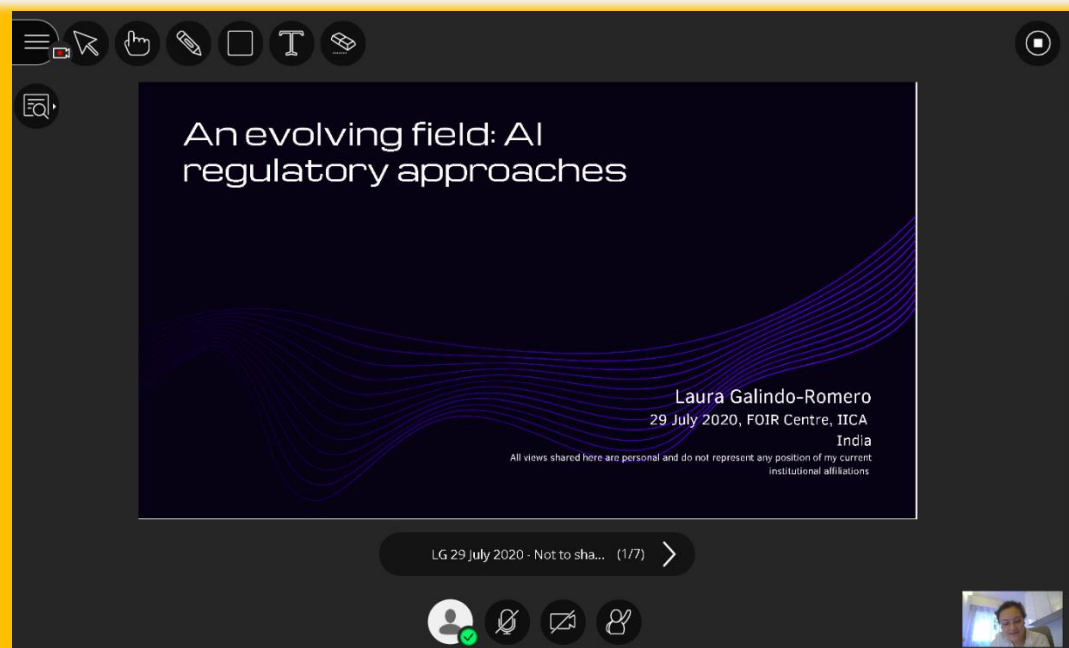
Ms. Laura Galindo briefed the participants on the status of adoption of AI regulation strategies across the globe, also stating that there has been a limited activity on framing regulations globally. Ms. Laura, in her presentation shared a global landscape depicting the adoption of National AI regulation strategies from the year 2016 to 2020 across the globe. She informed the participants that in early 2017, Canada was the first country that made investments to address the AI concerns and setup a strategy covering several concerns to address the emerging ethical issues due to Artificial intelligence. She stated that every country today is trying to navigate & allow business models to promote AI but at the same time are trying to prevent associated ethical issues with AI usage.



She raised several points of discussion on the emerging issues & concerns of AI technology & its regulation. She further informed that the OECD. AI Policy observatory (an online platform to shape and share AI policies across the globe) has over 200 policies on AI framed by 60 countries including the EU. These policies cover governance issues, direct & indirect funding, emerging regulatory initiatives etc. she recommended the participants to visit the OECD

website to view the updated database of policies adopted by several countries at domestic levels where countries can share their strategies adopted to address the AI Concerns.

She also stated that the countries across the globe are investing in research & development in AI at a foundational level to develop new & improved AI systems to promote AI innovation. Some countries are focusing on specific sectors & whereas some are following a holistic approach. Countries are taking the national governance approaches & including independent agencies to implement national AI policies to involve government oversight such as the France's AI Coordination function within the PM office, UK's office for AI and many others. Many expert advisory bodies are also included which conduct technological oversight and measure impact assessments of AI on society such as the Spain's Artificial Intelligence advisory council, The UK's AI Council etc. There are several data ethics councils who are also working towards addressing the AI related concerns. The data ethics councils are addressing the issues & concerns which arise out of adoption of AI systems at societal



levels and are continuously publishing reports on the impact of AI and

society's response to it, which could benefit not only the society but also the policymakers. Several countries are now in a phase of issuing regulations and coming out with national strategies. They are working at a national level and creating AI Policy observatories map on the adoption of AI by its citizens.

The deployment of AI systems raise several concerns which may arise due to bias, risks, misuse of AI systems, application of AI to law enforcement etc. An emerging question that arises is whether the existing regulations can be repurposed, or new regulations are required to be formed? Several countries are leveraging existing regulations & also creating new ones. There are regimes & areas of law that are interlinked to AI development governance frameworks & privacy. She further added that regulatory development in other areas related to AI will also be contributing to AI regulation. AI adoption has been exponentially increased with the current covid-19 scenario.

Another interesting perspective was shared by Ms. Laura Galindo-Romero on the AI law & regulations, which can be divided into three main topics, namely governance of autonomous intelligence systems, responsibility and accountability for the systems & privacy & safety issues. She further added that new bodies are being created to oversee the AI related concerns & bodies/institutions from global, national, multi-lateral perspective and even from trade angle are being considered. One of the examples of such agreements is between Singapore, Chile & New Zealand which has recently included a provision for adoption of AI provisions for trade relations. There is no area of law untouched by AI from fundamental human rights which may be impacted by use of AI issues on liability to data protection & human liability. Further with the increasing development in Autonomous vehicles & autotype of AI systems, if materialized at a later stage, more safety issues may arise &

emerging questions on how consumers can be protected & who will be held liable are being raised.

She also stated that the Consensus in few regions in EU on the extent of providing legal personality to AI systems is being considered along with the liability of corporations. Further regulations to protect workforce to ensure the algorithmic systems create no discriminations, as the decision-making phenomenon of algorithms is still explainable is being framed. Further area of research is a much-needed requirement in the algorithms understanding as no definite answers to these emerging questions have been found.



Ms. Laura Galindo - Romero, AI Policy expert, OECD Artificial Intelligence Policy Observatory addressing the participants during the webinar.

She highlighted the approaches to AI Regulation with examples as stated below:

- Global / Multilateral approaches

The Council of Europe is addressing the concerns with respect to protection of fundamental human rights & ongoing discussions on legal framework to address the issues from HR rights perspective continues. In an initiative to bring the AI benefits to the society, OECD along with approx. 44 countries

have collaborated to making the AI principles available at one platform for sharing among each other.

Ms. Laura Galindo- Romero explained in detail the OECD's set of 10 principles out of which 5 are value-based principles i.e. Sustainability, Human Centre Approach to AI, AI Ability, the robustness of the system & accountability. The other five principles consider the other side of policy making on how countries can use tools to navigate & implement AI strategies which are Investments in AI, creating digital infra, Policy environment, Building AI skills & International cooperation. Further there are multiple initiatives from UN, latest one being roadmap to Digital UN and UNESCO conducting a consultation of an "ethical framework for AI".

She also highlighted that India has the highest AI skills penetration.

- Regional approaches

The European union has developed couple of initiatives over the past few years on developing AI strategies. The EU White paper which was out for consultation gathered more than 1400 opinions/suggestions from several stakeholders which are being analyzed and suggestions are being considered to improve the EU White paper. The EU White paper promotes an ecosystem of trust and excellence in AI for society.

- National approaches

Countries are starting to develop guidelines on how to pursue AI in general. As the countries are still exploring AI, the approach is general in nature such as promoting self-regulation among AI developers (Tech companies) & other sectors of high risk (Mobility & healthcare). An example of such regulations can be seen in California for autonomous vehicles.

She used diagrammatic representation & case-based approach and covered all the global perspective on framing AI strategies. The session was engaging, and energetic participation was seen in the webinar. Questions were taken up from the participants at the end of the session, which led to a healthy discussion.

Question – Answer round

Dr. Abha Yadav moderated the question-answer round, where a series of questions from participants with respect to the liability in case of commission of crime, drafting of policies for data poor countries to create all-inclusive AI policy framework, role of OECD.AI etc. were raised by the participants from various regulatory commissions such as the Competition Commission of India (CCI) and other participants working in the field of competition law and market regulation, which were effectively answered by Dr. Peter Whelan. The participants also shared several observations and opinions on the emerging issues with the use of AI Technology which encouraged a healthy discussion during the session.

Feedback

Jyotsna Yadav (CCI/Joint Director)
Hi Laura, thanks for the insightful lecture,

Jyotsna Yadav (CCI/Joint Director)
Thanks for sharing your email.

ASHIMA AROA #2

Thank you all

Lalit Yadav

[52:43](#)

Thank you Laura, Great session. We will slowly get to all our answers as this may be an ever evolving field.