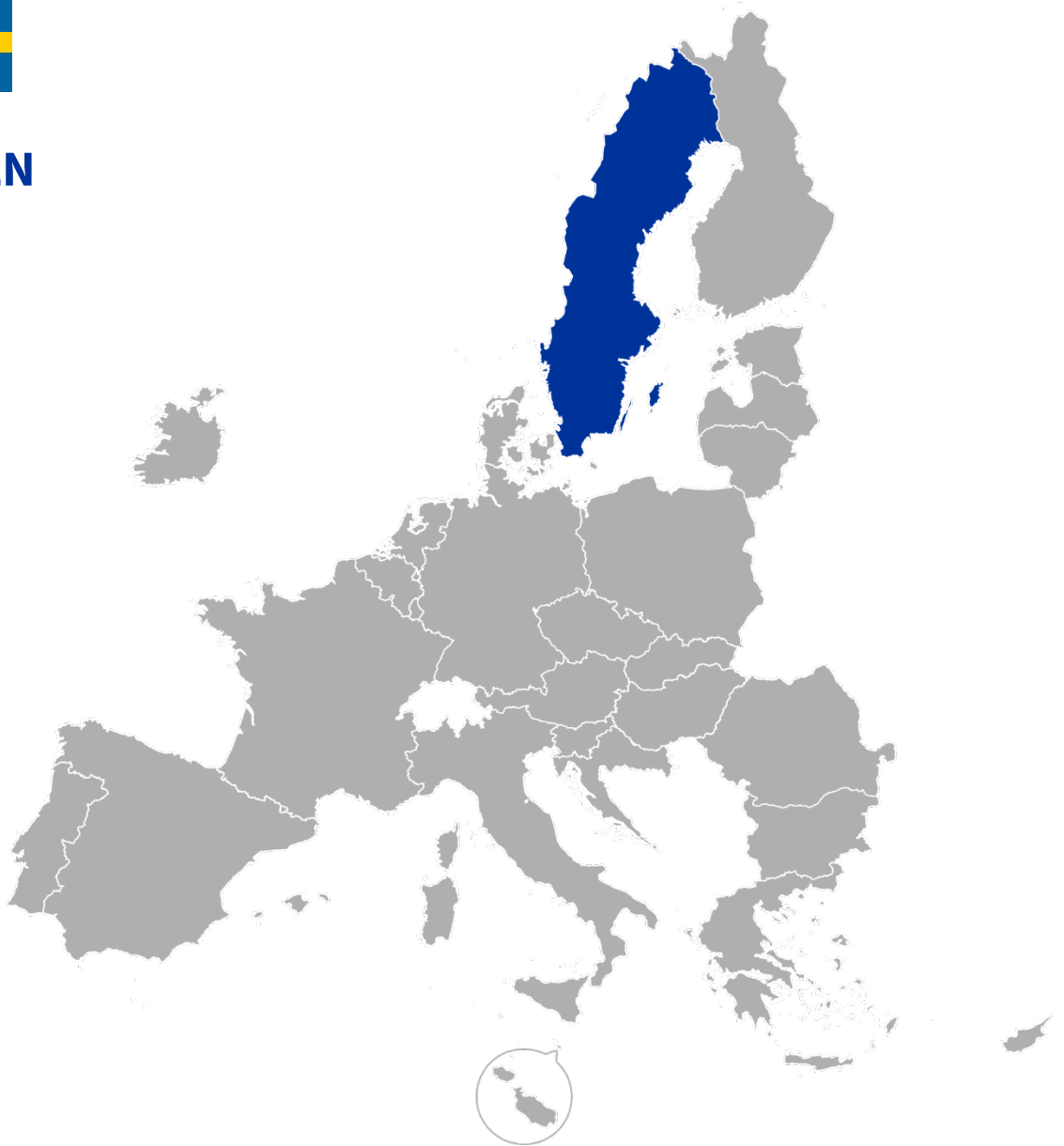




SWEDEN



MINISTER FOR A DAY: NEGOTIATING AT 27

■ Introducing an AI framework

Role profiles | **Standard version** | EN

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on a legal framework for the use of artificial intelligence

CONTEXT OF THE PROPOSAL

The European Union is at a critical juncture in shaping its digital future. As part of the Digital Decade strategy, the EU aims to lead in artificial intelligence (AI) while safeguarding fundamental rights, consumer protection, market competitiveness, innovation and technological leadership. At the heart of these discussions is a legislative proposal by the European Commission which aims to regulate AI development in the EU. After several rounds of negotiations, the following questions have yet to be addressed.

Article 1

AI systems classification & risk management

The EU is adopting a common standard for risk management in the development, marketing, import and use of AI systems. These systems are classified as no risk, low risk, high risk or unacceptable risk (see Annex I). To define 'high risk' AI systems, the EU will adopt a **purpose-based risk classification: risk is based on the intended use of the AI in sensitive sectors**. Based on this risk classification, 'high risk' AI systems must undergo rigorous testing before being launched.

Article 2

Scope of application

The provision set out in Article 1 shall apply to all AI systems, **except when developed for military or defence purposes**.



SWEDEN

Agenda

On the Council's agenda today is the Commission's proposal for a legal framework for the use of artificial intelligence. You will discuss the draft with the representatives of the other member states, aiming to reach a compromise.

Your primary objective

A common position of the Council that reflects your interests. You can also consider supporting a compromise option that partly reflects your interests.

Your task

1. Carefully **read your group information**, which sets out your interests and positions.
2. You **share some of the arguments with countries such as Finland, Ireland and Portugal**. Talk to them to see whether you can cooperate to advance your common interests, if you can identify any.
3. Prepare an **opening statement** (maximum 1 minute) for the first round of official negotiations. State your position on Articles 1 and 2. The script in the text box might help you.
4. Make your opening statement when the presidency (which chairs the meeting) gives you the floor. If you agree with other countries' positions that have already been mentioned, then make this clear.
5. Listen carefully to the positions of the other countries. **Complete the table on pages 8 and 9** to keep track of their positions. A major part of the negotiations is about listening to one another and finding solutions that work for everyone.
6. During the official negotiations, **present your positions and arguments**. Where you share arguments with other countries, it can be useful to present your arguments together in order to give them further weight.
7. Of course, **it is your decision as to how to vote in the end**. Be aware that when it comes to the final vote on a compromise proposal, you need to decide whether you prefer a compromise with which you may not be 100% satisfied or no result at all.



Madam/Mr Chair, Commissioner, colleagues,

I would first of all like to thank the Commission for its proposal and the presidency for including this issue on today's agenda.

In advance of today's meeting, we had fruitful discussions with _____.

We think it is necessary to adopt a capability-/purpose-based risk classification, because _____.

With regard to Article 2, certain exceptions will/will not apply, because we are in favour of _____.

We are confident that we will find a workable compromise during today's meeting.

Thank you.

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Article 1

AI systems classification & risk management

The EU is adopting a common standard for risk management in the development, marketing, import and use of AI systems. These systems are classified as no risk, low risk, high risk or unacceptable risk (see Annex I). To define 'high risk' AI systems, the EU will adopt a



... capability-based risk classification: risk is determined by the system's technical abilities.



... purpose-based risk classification: risk is based on the intended use of the AI in sensitive sectors.

Based on this risk classification, 'high risk' AI systems must undergo rigorous testing before being launched.

Your arguments

- Your national government supports forward-thinking but practical AI regulation. You advocate for limited derogations in the proposal to avoid discouraging AI investors and researchers.
- While Sweden alone cannot lead in AI, a united EU can – by driving innovation, setting standards and strengthening its global influence. To achieve this, AI developers need stronger incentives and fewer regulatory barriers during the stages of development, fostering job creation and economic growth.
- A purpose-based approach is key: AI used in medical diagnostics should be subject to stricter regulations than AI designed for business administration. This is not to downplay concerns such as bias in AI, but rather to prioritise the most immediate risks – those that directly affect human lives.
- In addition, defining risk based on sectors also comes with the benefit of fewer potential conflicts with existing sector-based requirements in other regulations, such as frameworks governing healthcare and finance. In this way, the bureaucratic complexity is kept at a manageable level.
- Your notes:

Article 2

Scope of application

The provision set out in Article 1 shall apply to all AI systems,



without exception



without exception, unless the system is developed as open-source



except when developed by small companies and startups (and)



except when developed for military or defence purposes (and)

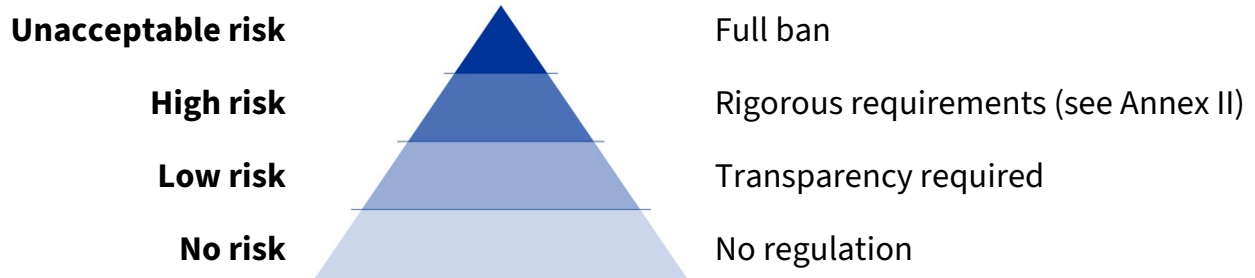


except when developed for national security, migration or border control

Your arguments

- It is essential for you that matters relating to national security, military or defence remain outside the scope of AI regulation. Member states are determined to retain control over decisions in those areas, which typically fall outside the EU's jurisdiction in any case. This is also reflected in the fact that the EU does not have a unified EU military.
- Additionally, you argue that AI systems used for intelligence gathering, cyber defence or battlefield scenarios cannot be subject to the same disclosure or regulatory requirements as civilian systems, because doing so could compromise operational secrecy, national security interests and the strategic advantage that such systems are designed to provide.
- Article 2 matters more to you than Article 1. If you cannot get others on board with your points concerning Article 1, you will focus on ensuring that your key requests for Article 2 are taken seriously.
- Your notes:

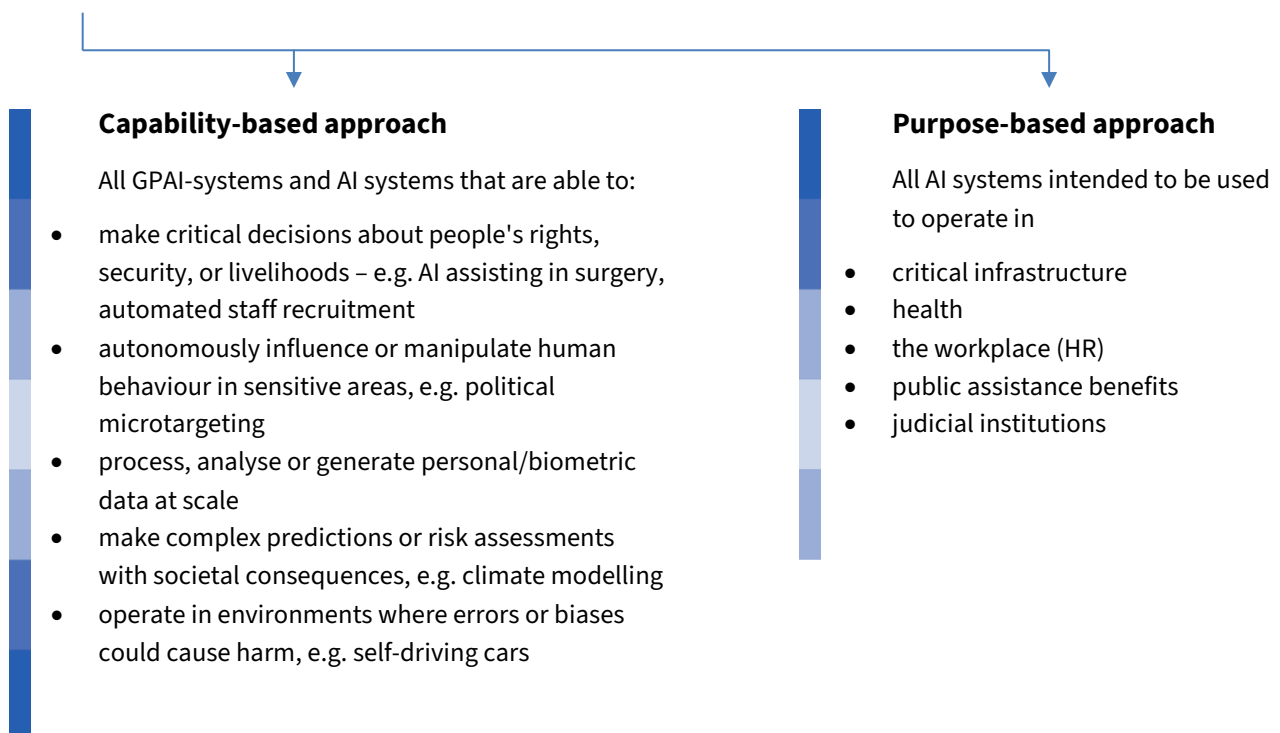
Annex I: Risk classification



Unacceptable risk:

- **Social scoring AI** – ranking citizens based on their behaviour
- **AI-powered mass surveillance** – biometric tracking without consent
- **Emotion recognition in workplaces/schools** to influence work performance
- **Autonomous lethal weapons** – that can kill without human intervention
- **Subliminal manipulation AI** – influencing people's decisions without transparency

High risk



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Low risk

- **AI systems not classified as 'high risk'**
- **Chatbots & virtual assistants** (as long as users know they are talking to AI)
- **Recommendation algorithms** – AI-powered suggestions on social media
- **AI for business automation** – AI that automates basic administrative tasks

No risk

- AI-powered image, music or art generators/editors
- AI in scientific research
- AI in toy & entertainment robots – AI-powered toys with no real-world risks



Annex II: Requirements for 'high risk' AI systems

Emphasis on legal and ethical standards:

- Risk assessment before deployment, identifying foreseeable risks and potential misuse.
- Human oversight ensured to prevent full automation in decision-making.
- Data governance to ensure unbiased training datasets.
- External audits mandatory, including sandbox testing with human supervision.
- Disclosure of test results to EU regulators.
- Post-market monitoring to track performance.

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	Article 1: classification	Other suggestions/notes	Article 2: scope	Other suggestions/notes
Austria				
Belgium				
Bulgaria				
Croatia				
Cyprus				
Czechia				
Denmark				
Estonia				
Finland				
France				
Germany				
Greece				
Hungary				
Ireland				

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	Article 1: classification	Other suggestions/notes	Article 2: scope	Other suggestions/notes
Italy				
Latvia				
Lithuania				
Luxembourg				
Malta				
The Netherlands				
Poland				
Portugal				
Romania				
Slovakia				
Slovenia				
Spain				
Sweden	purpose-based		military/defence + national security	
Commission	purpose-based		military/defence	

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Definitions

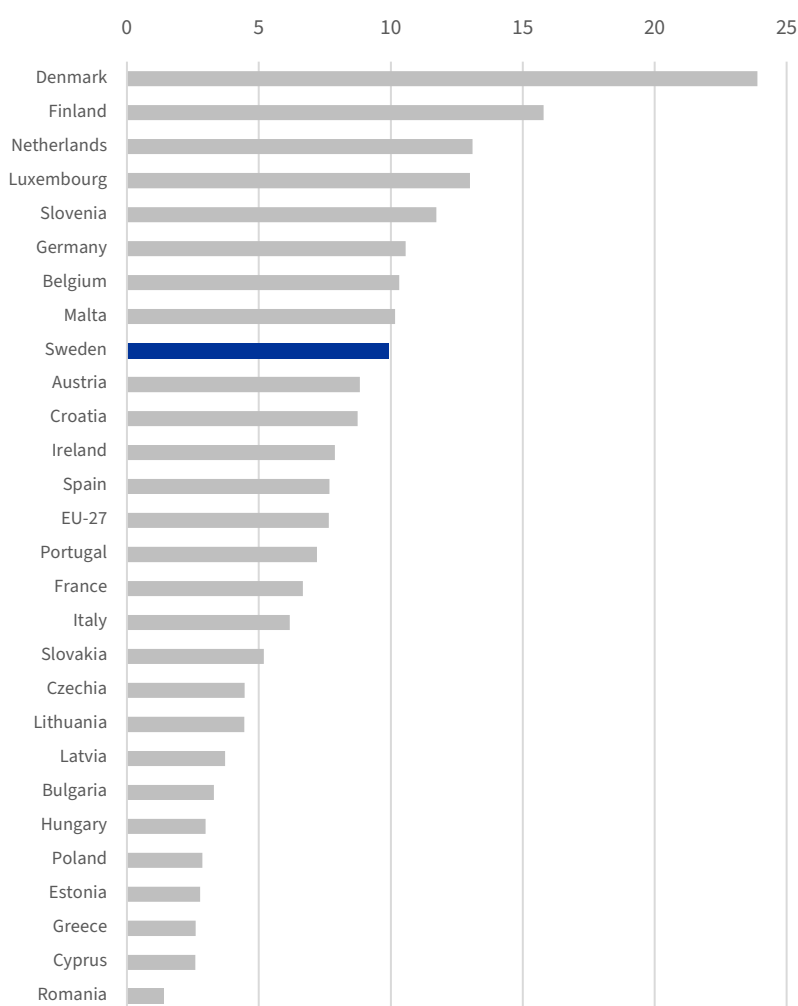
- **Algorithms** – step-by-step instructions which a computer follows in order to solve a problem or make a decision
- **Artificial intelligence systems** (AI systems) – computer-based systems that use AI to perform tasks typically requiring human intelligence, e.g. learning, reasoning, problem-solving, decision-making, perception and language understanding
- **Brain drain** – when skilled workers leave their country to work abroad
- **Business migration** – when a company moves its operations to another country, often for better conditions or lower costs
- **Deep learning AI** – a system that learns from large amounts of data using neural networks, such as how the human brain works. It recognises patterns and improves over time without needing explicit programming
- **General purpose artificial intelligence (GPAI)** – AI that can perform more than one task, e.g. ChatGPT, Google Gemini
- **Open-source** – software whose code is freely available for anyone to view, use and modify
- **Rule-based AI** – an AI system that makes decisions based on predefined rules and logic. For example, 'If X happens, then do Y'
- **Sandbox testing** - testing in an isolated environment, e.g. a self-driving AI is tested in a simulated city before driving on real roads

Background information

Please note: **the negotiations are taking place in 2023!**

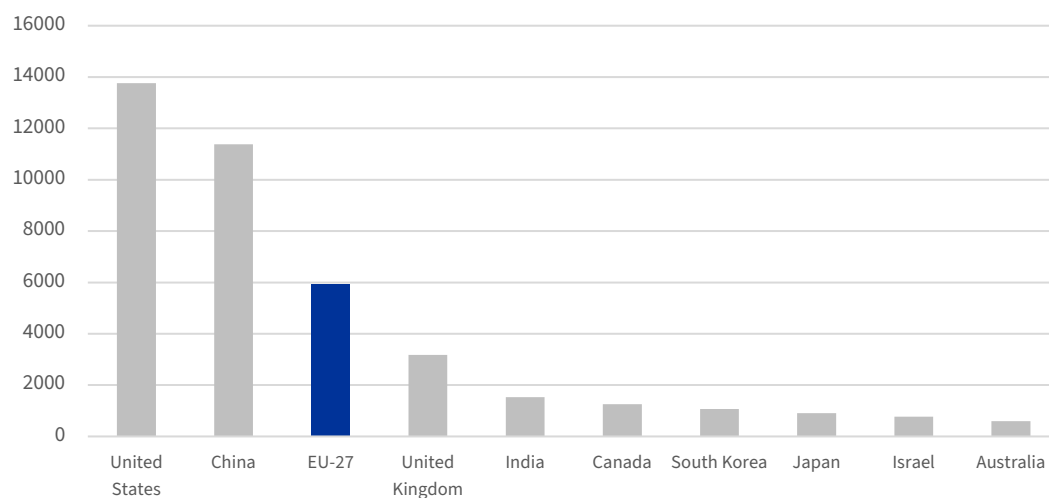
	European Union	Sweden
Population	447 695 350	10 521 556
GDP per capita in EUR	38 150	51 060
Unemployment rate	6.1%	7.7%
Percentage of companies using AI technology	8%	10.4%
Share of population with advanced digital skills	27.3%	36.5%

Percentage of companies with over 10 employees
using at least one AI system (2021)

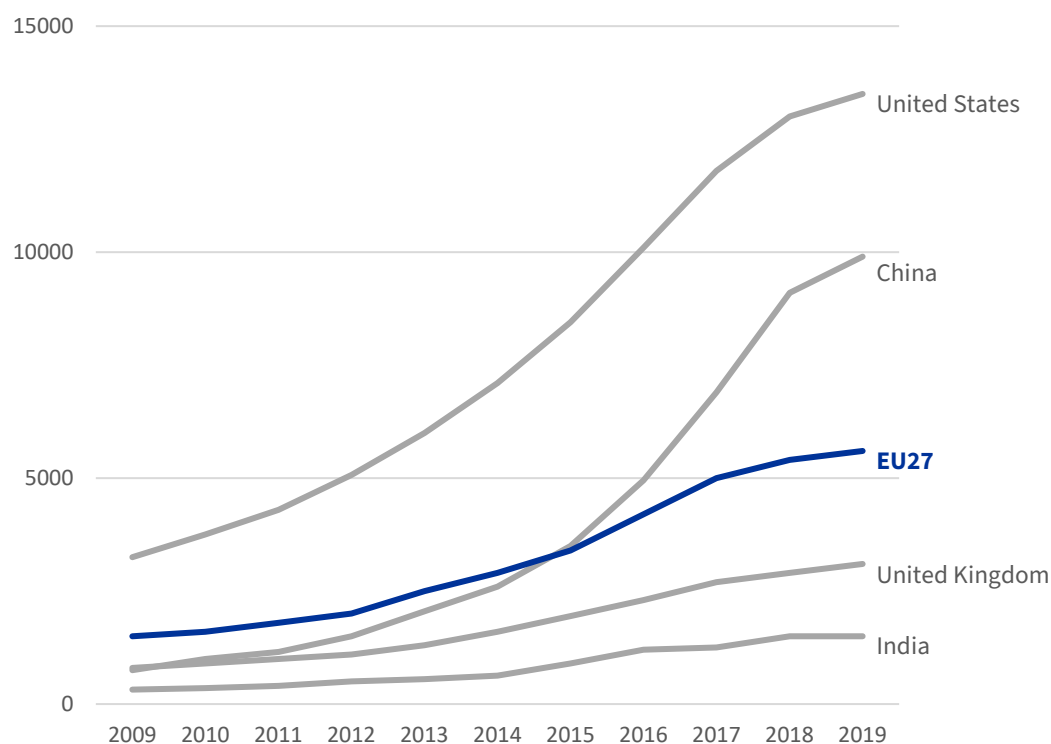


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AI companies by country (2020)



Growth in number of AI companies



Data sources: Eurostat, Joint Research Centre

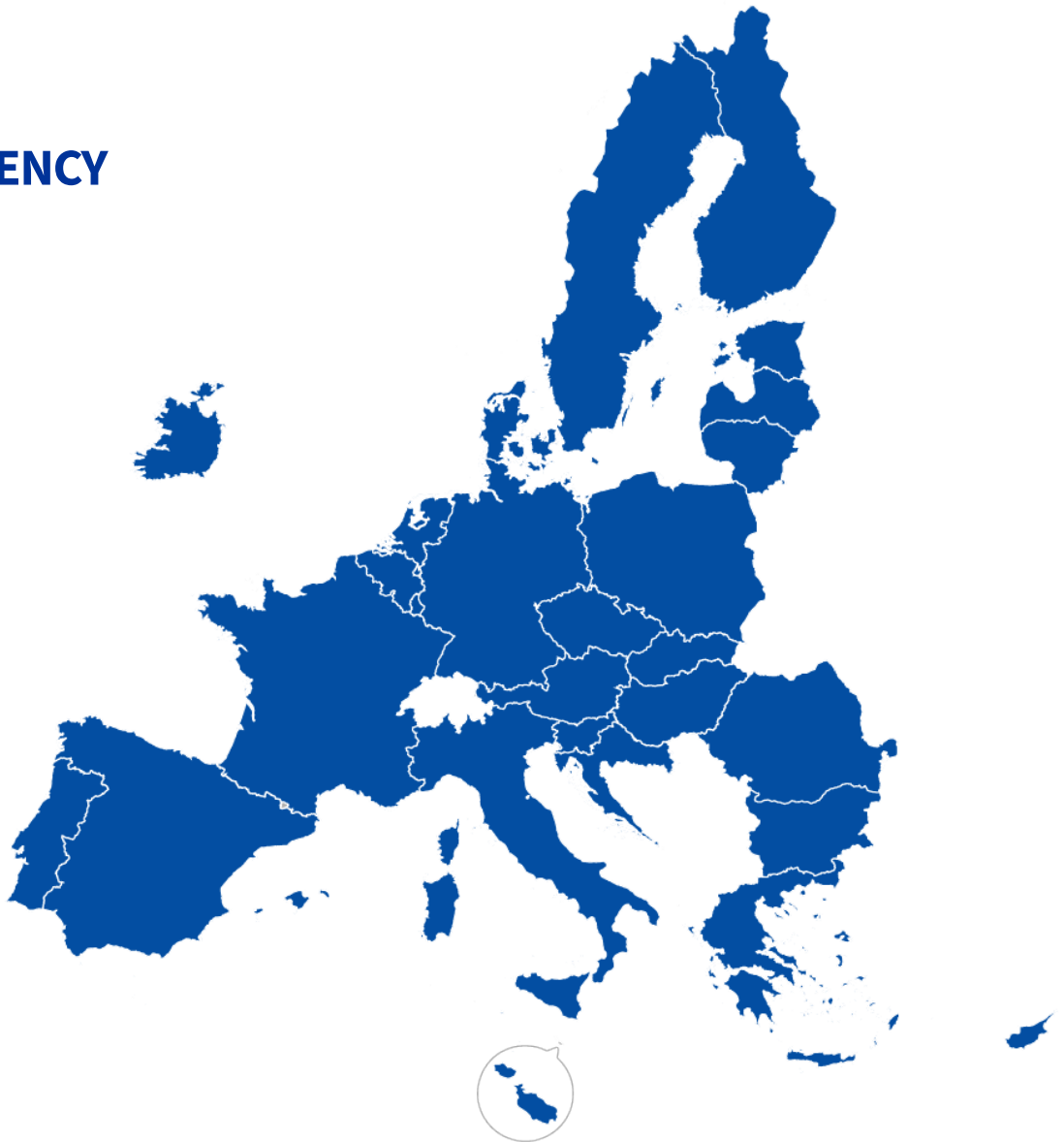
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PRESIDENCY



MINISTER FOR A DAY: NEGOTIATING AT 27

■ Introducing an AI framework

Role profiles | **Standard version** | EN



Council of the
European Union

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on a legal framework for the use of artificial intelligence

CONTEXT OF THE PROPOSAL

The European Union is at a critical juncture in shaping its digital future. As part of the Digital Decade strategy, the EU aims to lead in artificial intelligence (AI) while safeguarding fundamental rights, consumer protection, market competitiveness, innovation and technological leadership. At the heart of these discussions is a legislative proposal by the European Commission which aims to regulate AI development in the EU. After several rounds of negotiations, the following questions have yet to be addressed.

Article 1

AI systems classification & risk management

The EU is adopting a common standard for risk management in the development, marketing, import and use of AI systems. These systems are classified as no risk, low risk, high risk or unacceptable risk (see Annex I). To define 'high risk' AI systems, the EU will adopt a **purpose-based risk classification: risk is based on the intended use of the AI in sensitive sectors**. Based on this risk classification, 'high risk' AI systems must undergo rigorous testing before being launched.

Article 2

Scope of application

The provision set out in Article 1 shall apply to all AI systems, **except when developed for military or defence purposes**.



Agenda

On the Council's agenda today is the Commission's proposal for a legal framework for the use of artificial intelligence. You will discuss the draft with the representatives of the other member states, aiming to reach a compromise.

Your primary objective

To agree on a common position of the Council by double majority (i.e. at least 55% of the member states, representing 65% of the total EU population). Ideally, unanimity is always sought, but if this is not attainable the double majority rule will be applied. In practice, most of the decisions are not put to a vote, but the presidency tries to find a compromise that can be supported by all delegations.



Your role

You join the delegation of the member state currently holding the presidency. The game facilitator will tell you which country this is.

As part of the delegation, it is your task to chair the official negotiations while your colleagues present the country's interests and positions. You are responsible for overseeing all official talks, giving delegates the floor and keeping to the schedule.

Opening

1. You should **formally open the meeting**, welcome all delegates and the Commission and explain to them the purpose of the meeting (maximum 1 minute). The script in the textbox on the next page may help you.
2. After this, you **ask the Commission representative to present the draft**.
3. This is **followed by the opening statements of the member states** (maximum 1 minute each), called by you in the order of the requests to speak. Invite member states to clearly state where they share common interests with other member states.

Discussions

1. **Moderate the ensuing official negotiations.** Ministers can speak only when given the floor by you. Call delegates in the order in which requests to speak have been made.
2. Ask delegates not to repeat arguments and positions that have already been put forward. Invite member states with similar positions to speak on behalf of each other. **Time is limited!**
3. Official **negotiations are interrupted for informal talks.** You announce the beginning of informal talks and the time when the formal meeting will reconvene. Informal talks can take place without your supervision.

Reach an agreement

1. During the informal talks, you have time to **prepare a compromise proposal.** Of course, you can also ask the member states if they have suggestions for a compromise.
2. You put the most promising proposal(s) for Articles 1 and 2 to a vote. The Council's common position is adopted by a double majority (55% of member states, representing at least 65% of the total EU population). **Use the voting calculator** to count the votes. The game facilitator will help you with this.
3. When it comes to the final vote on a compromise proposal, remind the member states that at this stage they have to decide whether they prefer a compromise with which they may not be 100% satisfied or no result.

Members of the Council, Commissioner,

I am pleased to open today's meeting of the Council.

As you know, _____ currently holds the Council presidency and will chair the negotiations. It will be my role to moderate today's meeting, and I will not be presenting our country's positions on the topic.

On today's agenda is a new regulation on the use and development of artificial intelligence, or AI, in the EU. The topic is of great importance for all European citizens, as well as for the EU's role in the world, because _____.

Before giving the floor to the Commission, I would like to stress that the Council Legal Service has reviewed the proposal and informed us that it complies with the Treaties and has the necessary legal basis.

We would now kindly ask the Commission to present its proposal. Afterwards, each of you will have the opportunity to present your country's position in a short opening statement. We are looking forward to a constructive and fruitful debate.

Commissioner, the floor is yours!

Article 1

AI systems classification & risk management

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... capability-based risk classification: risk is determined by the system's technical abilities.



... purpose-based risk classification: risk is based on the intended use of the AI in sensitive sectors.

Based on this risk classification, 'high risk' AI systems must undergo rigorous testing before being launched.

Article 2

Scope of application

The provision set out in Article 1 shall apply to all AI systems,



without exception



without exception, unless the system is developed as open-source



except when developed by small companies and startups (and)

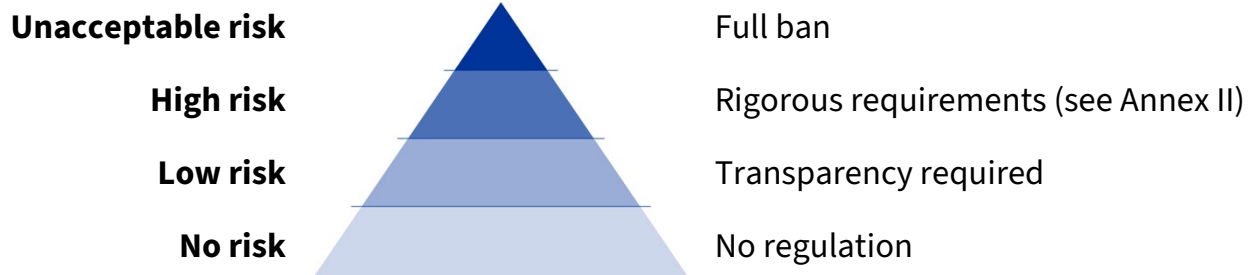


except when developed for military or defence purposes (and)



except when developed for national security, migration or border control

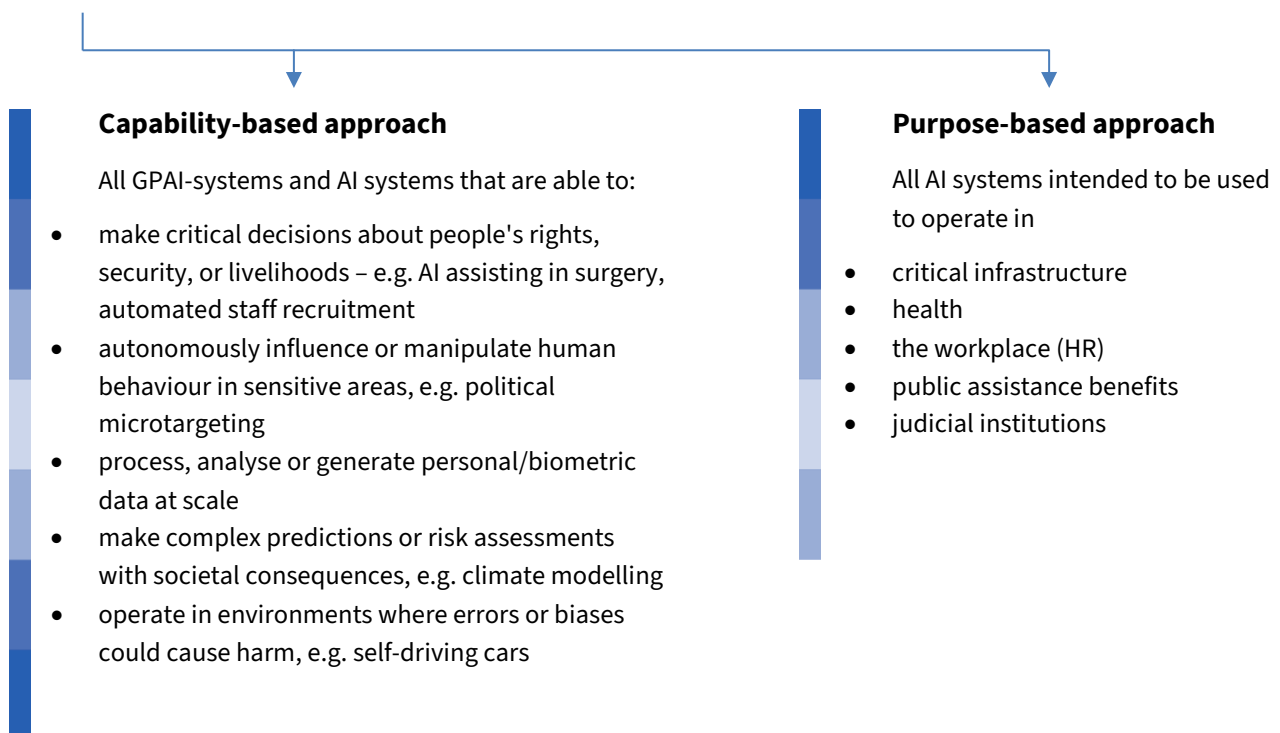
Annex I: Risk classification



Unacceptable risk:

- **Social scoring AI** – ranking citizens based on their behaviour
- **AI-powered mass surveillance** – biometric tracking without consent
- **Emotion recognition in workplaces/schools** to influence work performance
- **Autonomous lethal weapons** – that can kill without human intervention
- **Subliminal manipulation AI** – influencing people's decisions without transparency

High risk



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Low risk

- **AI systems not classified as 'high risk'**
- **Chatbots & virtual assistants** (as long as users know they are talking to AI)
- **Recommendation algorithms** – AI-powered suggestions on social media
- **AI for business automation** – AI that automates basic administrative tasks

No risk

- AI-powered image, music or art generators/editors
- AI in scientific research
- AI in toy & entertainment robots – AI-powered toys with no real-world risks



Annex II: Requirements for 'high risk' AI systems

Emphasis on legal and ethical standards:

- Risk assessment before deployment, identifying foreseeable risks and potential misuse.
- Human oversight ensured to prevent full automation in decision-making.
- Data governance to ensure unbiased training datasets.
- External audits mandatory, including sandbox testing with human supervision.
- Disclosure of test results to EU regulators.
- Post-market monitoring to track performance.

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	Article 1: classification	Other suggestions/notes	Article 2: scope	Other suggestions/notes
Austria	purpose-based		national security	
Belgium	capability-based		open-source	
Bulgaria	purpose-based		without exception	
Croatia	purpose-based		startups	
Cyprus	capability-based	Review in 2 years	without exception	
Czechia	capability-based	Review in 5 years	without exception	
Denmark	purpose-based	Include education	military/defence + national security	
Estonia	purpose-based	Real-world testing	military/defence + national security	
Finland	purpose-based	Postpone the vote	startups	
France	purpose-based	Include education	military/defence + national security	
Germany	capability-based		without exception	
Greece	capability-based	Review in 3 years	military/defence + national security	
Hungary	capability-based		military/defence	
Ireland	purpose-based	Flexibility on testing	startups	

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	Article 1: classification	Other suggestions/notes	Article 2: scope	Other suggestions/notes
Italy	capability-based		startups	
Latvia	capability-based	Remove post-market monitoring	military/defence	
Lithuania	capability-based		without exception	
Luxembourg	purpose-based	Review in 3 years	startups	
Malta	purpose-based	Real-world testing	national security	
The Netherlands	capability-based		national security	
Poland	purpose-based		military/defence	
Portugal	purpose-based	Postpone the vote	open-source	
Romania	purpose-based		national security	
Slovakia	purpose-based	Financial support	startups	
Slovenia	capability-based		startups	
Spain	capability-based		military/defence + national security	
Sweden	purpose-based		military/defence + national security	
Commission	purpose-based		military/defence	

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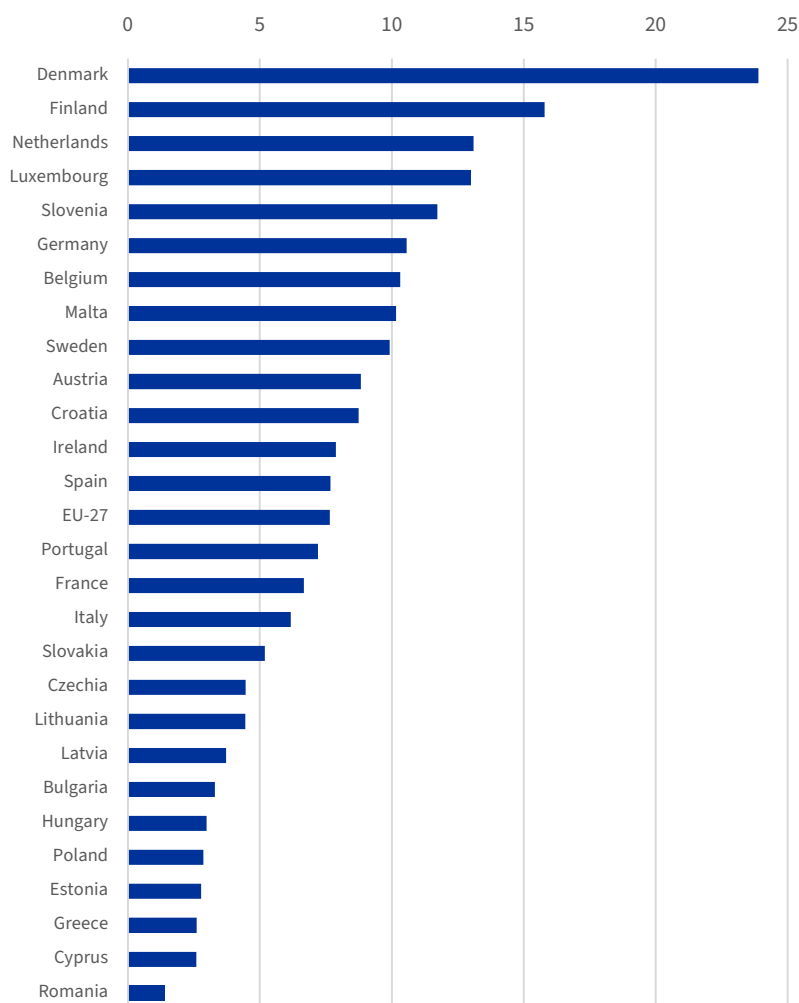
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- **Sandbox testing** - testing in an isolated environment, e.g. a self-driving AI is tested in a simulated city before driving on real roads

Background information

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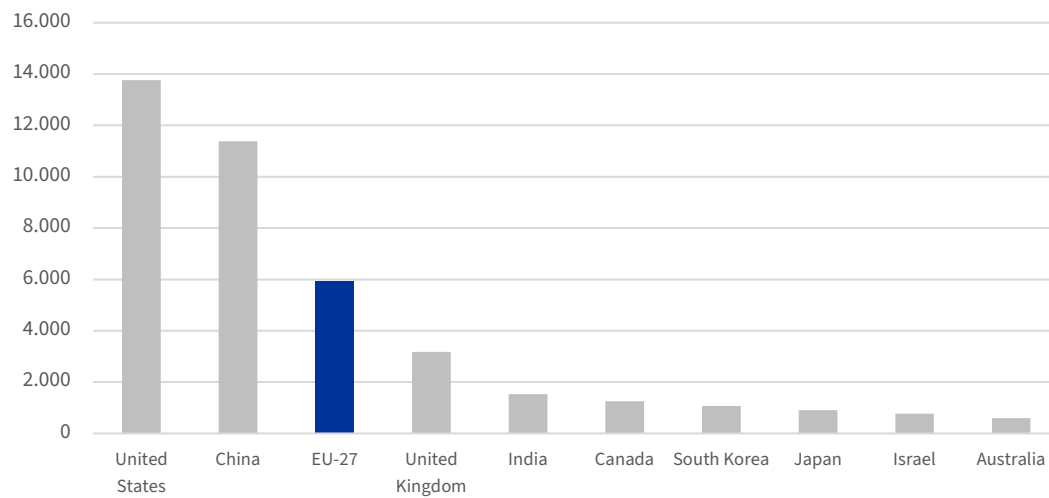
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GDP per capita in EUR	38 150
Unemployment rate	6.1%
Percentage of companies using AI technology	8%
Share of population with advanced digital skills	27.3%

Percentage of companies with over 10 employees
using at least one AI system (2021)

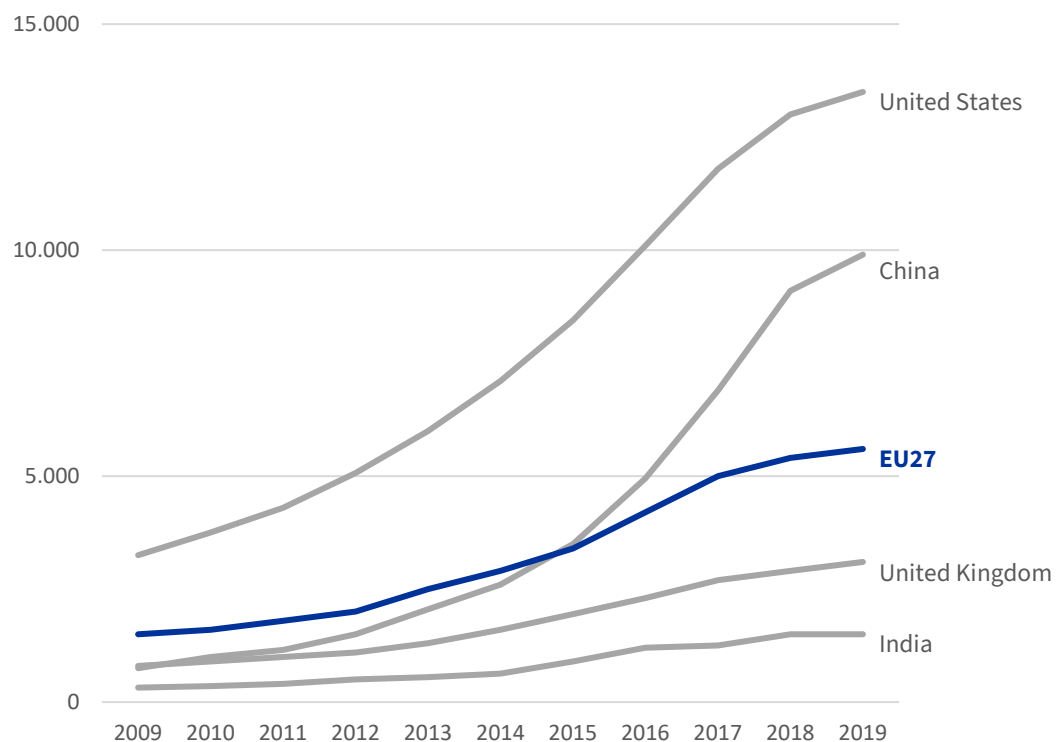


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AI companies by country (2020)



Growth in number of AI companies



Data sources: Eurostat, Joint Research Centre

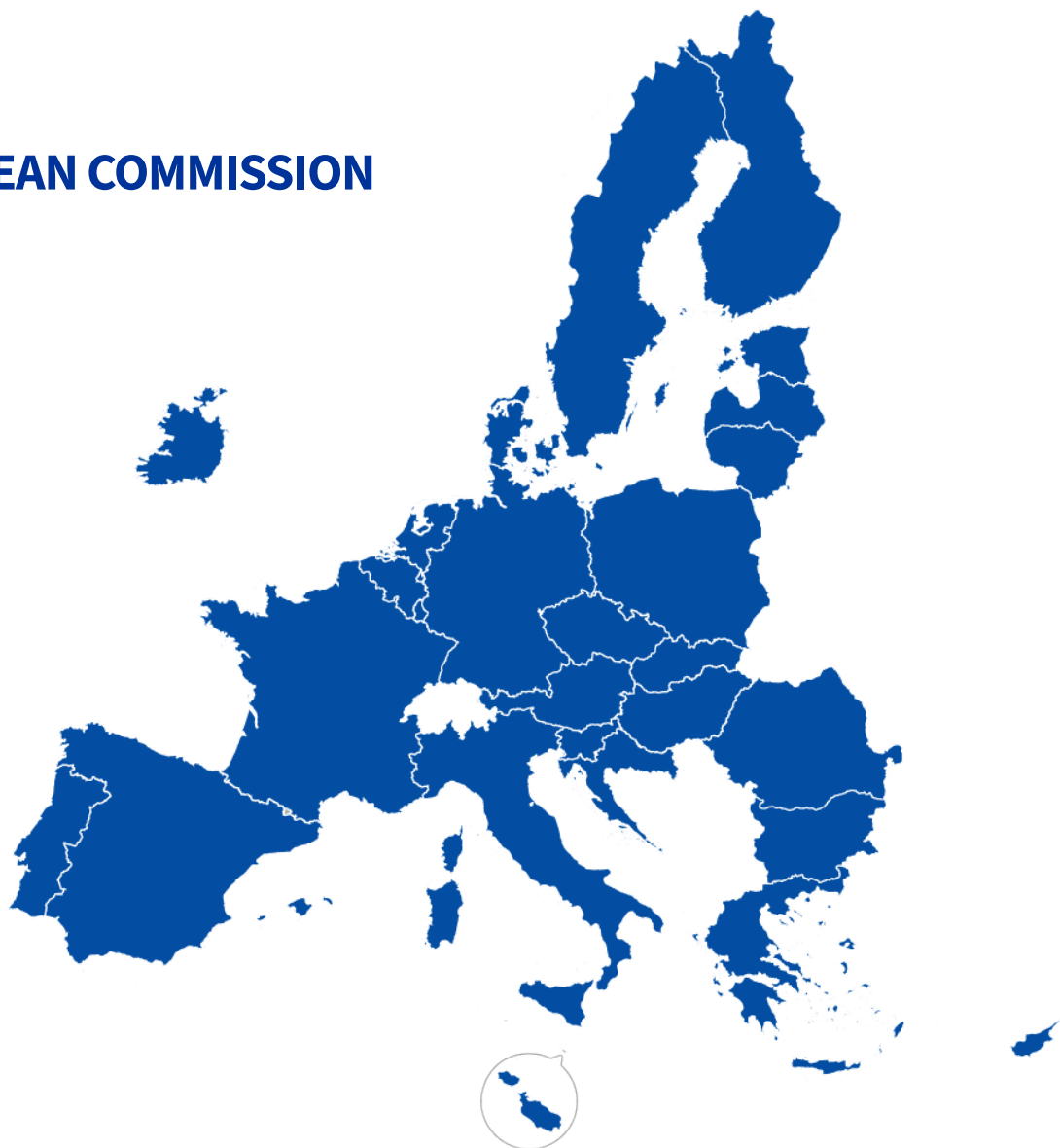
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EUROPEAN COMMISSION



MINISTER FOR A DAY: NEGOTIATING AT 27

■ Introducing an AI framework

Role profiles | **Standard version** | EN



Council of the
European Union

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on a legal framework for the use of artificial intelligence

CONTEXT OF THE PROPOSAL

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AI systems classification & risk management

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Article 2

Scope of application

The provision set out in Article 1 shall apply to all AI systems, **except when developed for military or defence purposes**.



Agenda

On the agenda of the Council today is your proposal for a legal framework for the use of artificial intelligence.

When the presidency (chairing the meeting) gives you the floor, you present your proposal to the representatives of the member states and take part in the negotiations.

Your primary objective

To ensure that as much as possible of the initial text is included in the final version, while helping the Council to find a common position. A common European solution is urgently needed!



Your task

1. Carefully **read your group information**, which sets out your interests and positions.
2. **Prepare an opening statement** (maximum 1 minute) to present and explain your proposal. The script in the textbox on the right may help you.
3. Listen carefully to the member states' positions. **Fill in the table** on pages 8 and 9 to keep track of their positions.
4. During the negotiations explain your positions and **defend your proposal**. Take the floor and help the Council find a compromise that meets your expectations!
5. **You have no right to vote** at the end. Use the informal breaks to persuade delegations to follow your suggestions.

Honourable members of the Council,

It is good to be holding this important debate today on the regulation on artificial intelligence in the EU. The regulation would be of great benefit to citizens and to the EU as a whole because _____

_____.

In the Commission's draft regulation, we propose a purpose-based risk classification for high risk AI applications, because _____

_____.

Exceptions to the regulation as set out in Article 1 will be permitted when AI systems are developed for military or defence purposes. This is because: _____

_____.

Together, as a community, let us help to ensure that AI is developed responsibly.

Article 1

AI systems classification & risk management

The EU is adopting a common standard for risk management in the development, marketing, import and use of AI systems. These systems are classified as no risk, low risk, high risk or unacceptable risk (see Annex I). To define 'high risk' AI systems, the EU will adopt a



... capability-based risk classification: risk is determined by the system's technical abilities.



... purpose-based risk classification: risk is based on the intended use of the AI in sensitive sectors.

Based on this risk classification, 'high risk' AI systems must undergo rigorous testing before being launched.

Your arguments

- Urgent action is needed to foster innovation and strengthen the global competitiveness of EU manufactured AI, while carefully addressing any potential risks to fundamental rights and consumer protection.
- As a new technology with unpredictable consequences for individuals, society, businesses and economies, artificial intelligence must be approached with both ambition and caution. Your proposal reflects this by supporting a purpose-based approach to defining which AI systems should be classified as 'high risk'. The purpose-based approach considers AI to be high risk in sensitive areas that involve life-and-death decisions or which have a significant impact on the wellbeing of EU citizens.
- The Council has already agreed on categories for unacceptable risk AI systems, which are to be banned in the EU, as well as for low risk and no risk systems. Today, the focus is on clearly defining what constitutes 'high risk'. Any AI system falling into this category must not be treated as low risk or no risk.
- Your notes:

Article 2

Scope of application

The provision set out in Article 1 shall apply to all AI systems,



without exception



without exception, unless the system is developed as open-source



except when developed by small companies and startups (and)



except when developed for military or defence purposes (and)

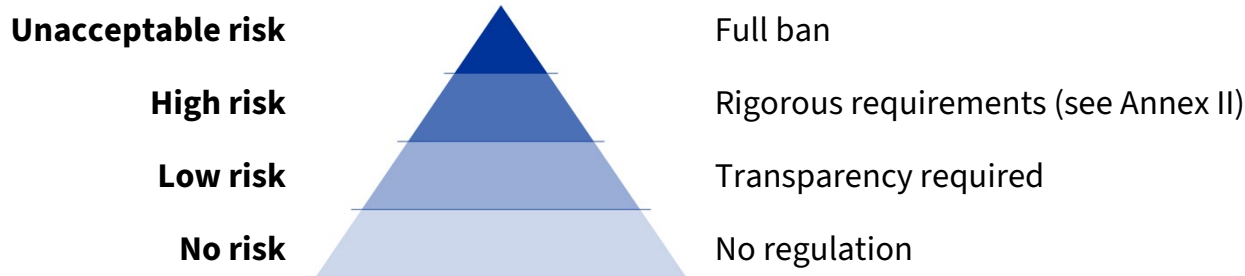


except when developed for national security, migration or border control

Your arguments

- While driving united digital leadership in the EU and strengthening the external trade dimension – such as exporting EU-developed AI products globally – remain priorities, maintaining national autonomy in specific sectors critical to public safety is essential.
- For example, international security challenges are escalating rapidly, with AI playing a key role in the advancement of cyber warfare and malicious hacking software, etc. Defensive countermeasures cannot be hampered by regulatory burdens, no matter how minimal. Therefore, Article 1 should not apply to military and defence applications.
- For all other purposes, no further exemptions are necessary, as minimal testing requirements ensure that AI is developed responsibly.
- Your notes:

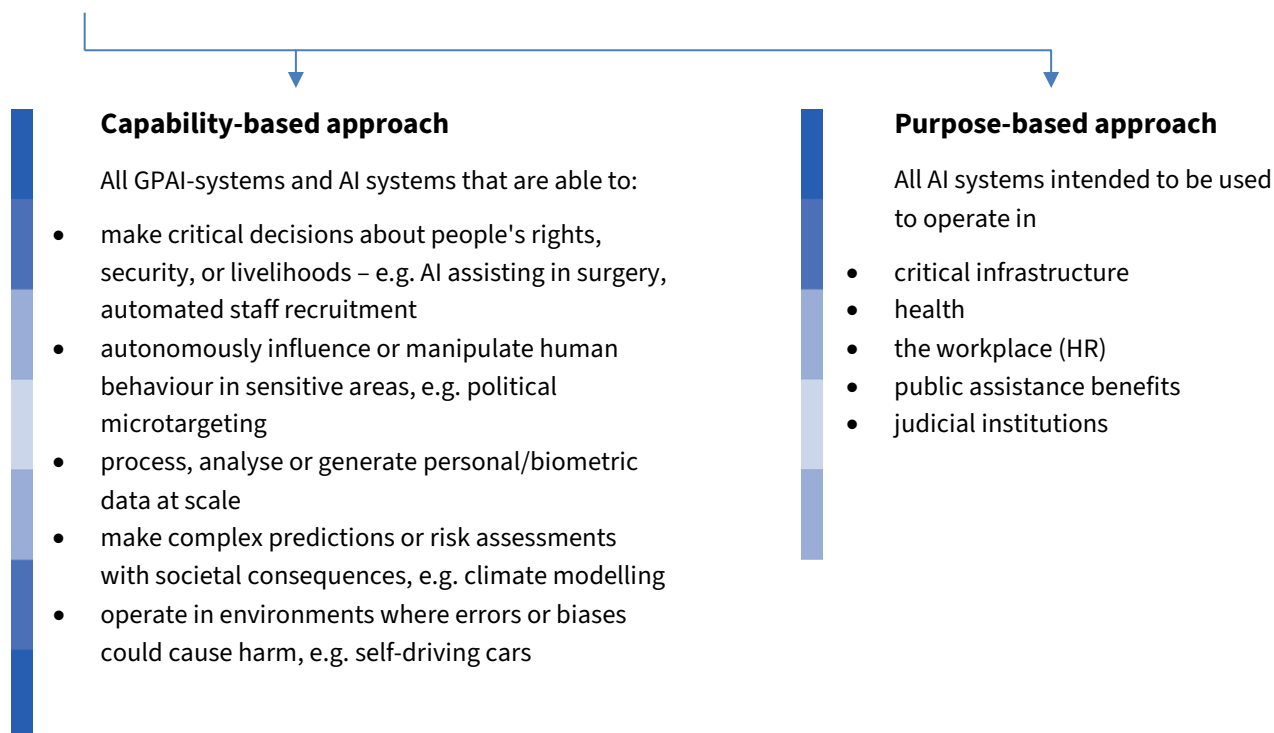
Annex I: Risk classification



Unacceptable risk:

- **Social scoring AI** – ranking citizens based on their behaviour
- **AI-powered mass surveillance** – biometric tracking without consent
- **Emotion recognition in workplaces/schools** to influence work performance
- **Autonomous lethal weapons** – that can kill without human intervention
- **Subliminal manipulation AI** – influencing people's decisions without transparency

High risk



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Low risk

- **AI systems not classified as 'high risk'**
- **Chatbots & virtual assistants** (as long as users know they are talking to AI)
- **Recommendation algorithms** – AI-powered suggestions on social media
- **AI for business automation** – AI that automates basic administrative tasks

No risk

- AI-powered image, music or art generators/editors
- AI in scientific research
- AI in toy & entertainment robots – AI-powered toys with no real-world risks



Annex II: Requirements for 'high risk' AI systems

Emphasis on legal and ethical standards:

- Risk assessment before deployment, identifying foreseeable risks and potential misuse.
- Human oversight ensured to prevent full automation in decision-making.
- Data governance to ensure unbiased training datasets.
- External audits mandatory, including sandbox testing with human supervision.
- Disclosure of test results to EU regulators.
- Post-market monitoring to track performance.

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Belgium				
Bulgaria				
Croatia				
Cyprus				
Czechia				
Denmark				
Estonia				
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Poland				
Portugal				
Romania				
Slovakia				
Slovenia				
Spain				
Sweden				
Commission	purpose-based		military/defence	

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Definitions

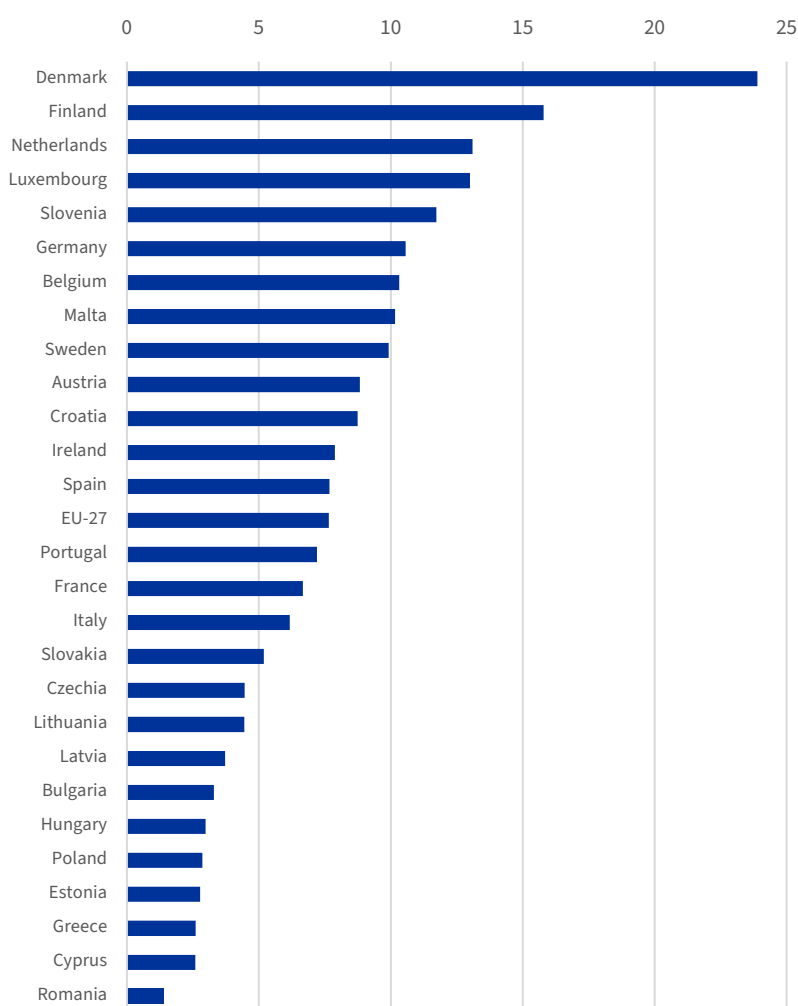
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Background information

Please note: **the negotiations are taking place in 2023!**

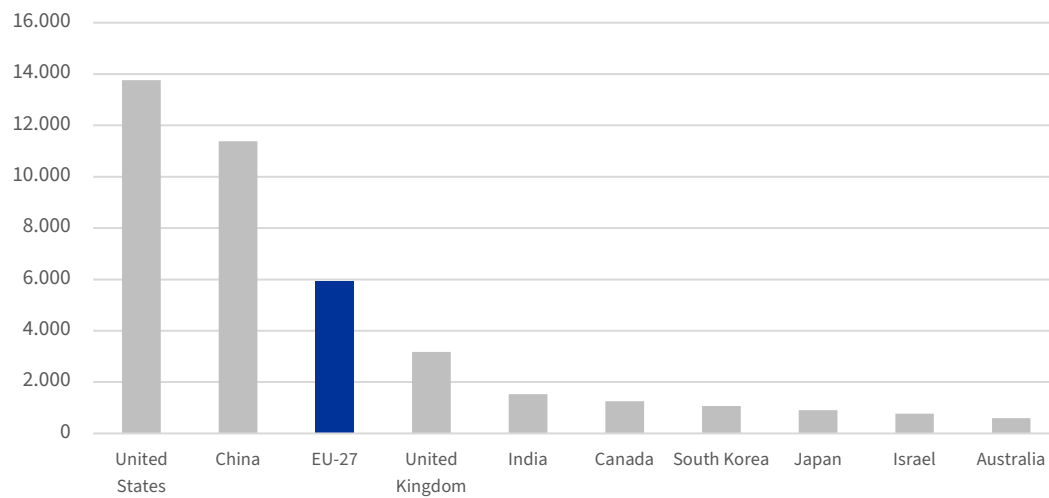
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GDP per capita in EUR	38 150
Unemployment rate	6.1%
Percentage of companies using AI technology	8%
Share of population with advanced digital skills	27.3%

Percentage of companies with over 10 employees
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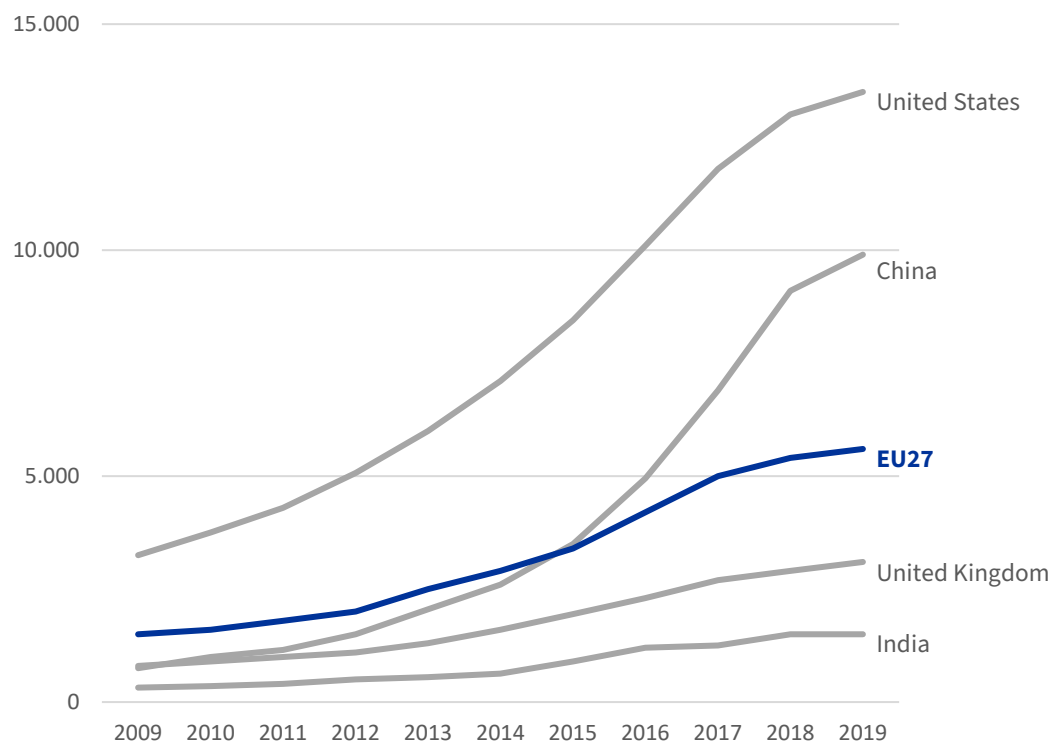


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AI companies by country (2020)



Growth in number of AI companies worldwide



Data sources: Eurostat, Joint Research Centre

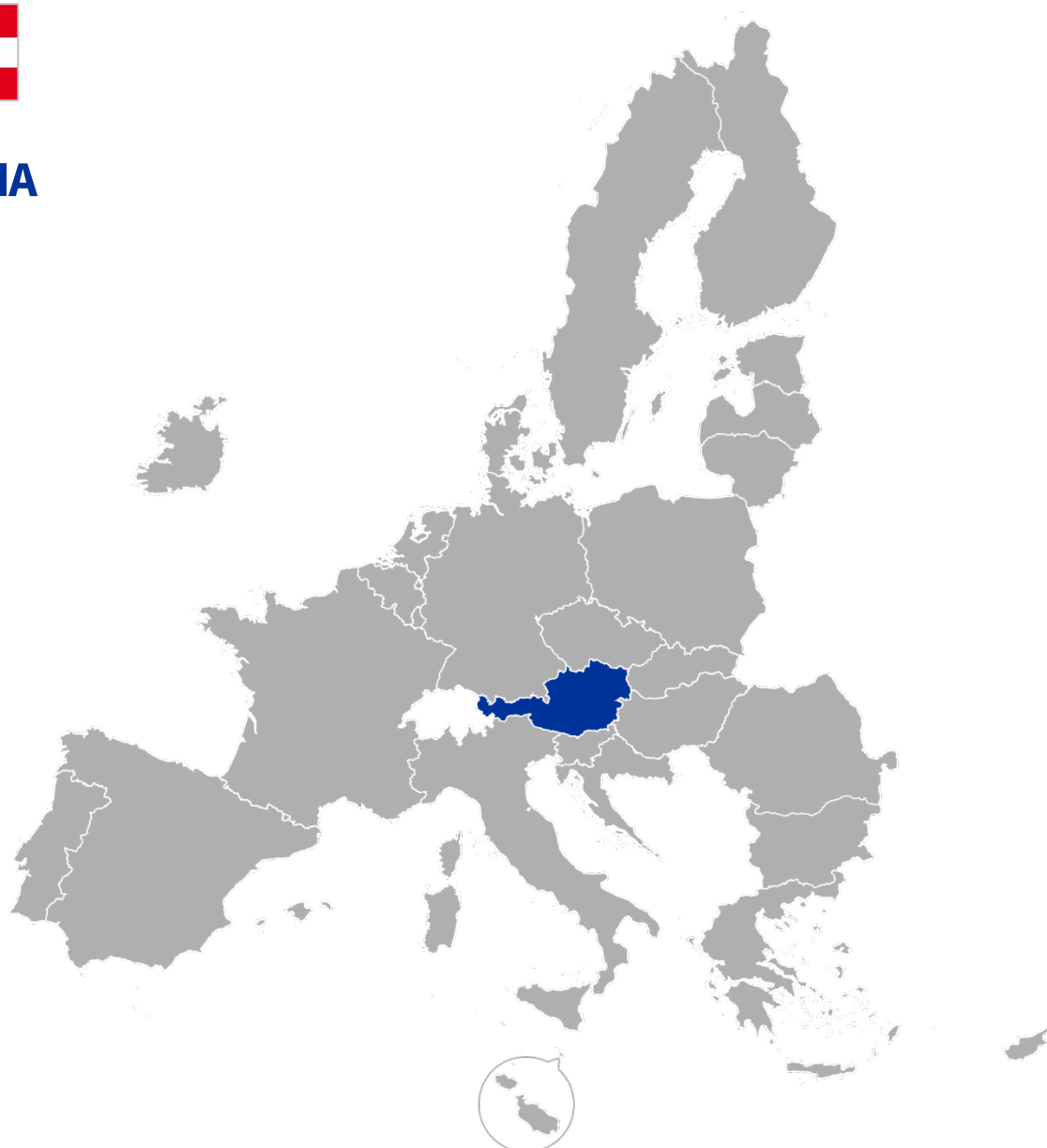
This publication is produced by the General Secretariat of the Council and is intended for information purposes only. It does not involve the responsibility of the EU institutions or the member states. For further information on the European Council and the Council, see the website: www.consilium.europa.eu
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AUSTRIA



MINISTER FOR A DAY: NEGOTIATING AT 27

■ Introducing an AI framework

Role profiles | **Standard version** | EN



Council of the
European Union

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on a legal framework for the use of artificial intelligence

CONTEXT OF THE PROPOSAL

The European Union is at a critical juncture in shaping its digital future. As part of the Digital Decade strategy, the EU aims to lead in artificial intelligence (AI) while safeguarding fundamental rights, consumer protection, market competitiveness, innovation and technological leadership. At the heart of these discussions is a legislative proposal by the European Commission which aims to regulate AI development in the EU. After several rounds of negotiations, the following questions have yet to be addressed.

Article 1

AI systems classification & risk management

The EU is adopting a common standard for risk management in the development, marketing, import and use of AI systems. These systems are classified as no risk, low risk, high risk or unacceptable risk (see Annex I). To define 'high risk' AI systems, the EU will adopt a **purpose-based risk classification: risk is based on the intended use of the AI in sensitive sectors**. Based on this risk classification, 'high risk' AI systems must undergo rigorous testing before being launched.

Article 2

Scope of application

The provision set out in Article 1 shall apply to all AI systems, **except when developed for military or defence purposes**.



AUSTRIA

Agenda

On the Council's agenda today is the Commission's proposal for a legal framework for the use of artificial intelligence. You will discuss the draft with the representatives of the other member states, aiming to reach a compromise.

Your primary objective

A common position of the Council that reflects your interests. You can also consider supporting a compromise option that partly reflects your interests.

Your task

1. Carefully **read your group information**, which sets out your interests and positions.
2. You **share some of the arguments with countries such as Denmark, France, Poland and Romania**. Talk to them to see whether you can cooperate to advance your common interests, if you can identify any.
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6. During the official negotiations, **present your positions and arguments**. Where you share arguments with other countries, it can be useful to present your arguments together in order to give them further weight.
7. Of course, **it is your decision as to how to vote in the end**. Be aware that when it comes to the final vote on a compromise proposal, you need to decide whether you prefer a compromise with which you may not be 100% satisfied or no result at all.



Madam/Mr Chair, Commissioner, colleagues,

I would first of all like to thank the Commission for its proposal and the presidency for including this issue on today's agenda.

In advance of today's meeting, we had fruitful discussions with _____ .

*We think it is necessary to adopt a capability-
/purpose-based risk classification, because _____
_____ .*

*With regard to Article 2, certain exceptions will/will
not apply, because we are in favour of _____
_____ .*

*We are confident that we will find a workable
compromise during today's meeting.*

Thank you.

Article 1

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... capability-based risk classification: risk is determined by the system's technical abilities.



... purpose-based risk classification: risk is based on the intended use of the AI in sensitive sectors.

Based on this risk classification, 'high risk' AI systems must undergo rigorous testing before being launched.

Your arguments

- Your national government invested nearly €350 million in AI research between 2012 and 2017, laying a strong foundation for innovation. Austrian companies now lead in AI development, benefiting both the domestic and the international markets. You support the EU's direction on AI governance but call for greater EU-level funding to further boost research and development.
- You strongly advocate for the application of the purpose-based approach through the 'technological neutrality principle'. This means that regulations must not favour or discriminate against specific AI technologies, models or approaches. In a sensitive sector such as healthcare, it is not important if the system uses deep learning or rules-based AI – such applications are considered 'high risk' because they can be responsible for a person's death if the AI fails or makes a mistake.
- The purpose-based approach is also essential for AI imports. It is often impossible to verify the true capabilities of imported systems based solely on the developer's declaration – especially when foreign entities may have incentives to conceal harmful features such as spyware.
- Your notes:

Article 2

Scope of application

The provision set out in Article 1 shall apply to all AI systems,



without exception



without exception, unless the system is developed as open-source



except when developed by small companies and startups (and)



except when developed for military or defence purposes (and)

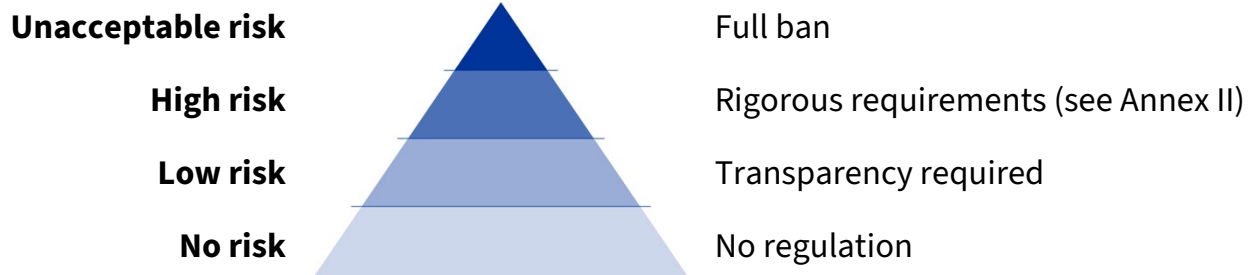


except when developed for national security, migration or border control

Your arguments

- In partnership with Interpol, Europol and the United Nations Office on Drugs and Crime – headquartered in Vienna – the Austrian Institute of Technology is playing a leading role in integrating AI systems into national security through advanced surveillance solutions and immersive training platforms. Researchers are committed to developing highly trustworthy and reliable AI models that contribute to enhancing Austria's safety. Given that national security typically falls outside the scope of EU regulatory frameworks, you find it reasonable to exclude this domain from AI regulation.
- Furthermore, as you have highlighted in Article 1, it is important to clarify that the scope of the regulatory framework must also include AI systems developed outside the EU and subsequently imported. The regulation should apply to all AI systems used within the European Union, regardless of their origin.
- Your notes:

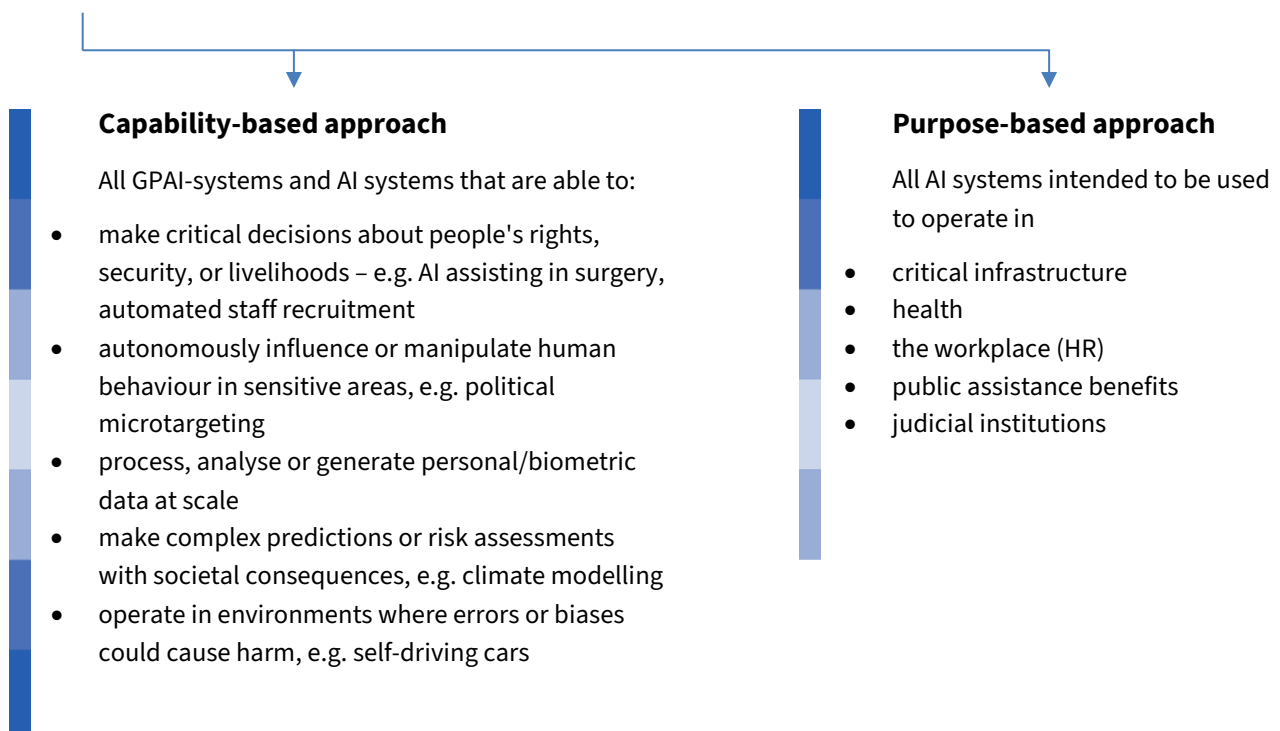
Annex I: Risk classification



Unacceptable risk:

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High risk



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Annex II: Requirements for 'high risk' AI systems

Emphasis on legal and ethical standards:

- Risk assessment before deployment, identifying foreseeable risks and potential misuse.
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Bulgaria				
Croatia				
Cyprus				
Czechia				
Denmark				
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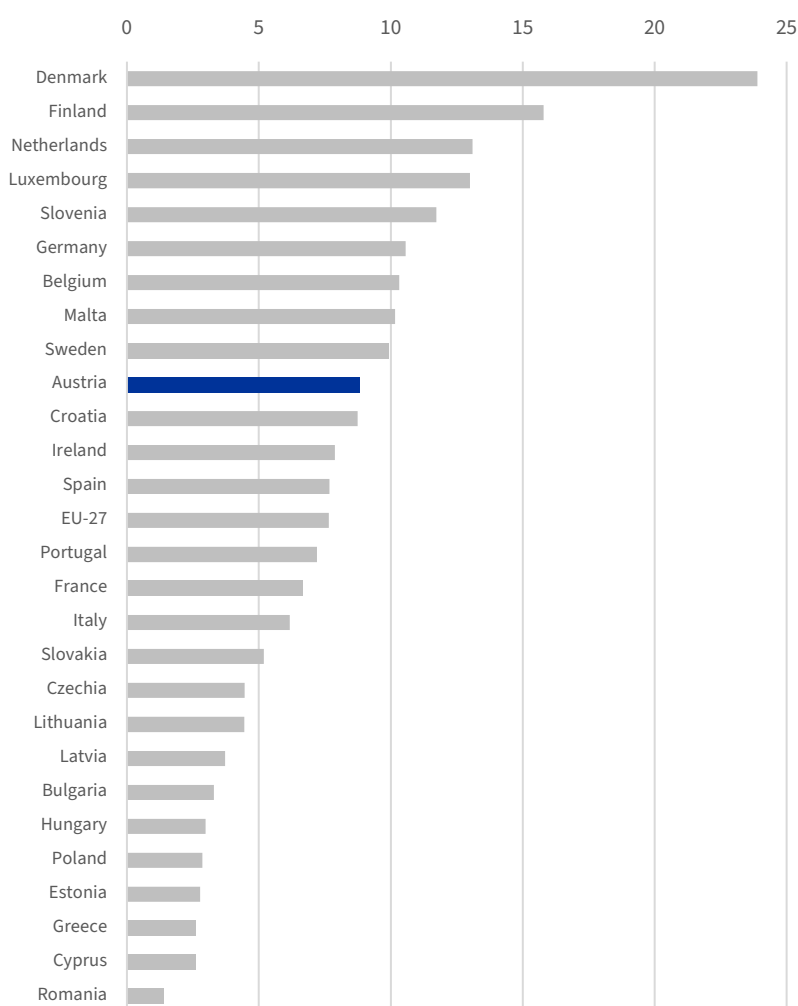
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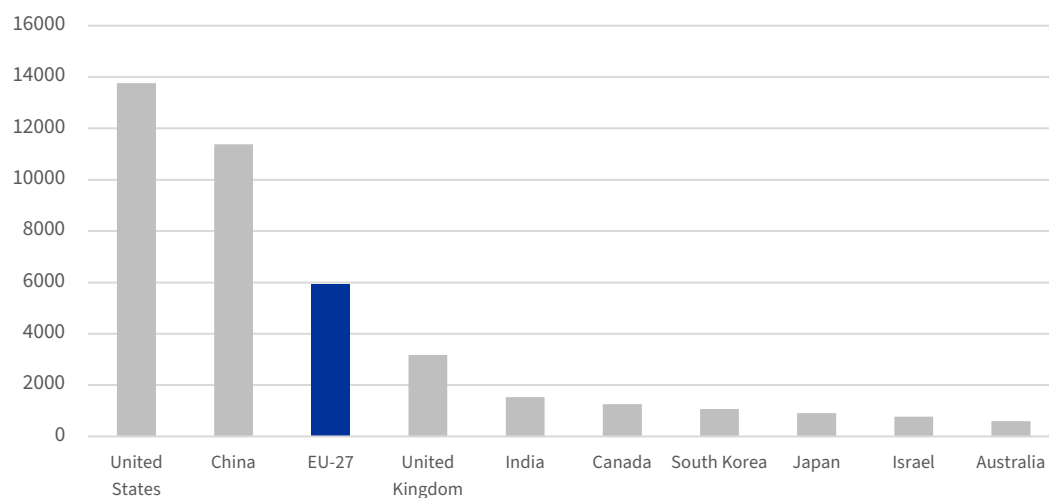
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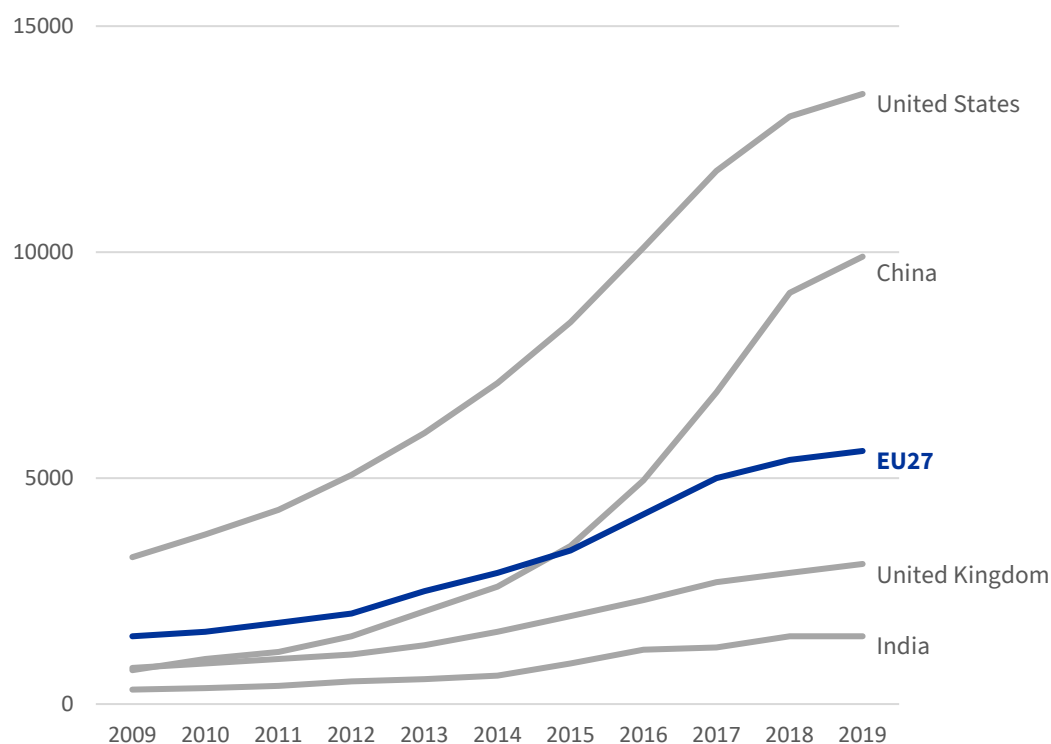


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Growth in number of AI companies



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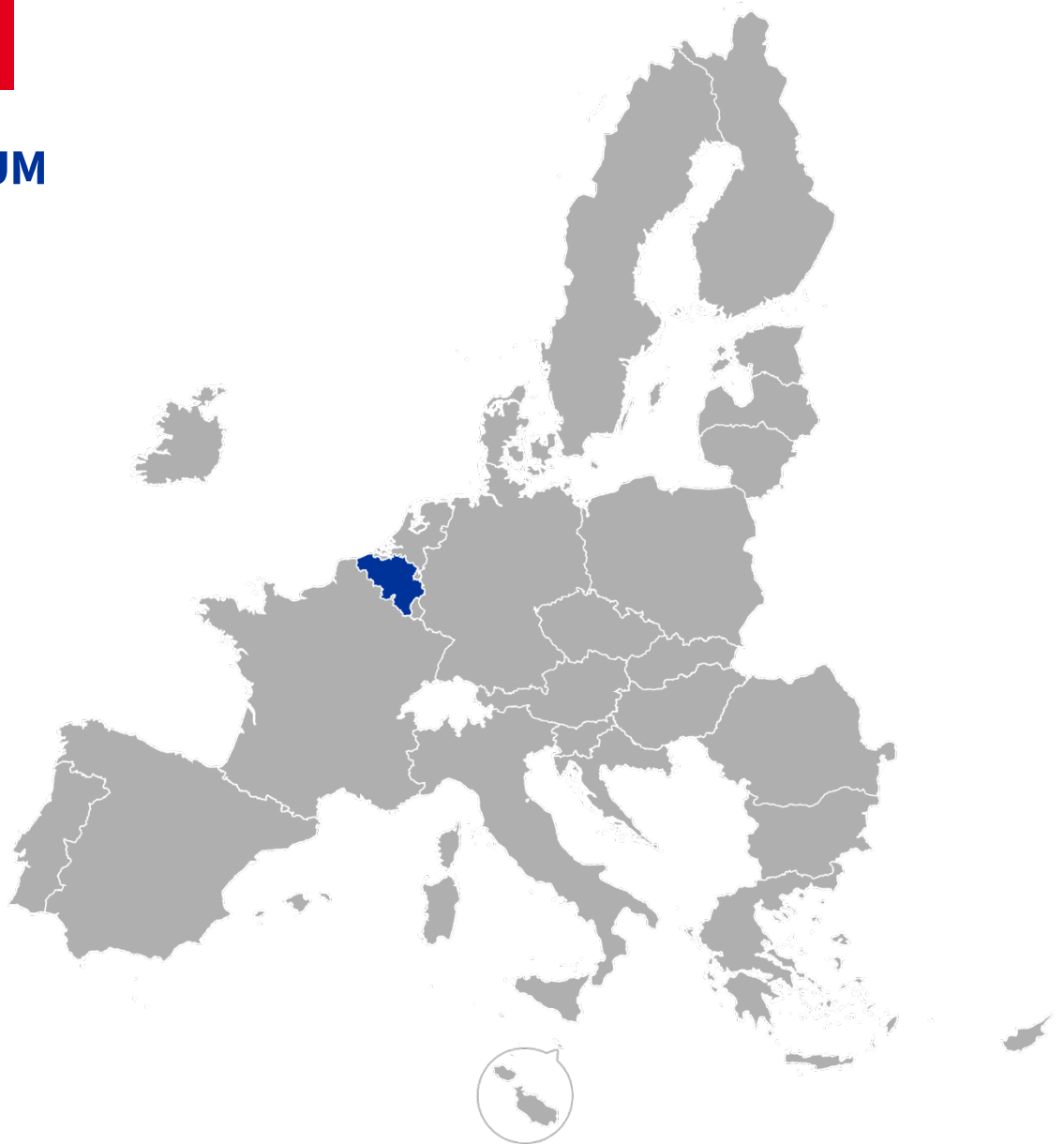
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BELGIUM



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Role profiles | **Standard version** | EN

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on a legal framework for the use of artificial intelligence

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Article 2

Scope of application

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With regard to Article 2, certain exceptions will/will not apply, because we are in favour of _____.

We are confident that we will find a workable compromise during today's meeting.

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Based on this risk classification, 'high risk' AI systems must undergo rigorous testing before being launched.

Your arguments

- Your country is committed to upholding fundamental rights as a top priority. Addressing national and transnational threats – especially those arising from digital tools – requires urgent cross-border cooperation.
- You want to ensure that AI is developed responsibly. Since the 2010s, developers have made significant breakthroughs, creating new tools faster than society can adapt. Few individuals and institutions can fully grasp the future of AI: general-purpose artificial intelligence (GPAI) may soon mimic human reasoning, while quantum AI could exponentially enhance capabilities through quantum computing – leading to yet unknown consequences.
- If developed responsibly, AI could improve lives, tackle global challenges more effectively and expand human potential. However, it also demands careful regulation and ethical considerations. You support a capability-based risk classification: any AI system with the potential for misuse, bias or harmful impact should be considered high risk. AI development should go hand in hand with the promotion of diversity and human rights – not work against them.
- Your notes:

Article 2

Scope of application

The provision set out in Article 1 shall apply to all AI systems,



without exception



without exception, unless the system is developed as open-source



except when developed by small companies and startups (and)



except when developed for military or defence purposes (and)

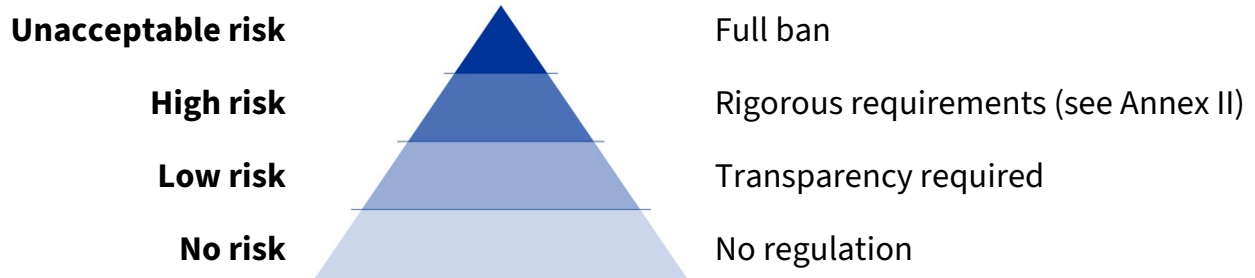


except when developed for national security, migration or border control

Your arguments

- You are advocating for a broad scope of the regulation. In your opinion, it does not make much sense to agree on an EU-wide AI regulation to standardise responsible AI development and then immediately exclude from it very important areas such as security.
- The only exemption on which you are willing to agree is open-source models: such models are quick drivers for innovation, because they are developed transparently. Developers experiment and educate themselves together, sharing knowledge to improve tools. Open-source AI is often more inspectable and auditable than proprietary models, which aligns with the goals of the act.
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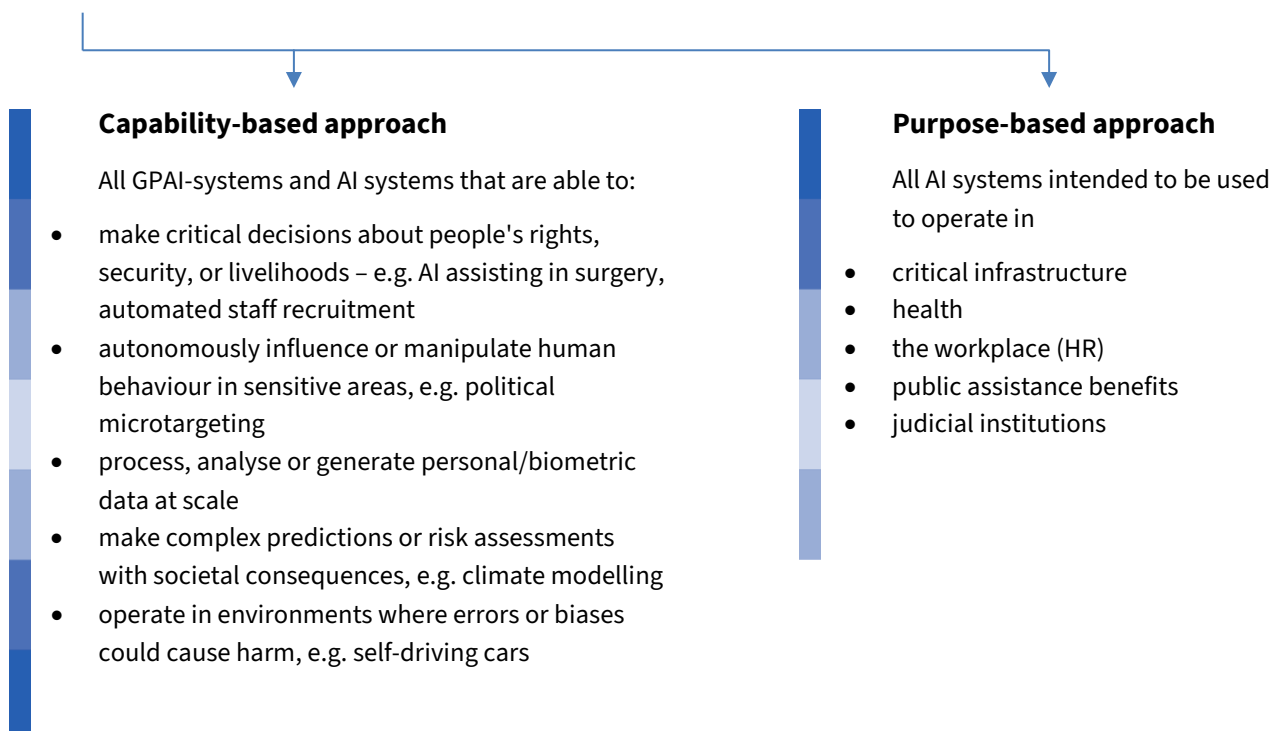
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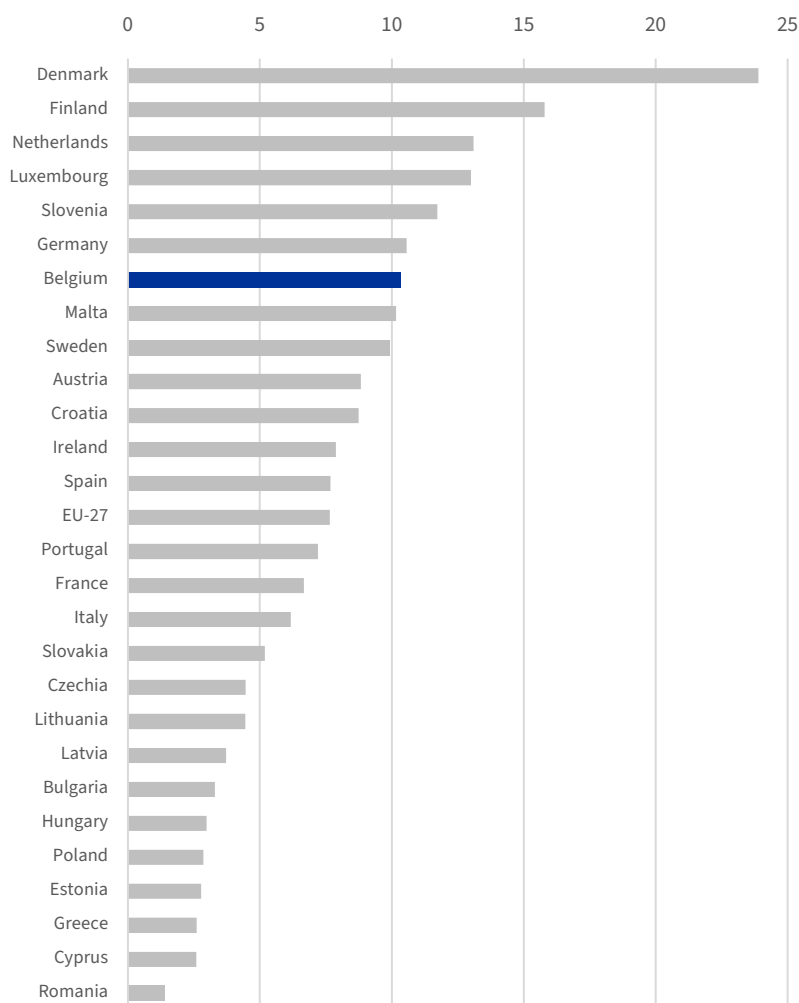
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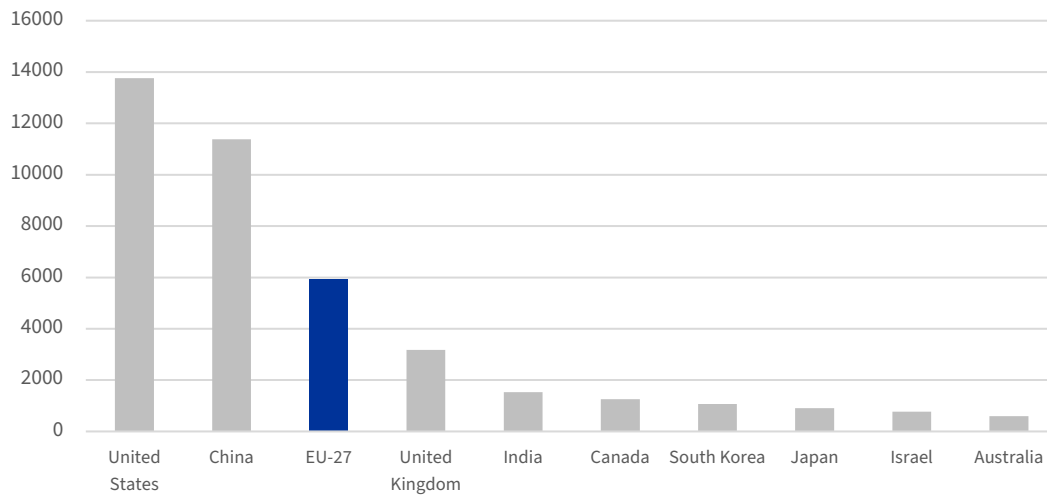
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Unemployment rate	6.1%	5.5%
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Share of population with advanced digital skills	27.3%	28.3%

Percentage of companies with over 10 employees
using at least one AI system (2021)

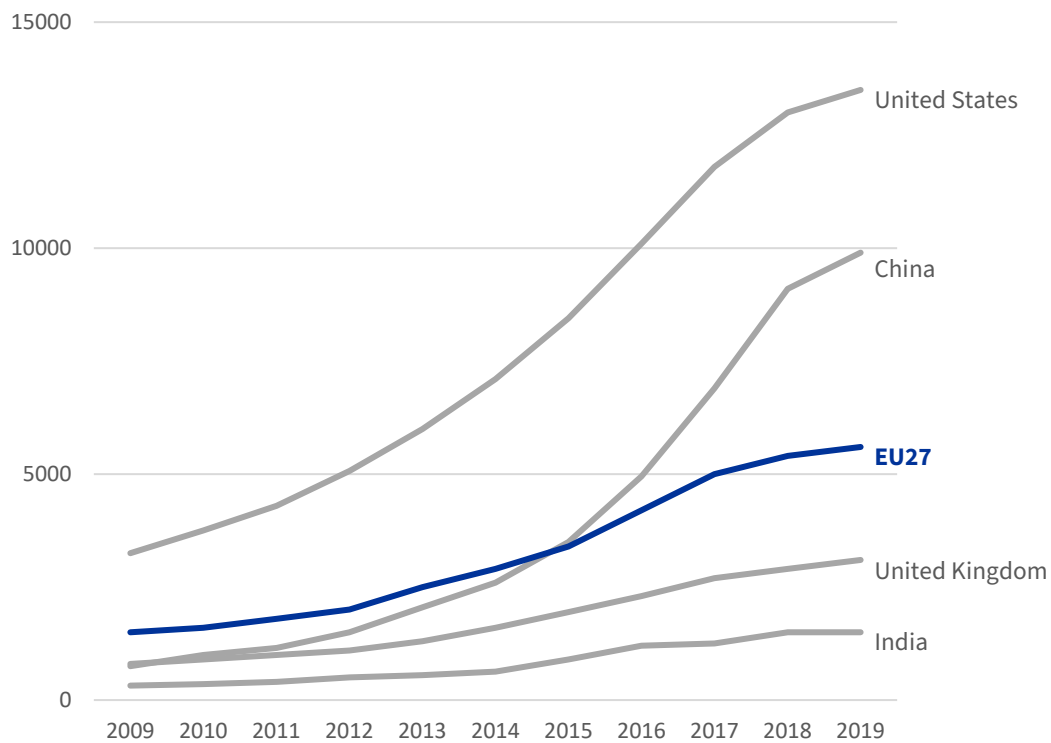


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AI companies by country (2020)



Growth in number of AI companies



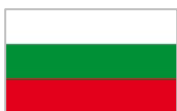
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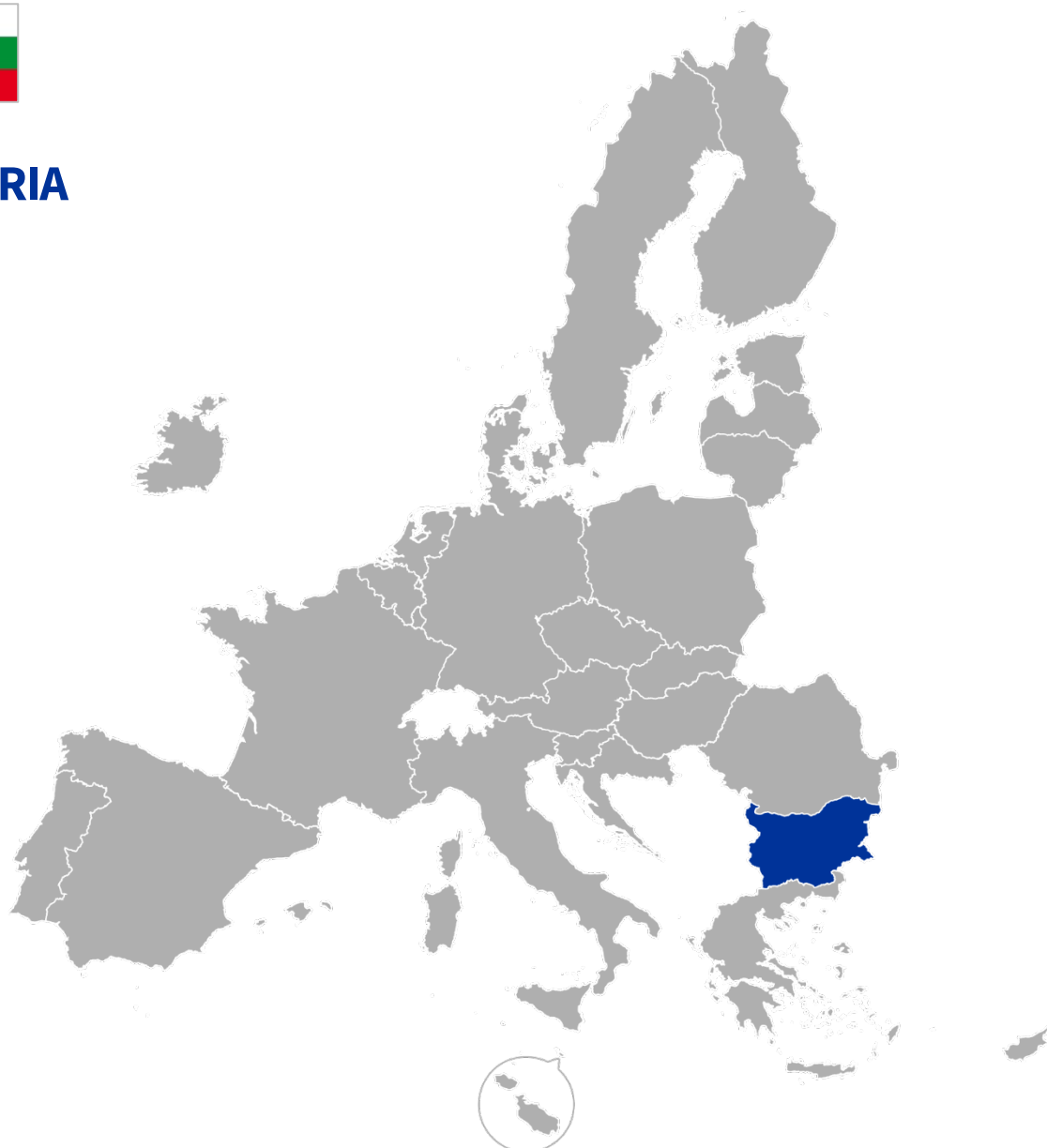
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BULGARIA



MINISTER FOR A DAY: NEGOTIATING AT 27

■ Introducing an AI framework

Role profiles | **Standard version** | EN



Council of the
European Union

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on a legal framework for the use of artificial intelligence

CONTEXT OF THE PROPOSAL

The European Union is at a critical juncture in shaping its digital future. As part of the Digital Decade strategy, the EU aims to lead in artificial intelligence (AI) while safeguarding fundamental rights, consumer protection, market competitiveness, innovation and technological leadership. At the heart of these discussions is a legislative proposal by the European Commission which aims to regulate AI development in the EU. After several rounds of negotiations, the following questions have yet to be addressed.

Article 1

AI systems classification & risk management

The EU is adopting a common standard for risk management in the development, marketing, import and use of AI systems. These systems are classified as no risk, low risk, high risk or unacceptable risk (see Annex I). To define 'high risk' AI systems, the EU will adopt a **purpose-based risk classification: risk is based on the intended use of the AI in sensitive sectors**. Based on this risk classification, 'high risk' AI systems must undergo rigorous testing before being launched.

Article 2

Scope of application

The provision set out in Article 1 shall apply to all AI systems, **except when developed for military or defence purposes**.



BULGARIA

Agenda

On the Council's agenda today is the Commission's proposal for a legal framework for the use of artificial intelligence. You will discuss the draft with the representatives of the other member states, aiming to reach a compromise.

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A common position of the Council that reflects your interests. You can also consider supporting a compromise option that partly reflects your interests.

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Madam/Mr Chair, Commissioner, colleagues,

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... capability-based risk classification: risk is determined by the system's technical abilities.



... purpose-based risk classification: risk is based on the intended use of the AI in sensitive sectors.

Based on this risk classification, 'high risk' AI systems must undergo rigorous testing before being launched.

Your arguments

- Bulgaria's high-tech and IT sectors are thriving in AI, with strong ties to clients in Western Europe and the US, and AI already accounts for 3% of Bulgaria's labour market—a significant share which you are aiming to grow. From the EU's AI strategy, you seek outcomes that support your national industries and universities in maximising the benefits of AI.
- In principle, you can agree to the purpose-based approach. Such an approach encourages developers and deployers to think carefully about how their system can be applied, and not just what they can do. This increases accountability in real-world use.
- You call for geographical balance. Wealthier countries have far greater financial and human resources for AI research, including for lengthy and costly testing procedures before launch. To ensure fair development across the EU, Bulgaria needs funding to support its small and medium sized businesses and startups. Your top priority today is securing a strong commitment for EU funding in AI research in Bulgaria. You are open to discussing risk management and testing requirements – but only once your key concerns are acknowledged.
- Your notes:

Article 2

Scope of application

The provision set out in Article 1 shall apply to all AI systems,



without exception



without exception, unless the system is developed as open-source



except when developed by small companies and startups (and)



except when developed for military or defence purposes (and)

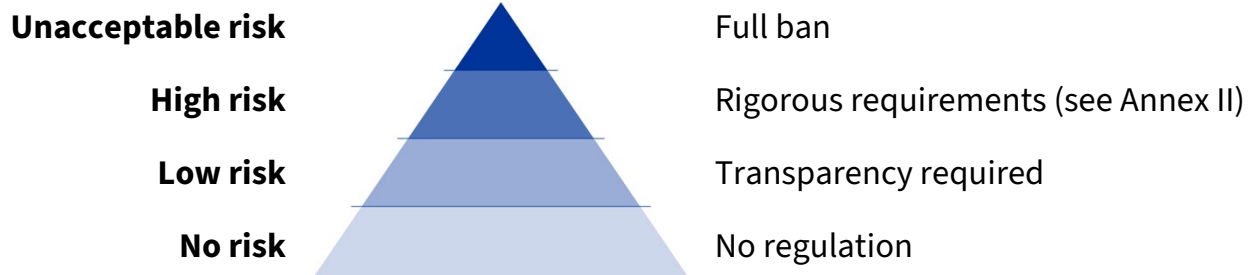


except when developed for national security, migration or border control

Your arguments

- You believe that clear rules should apply to all sectors – including national security and intelligence. Exempting them creates loopholes and increases the risk of unethical or harmful AI going unchecked.
- This is not about blocking AI in national security – it is about ensuring that it is designed responsibly to avoid any bias or discrimination.
- You find the current text in the proposal too vague and would like to make it clear that the same regulation applies to imported AI models from non-EU-developers. This is simply in order to avoid any lack of clarity. The whole purpose of the AI Act is to boost EU development in AI and to make EU AI models more attractive than US or Chinese products.
- Your notes:

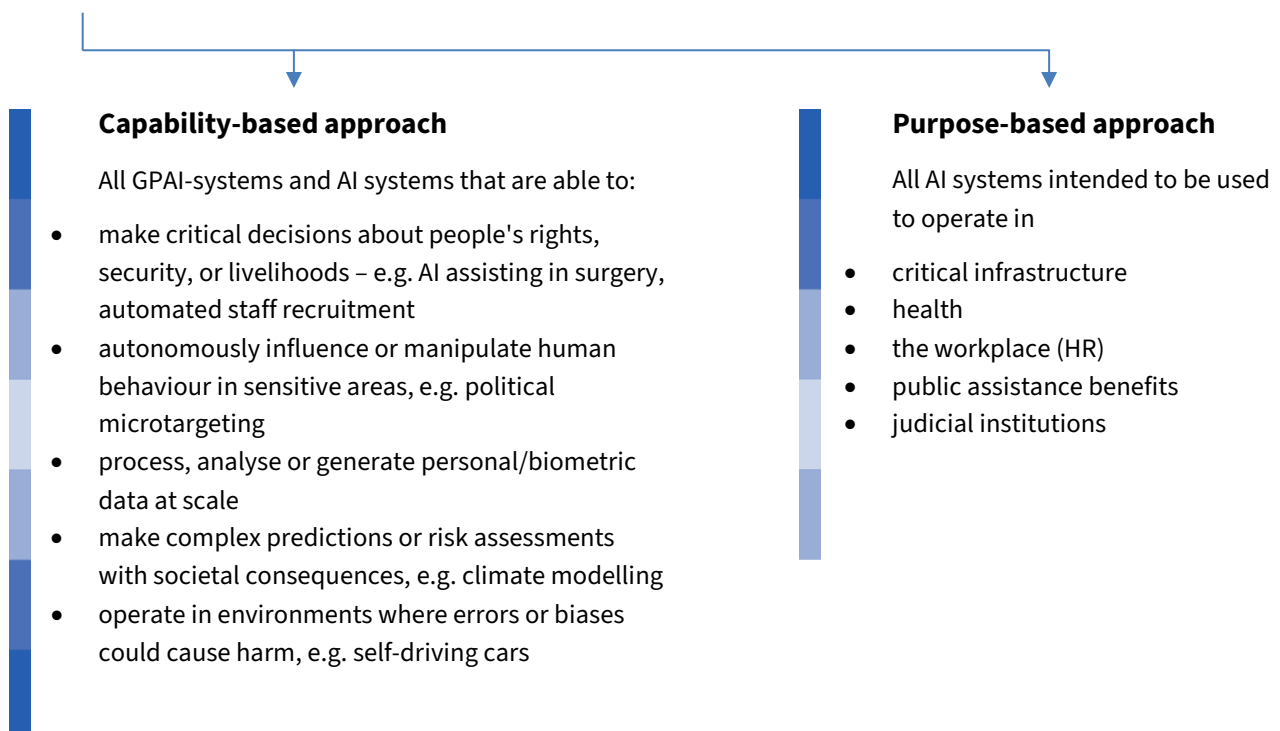
Annex I: Risk classification



Unacceptable risk:

- **Social scoring AI** – ranking citizens based on their behaviour
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- **Emotion recognition in workplaces/schools** to influence work performance
- **Autonomous lethal weapons** – that can kill without human intervention
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High risk



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Low risk

- **AI systems not classified as 'high risk'**
- **Chatbots & virtual assistants** (as long as users know they are talking to AI)
- **Recommendation algorithms** – AI-powered suggestions on social media
- **AI for business automation** – AI that automates basic administrative tasks

No risk

- AI-powered image, music or art generators/editors
- AI in scientific research
- AI in toy & entertainment robots – AI-powered toys with no real-world risks



Annex II: Requirements for 'high risk' AI systems

Emphasis on legal and ethical standards:

- Risk assessment before deployment, identifying foreseeable risks and potential misuse.
- Human oversight ensured to prevent full automation in decision-making.
- Data governance to ensure unbiased training datasets.
- External audits mandatory, including sandbox testing with human supervision.
- Disclosure of test results to EU regulators.
- Post-market monitoring to track performance.

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	Article 1: classification	Other suggestions/notes	Article 2: scope	Other suggestions/notes
Austria				
Belgium				
Bulgaria	purpose-based		without exception	
Croatia				
Cyprus				
Czechia				
Denmark				
Estonia				
Finland				
France				
Germany				
Greece				
Hungary				
Ireland				

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Latvia				
Lithuania				
Luxembourg				
Malta				
The Netherlands				
Poland				
Portugal				
Romania				
Slovakia				
Slovenia				
Spain				
Sweden				
Commission	purpose-based		military/defence	

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Definitions

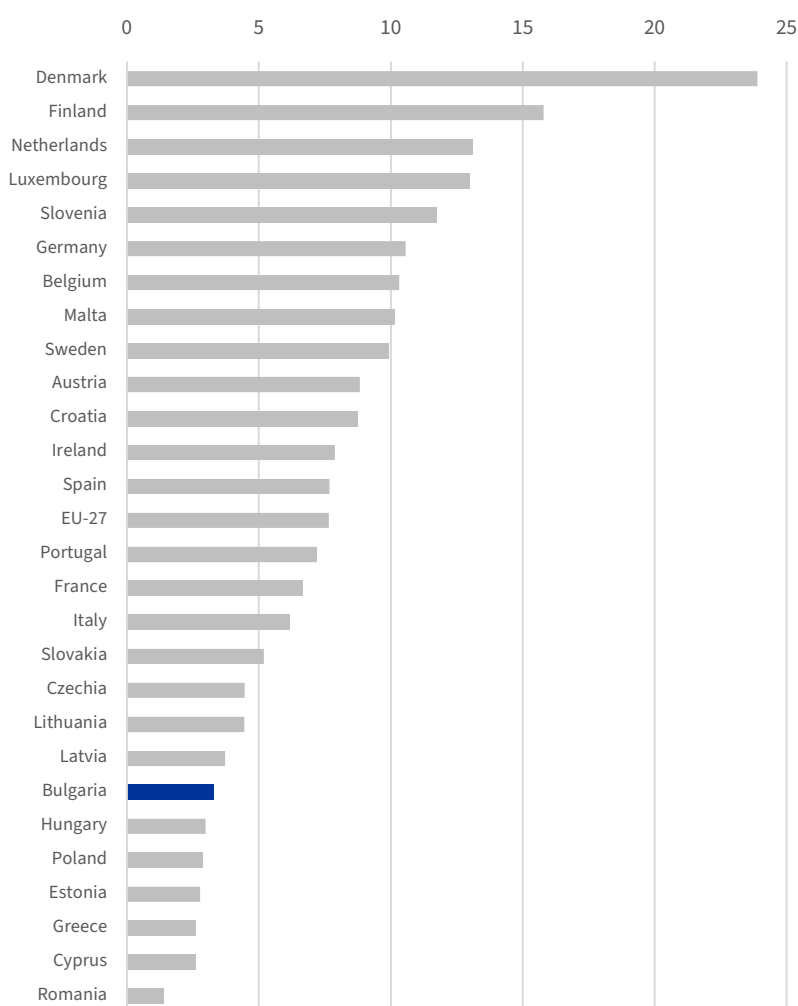
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- **Brain drain** – when skilled workers leave their country to work abroad
- **Business migration** – when a company moves its operations to another country, often for better conditions or lower costs
- **Deep learning AI** – a system that learns from large amounts of data using neural networks, such as how the human brain works. It recognises patterns and improves over time without needing explicit programming
- **General purpose artificial intelligence (GPAI)** – AI that can perform more than one task, e.g. ChatGPT, Google Gemini
- **Open-source** – software whose code is freely available for anyone to view, use and modify
- **Rule-based AI** – an AI system that makes decisions based on predefined rules and logic. For example, 'If X happens, then do Y'
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Background information

Please note: **the negotiations are taking place in 2023!**

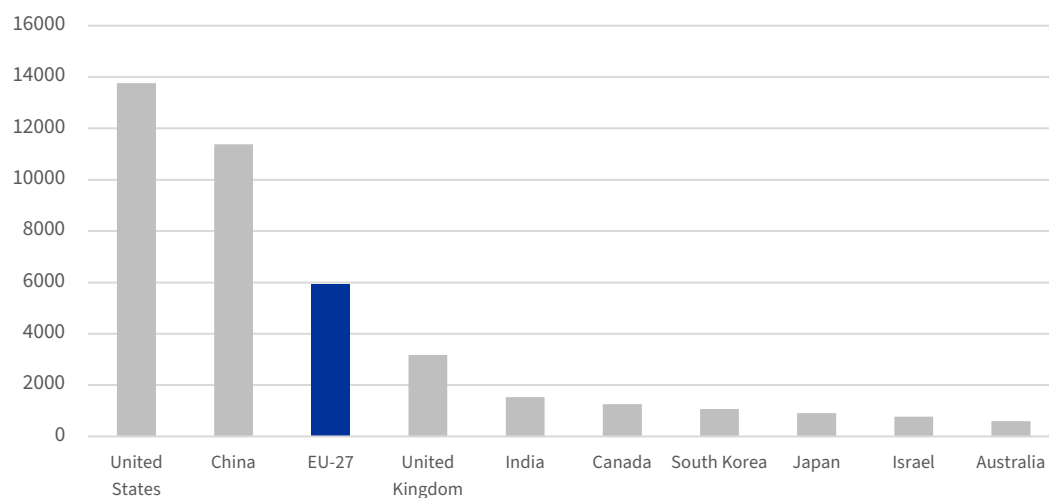
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Share of population with advanced digital skills	27.3%	7.7%

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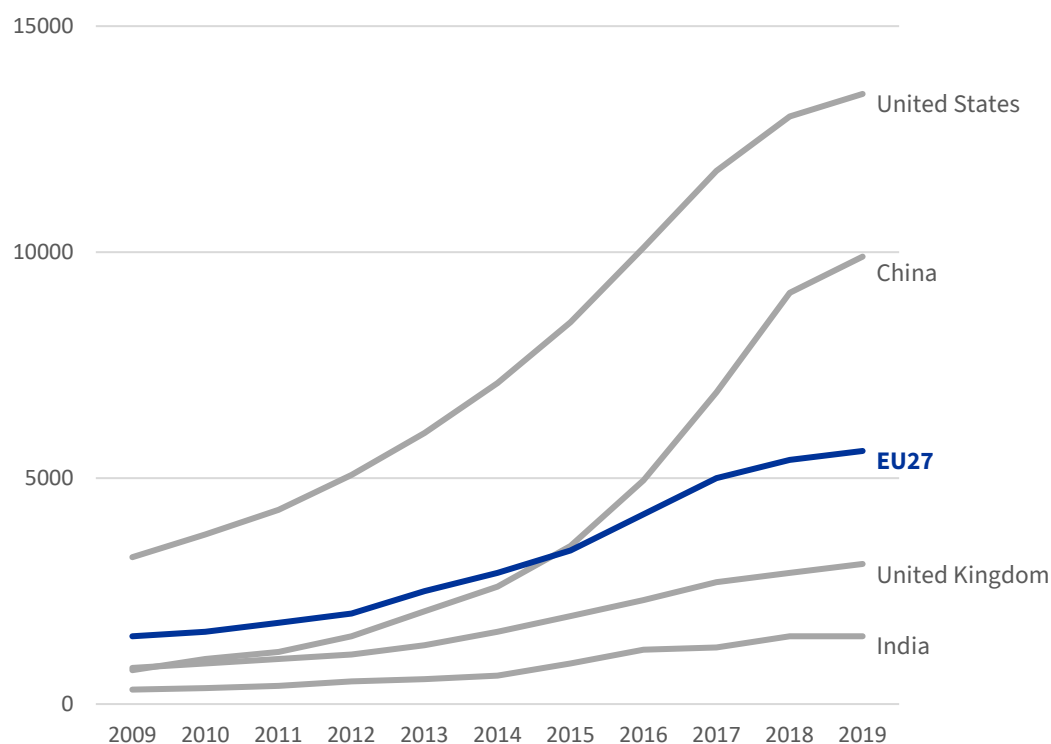


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Growth in number of AI companies



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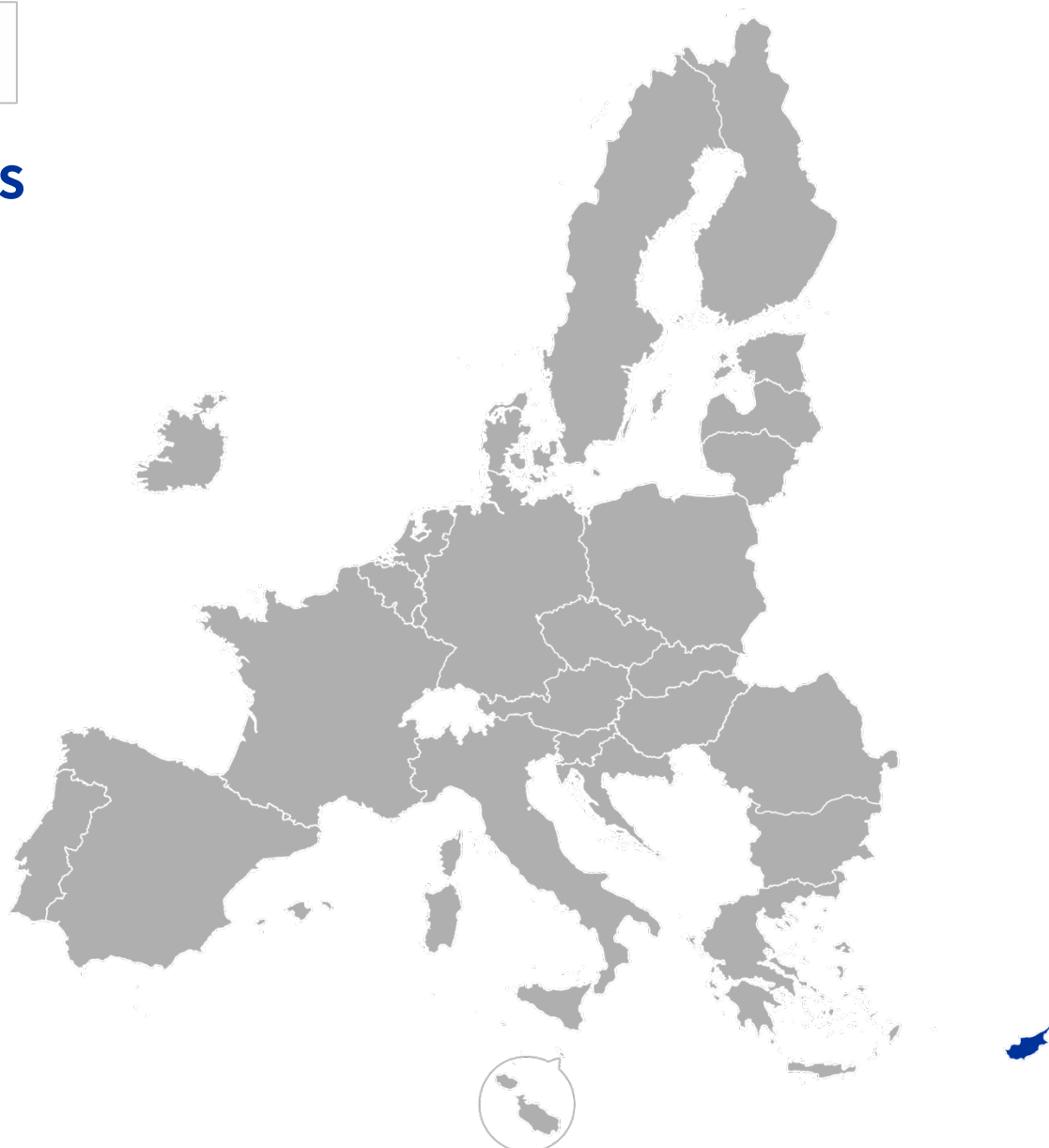
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Role profiles | **Standard version** | EN

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REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

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Article 2

Scope of application

The provision set out in Article 1 shall apply to all AI systems, **except when developed for military or defence purposes**.



CYPRUS

Agenda

On the Council's agenda today is the Commission's proposal for a legal framework for the use of artificial intelligence. You will discuss the draft with the representatives of the other member states, aiming to reach a compromise.

Your primary objective

A common position of the Council that reflects your interests. You can also consider supporting a compromise option that partly reflects your interests.

Your task

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Based on this risk classification, 'high risk' AI systems must undergo rigorous testing before being launched.

Your arguments

- Your national government prioritises policy actions that foster research and innovation while also applying strict ethical guidelines. AI without ethics will inevitably pose threats to the security of individuals and businesses, and to the EU's economic performance.
- Well-documented AI failures of the past highlight the need for human oversight and strong governance, already during development. For example, in 2010, AI-driven trading algorithms triggered a market crash, wiping out \$1 trillion in stock value within minutes.
- In your view, ethical AI development must prioritise transparency (making AI understandable), accountability (ensuring that human beings remain responsible for AI decisions) and control mechanisms (preventing AI from operating unchecked).
- You support a capability-based risk classification: any AI system with the potential for misuse or harmful impact should be considered high risk – not because AI is inherently dangerous, but because of how it might be used. However, you would be **open to discussing a purpose-based classification if this is reviewed in two years' time.**
- Your notes:

Article 2

Scope of application

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without exception



without exception, unless the system is developed as open-source



except when developed by small companies and startups (and)



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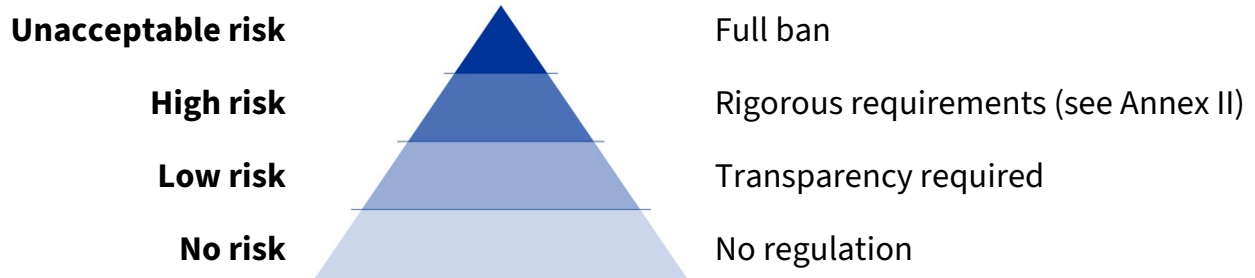


except when developed for national security, migration or border control

Your arguments

- You strongly believe that ethical AI development must apply across the board – no sector and no developer should be exempt from the EU AI regulation. Law enforcement, military, defence and national security are precisely the areas where the risks of misuse, bias and rights violations are highest. These sectors should not be treated as exceptions but should rather be held to the highest standards.
- The EU wants to lead the world in trustworthy and responsible AI. Therefore, you advocate for setting a clear example. Turning a blind eye to certain applications would weaken the credibility and impact of the EU AI Act. Ethical principles must guide all uses of AI – especially those with the greatest potential to affect people's lives and freedoms.
- Article 2 matters more to you than Article 1. If you cannot get others on board with your points concerning Article 1, you will focus on ensuring that your key requests for Article 2 are taken seriously.
- Your notes:

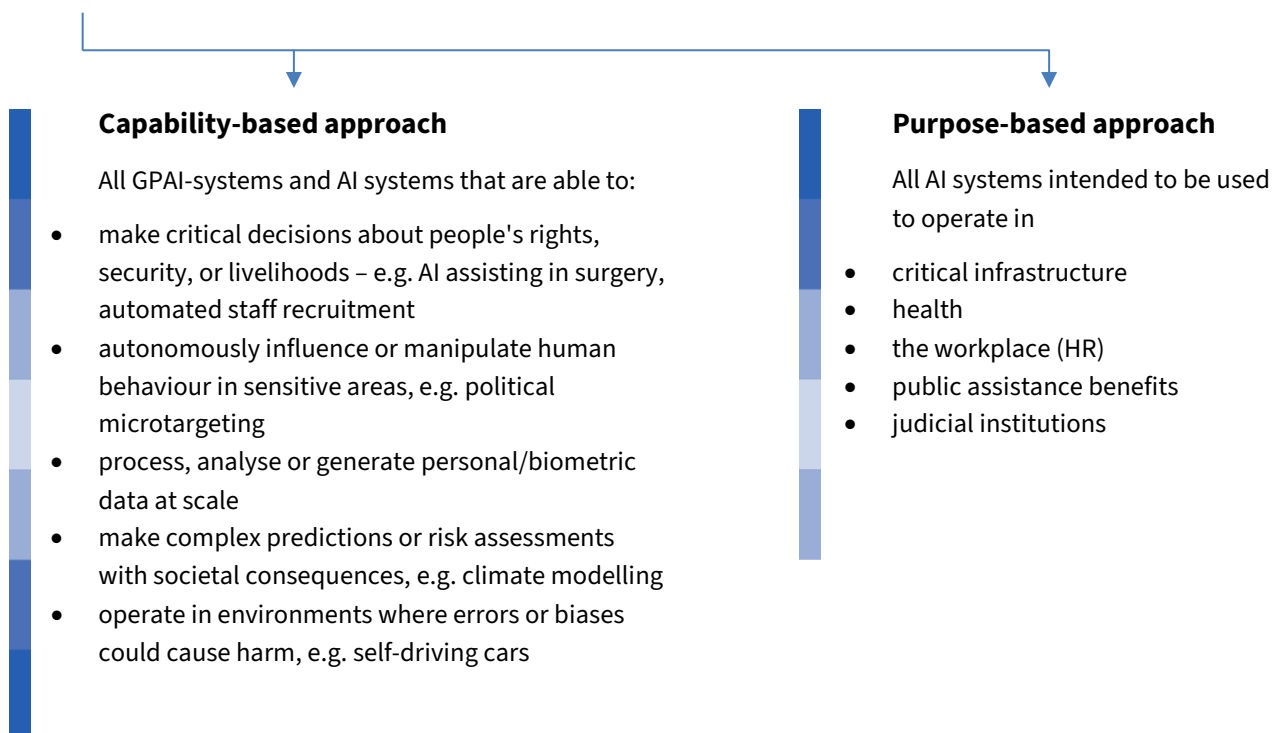
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Emphasis on legal and ethical standards:

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Cyprus	capability-based	review in 2 years	without exception	
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Denmark				
Estonia				
Finland				
France				
Germany				
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Slovakia				
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Spain				
Sweden				
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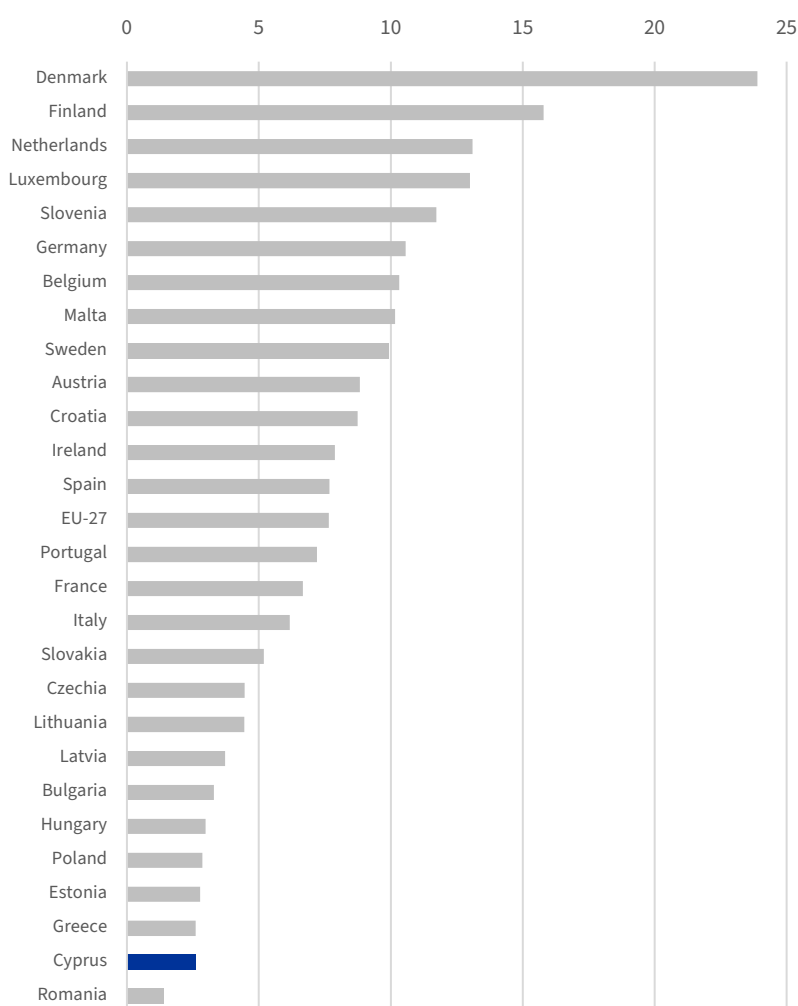
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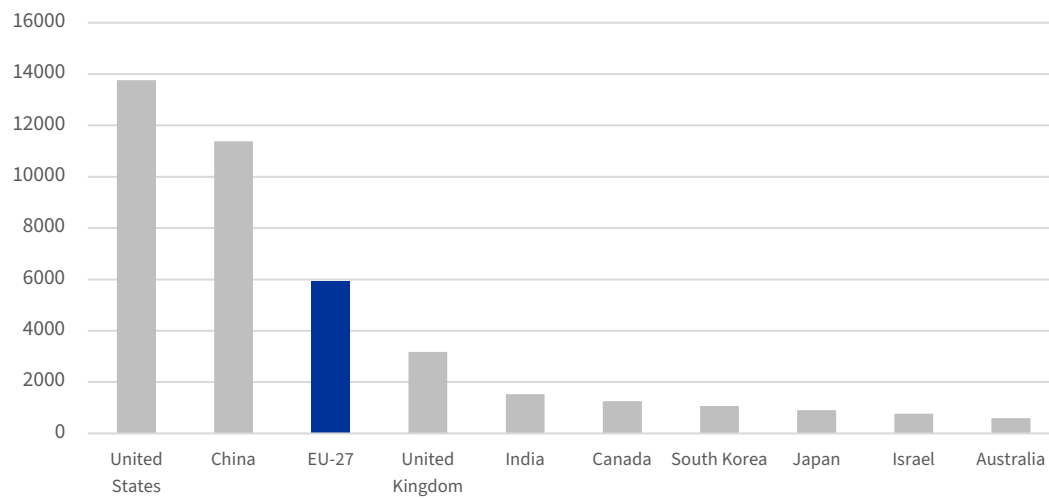
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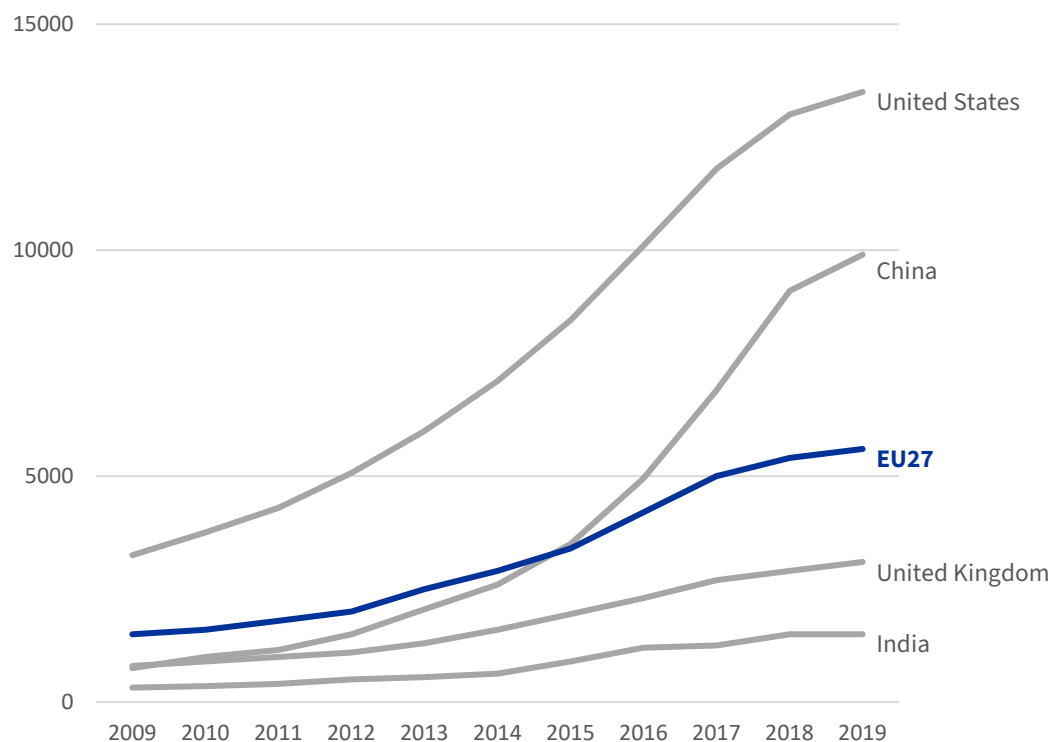


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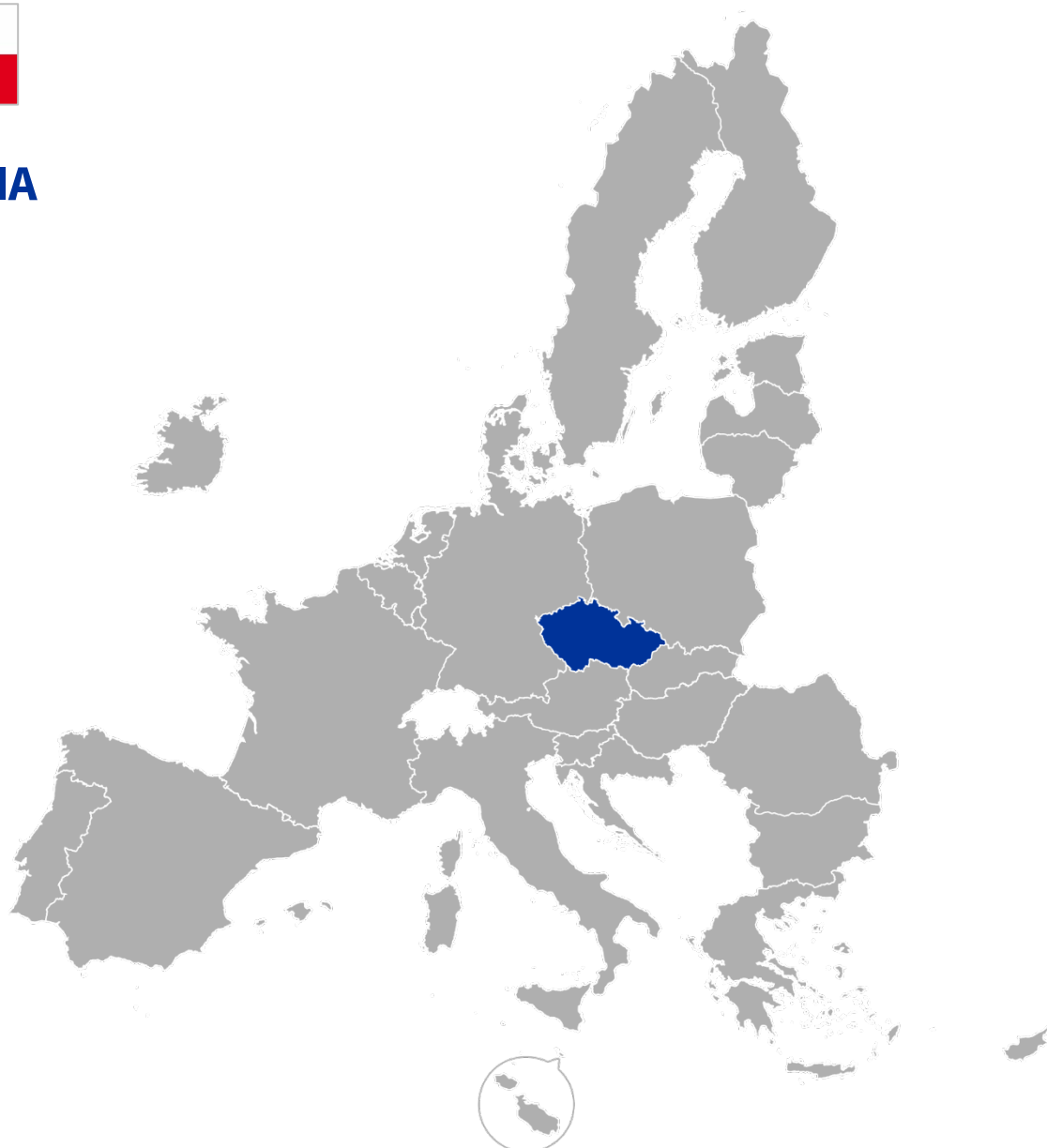
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We are confident that we will find a workable compromise during today's meeting.

Thank you.

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Article 1

AI systems classification & risk management

The EU is adopting a common standard for risk management in the development, marketing, import and use of AI systems. These systems are classified as no risk, low risk, high risk or unacceptable risk (see Annex I). To define 'high risk' AI systems, the EU will adopt a



... **capability-based risk classification: risk is determined by the system's technical abilities.**



... purpose-based risk classification: risk is based on the intended use of the AI in sensitive sectors.

Based on this risk classification, 'high risk' AI systems must undergo rigorous testing before being launched.

Your arguments

- Your national government aims to foster AI innovation. While the EU is strong in terms of research, the global market is led by the US and China, which are setting the rules. Other countries such as India, Canada and the UK are also advancing quickly.
- Given this context, you believe that the logical conclusion is that the EU must establish a balanced regulatory framework – one that is not overly rigid – in order to drive AI innovation and position itself as a global AI leader. The EU AI Act could be a game changer if it can win over the trust and support of both investors and developers.
- You support a capability-based approach, as a purpose-based one may conflict with existing national and EU sectoral policies. However, classifying all general-purpose AI (GPAI) as 'high risk' would be too rigid. Many GPAI systems, such as AI used in customer service or real-time translation, should clearly be low risk. Overregulation could discourage innovation, deter investment and reinforce the idea that 'the EU has the strictest AI rules', ultimately weakening Europe's competitiveness.
- If compromise proves difficult today, **you are open to adding a clause to review the regulation in five years' time**, ensuring that it stays relevant in a rapidly evolving AI landscape.
- Your notes:

Article 2

Scope of application

The provision set out in Article 1 shall apply to all AI systems,



without exception



without exception, unless the system is developed as open-source



except when developed by small companies and startups (and)



except when developed for military or defence purposes (and)

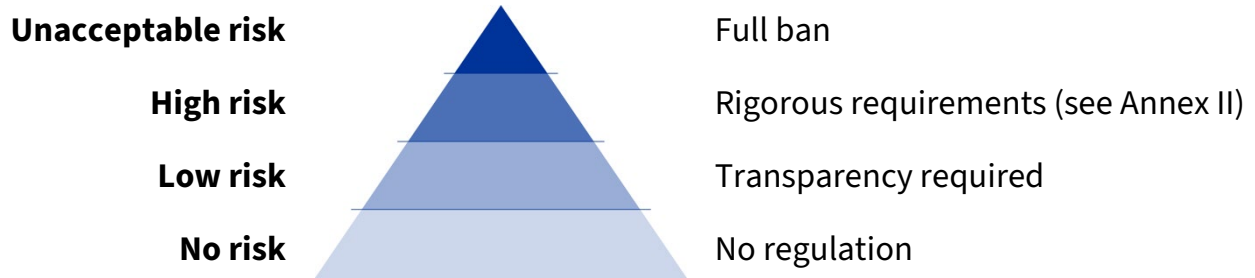


except when developed for national security, migration or border control

Your arguments

- You strongly believe that ethical AI development must apply across the board – no sector and no developer should be exempt from the EU AI regulation. Law enforcement, military, defence and national security are precisely the areas where the risks of misuse, bias and rights violations are highest. These sectors should not be treated as exceptions, but should rather be held to the highest standards.
- If the EU wants to lead the world in trustworthy and responsible AI, you must set a clear example. Turning a blind eye to certain applications would weaken the credibility and impact of the EU AI Act. Ethical principles must guide all uses of AI – especially those with the greatest potential to affect people's lives and freedoms.
- Your notes:

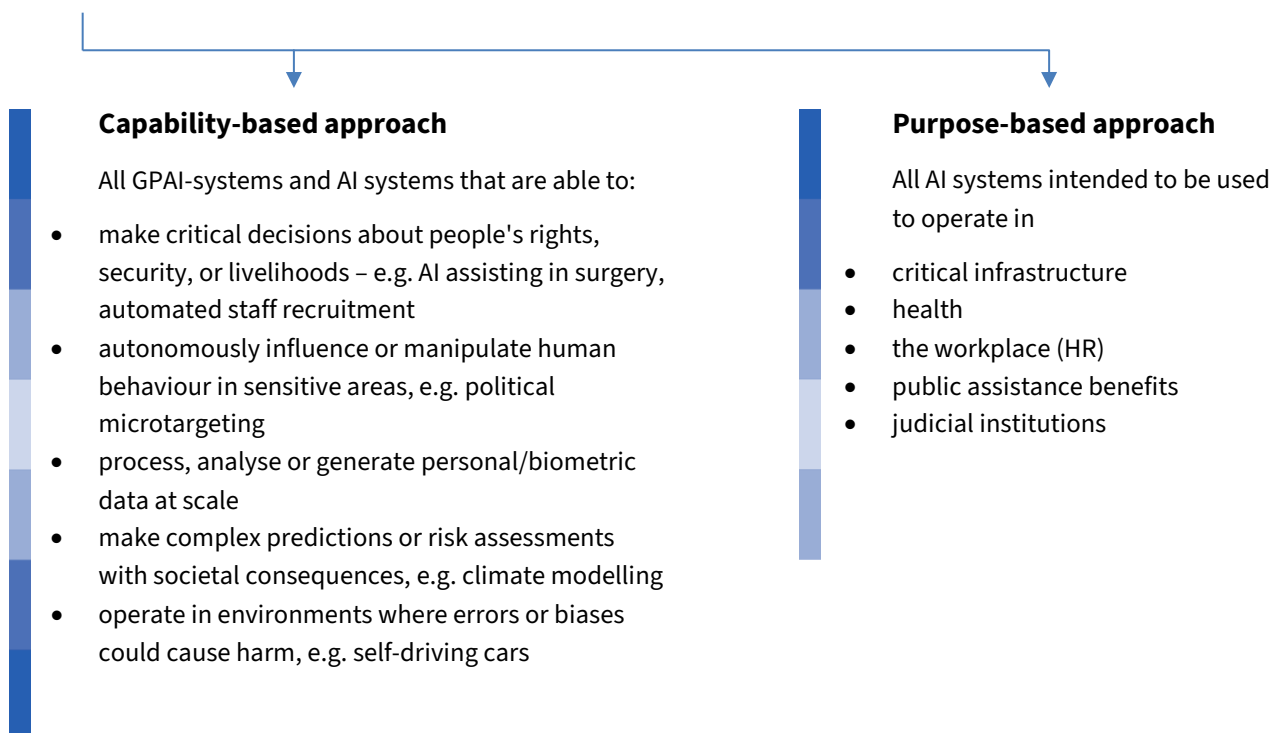
Annex I: Risk classification



Unacceptable risk:

- **Social scoring AI** – ranking citizens based on their behaviour
- **AI-powered mass surveillance** – biometric tracking without consent
- **Emotion recognition in workplaces/schools** to influence work performance
- **Autonomous lethal weapons** – that can kill without human intervention
- **Subliminal manipulation AI** – influencing people's decisions without transparency

High risk



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Low risk

- **AI systems not classified as 'high risk'**
- **Chatbots & virtual assistants** (as long as users know they are talking to AI)
- **Recommendation algorithms** – AI-powered suggestions on social media
- **AI for business automation** – AI that automates basic administrative tasks

No risk

- AI-powered image, music or art generators/editors
- AI in scientific research
- AI in toy & entertainment robots – AI-powered toys with no real-world risks



Annex II: Requirements for 'high risk' AI systems

Emphasis on legal and ethical standards:

- Risk assessment before deployment, identifying foreseeable risks and potential misuse.
- Human oversight ensured to prevent full automation in decision-making.
- Data governance to ensure unbiased training datasets.
- External audits mandatory, including sandbox testing with human supervision.
- Disclosure of test results to EU regulators.
- Post-market monitoring to track performance.

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	Article 1: classification	Other suggestions/notes	Article 2: scope	Other suggestions/notes
Austria				
Belgium				
Bulgaria				
Croatia				
Cyprus				
Czechia	capability-based	Review in 5 years	without exception	
Denmark				
Estonia				
Finland				
France				
Germany				
Greece				
Hungary				
Ireland				

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	Article 1: classification	Other suggestions/notes	Article 2: scope	Other suggestions/notes
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Latvia				
Lithuania				
Luxembourg				
Malta				
The Netherlands				
Poland				
Portugal				
Romania				
Slovakia				
Slovenia				
Spain				
Sweden				
Commission	purpose-based		military/defence	

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Definitions

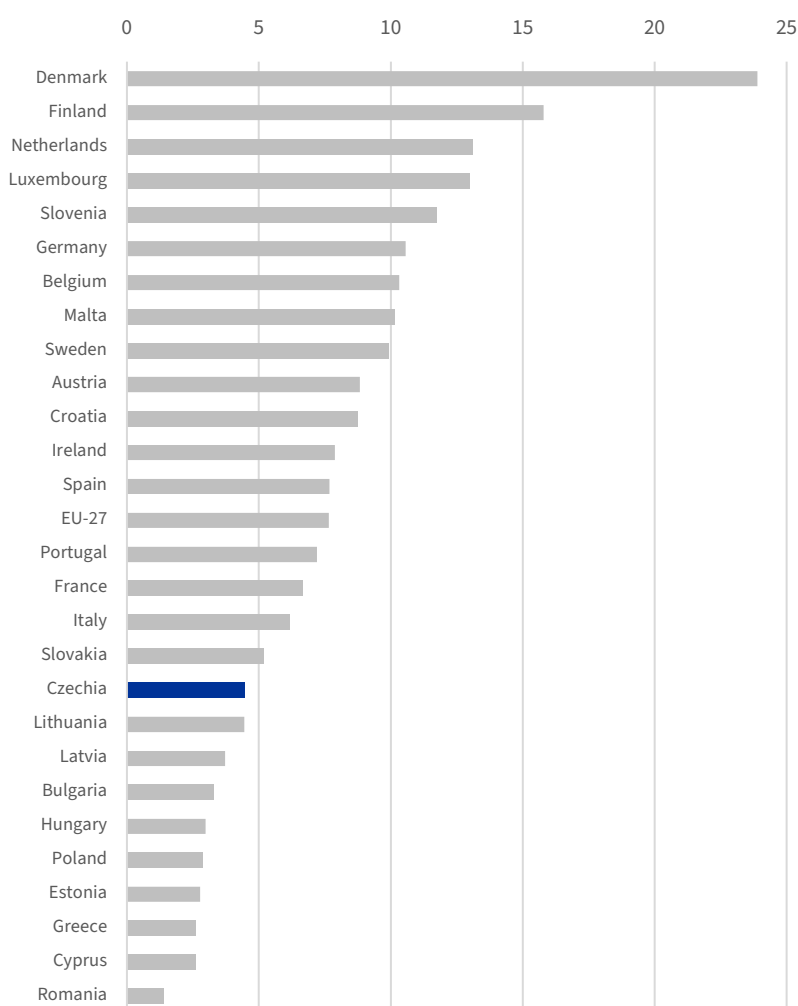
- **Algorithms** – step-by-step instructions which a computer follows in order to solve a problem or make a decision
- **Artificial intelligence systems** (AI systems) – computer-based systems that use AI to perform tasks typically requiring human intelligence, e.g. learning, reasoning, problem-solving, decision-making, perception and language understanding
- **Brain drain** – when skilled workers leave their country to work abroad
- **Business migration** – when a company moves its operations to another country, often for better conditions or lower costs
- **Deep learning AI** – a system that learns from large amounts of data using neural networks, such as how the human brain works. It recognises patterns and improves over time without needing explicit programming
- **General purpose artificial intelligence (GPAI)** – AI that can perform more than one task, e.g. ChatGPT, Google Gemini
- **Open-source** – software whose code is freely available for anyone to view, use and modify
- **Rule-based AI** – an AI system that makes decisions based on predefined rules and logic. For example, 'If X happens, then do Y'
- **Sandbox testing** - testing in an isolated environment, e.g. a self-driving AI is tested in a simulated city before driving on real roads

Background information

Please note: **the negotiations are taking place in 2023!**

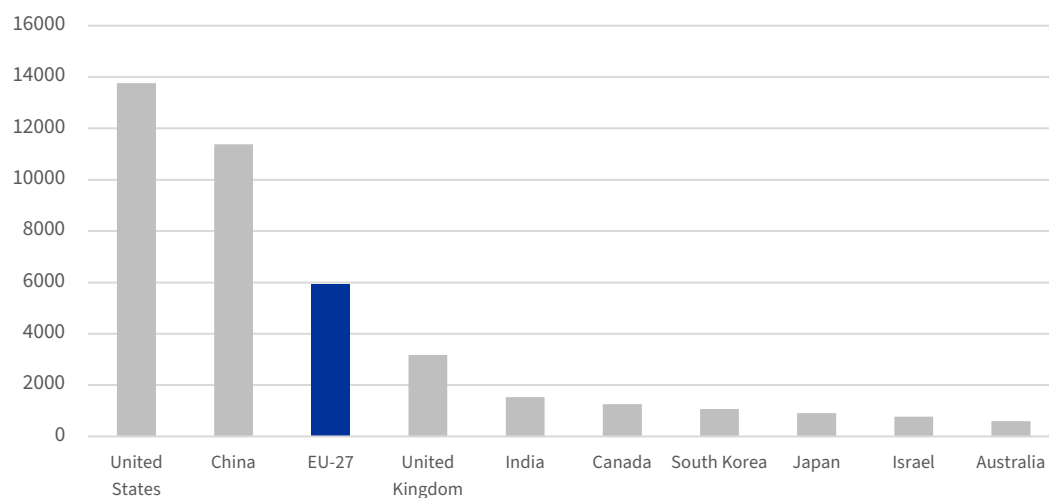
	European Union	Czechia
Population	447 695 350	10 827 529
GDP per capita in EUR	38 150	29 180
Unemployment rate	6.1%	2.6%
Percentage of companies using AI technology	8%	5.9%
Share of population with advanced digital skills	27.3%	35.5%

Percentage of companies with over 10 employees
using at least one AI system (2021)

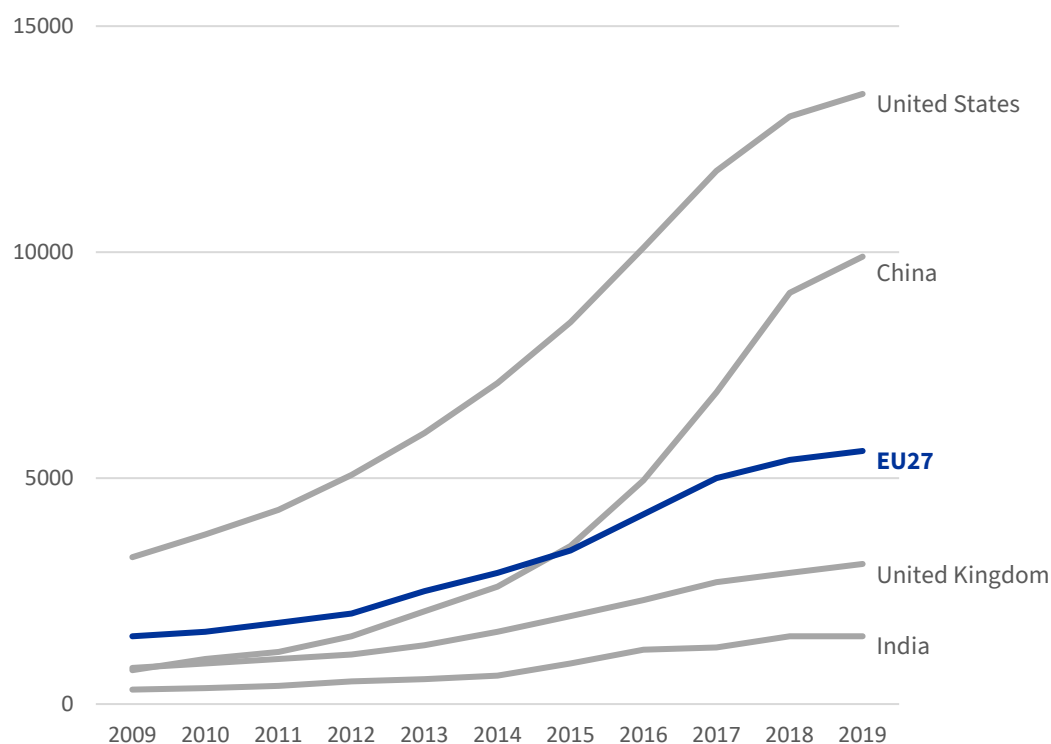


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AI companies by country (2020)



Growth in number of AI companies



Data sources: Eurostat, Joint Research Centre

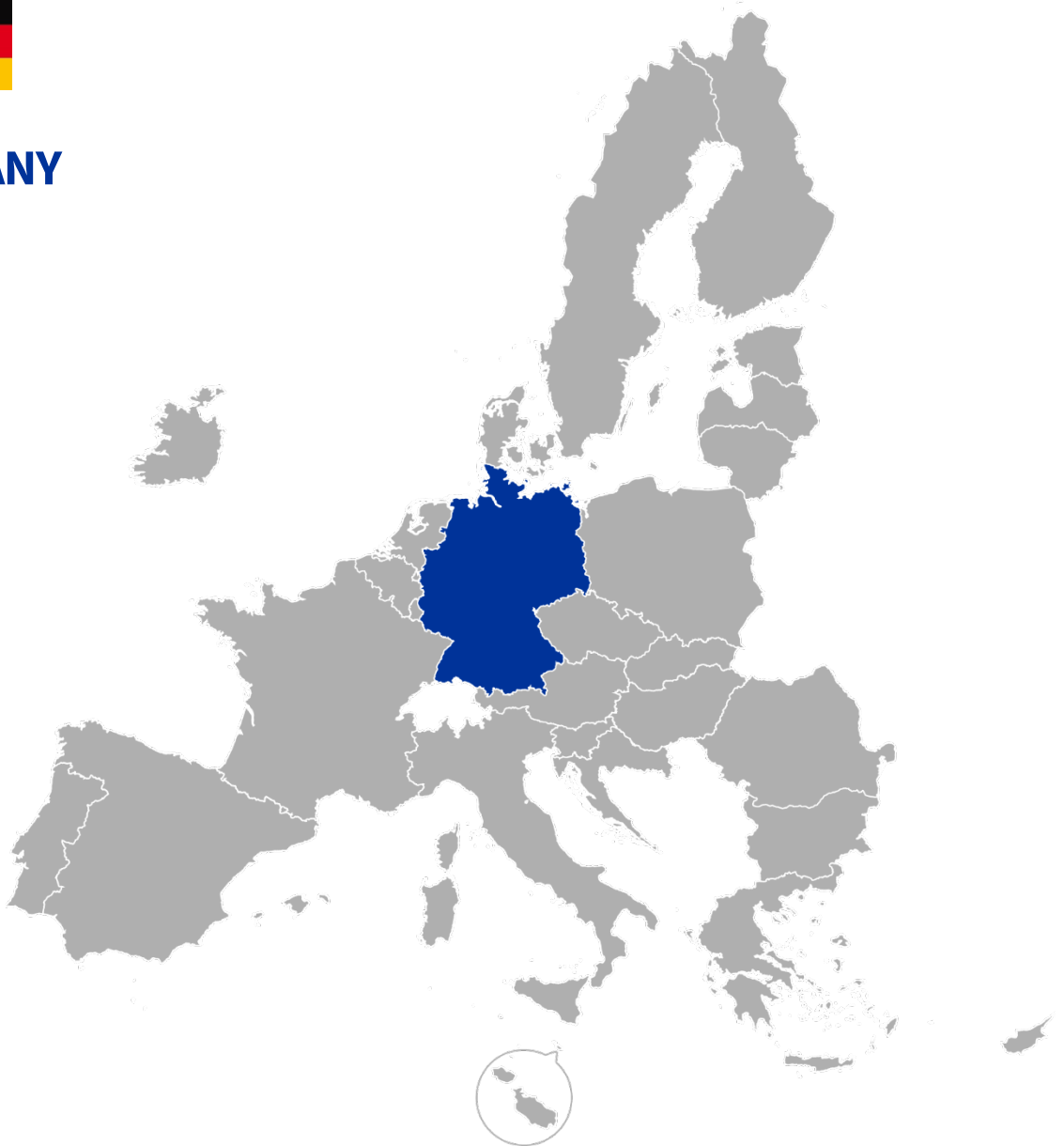
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GERMANY



MINISTER FOR A DAY: NEGOTIATING AT 27

■ Introducing an AI framework

Role profiles | **Standard version** | EN

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on a legal framework for the use of artificial intelligence

CONTEXT OF THE PROPOSAL

The European Union is at a critical juncture in shaping its digital future. As part of the Digital Decade strategy, the EU aims to lead in artificial intelligence (AI) while safeguarding fundamental rights, consumer protection, market competitiveness, innovation and technological leadership. At the heart of these discussions is a legislative proposal by the European Commission which aims to regulate AI development in the EU. After several rounds of negotiations, the following questions have yet to be addressed.

Article 1

AI systems classification & risk management

The EU is adopting a common standard for risk management in the development, marketing, import and use of AI systems. These systems are classified as no risk, low risk, high risk or unacceptable risk (see Annex I). To define 'high risk' AI systems, the EU will adopt a **purpose-based risk classification: risk is based on the intended use of the AI in sensitive sectors**. Based on this risk classification, 'high risk' AI systems must undergo rigorous testing before being launched.

Article 2

Scope of application

The provision set out in Article 1 shall apply to all AI systems, **except when developed for military or defence purposes**.



GERMANY

Agenda

On the Council's agenda today is the Commission's proposal for a legal framework for the use of artificial intelligence. You will discuss the draft with the representatives of the other member states, aiming to reach a compromise.

Your primary objective

A common position of the Council that reflects your interests. You can also consider supporting a compromise option that partly reflects your interests.

Your task

1. Carefully **read your group information**, which sets out your interests and positions.
2. You **share some of the arguments with countries such as Belgium, Cyprus, Greece and Spain**. Talk to them to see whether you can cooperate to advance your common interests, if you can identify any.
3. Prepare an **opening statement** (maximum 1 minute) for the first round of official negotiations. State your position on Articles 1 and 2. The script in the text box might help you.
4. Make your opening statement when the presidency (which chairs the meeting) gives you the floor. If you agree with other countries' positions that have already been mentioned, then make this clear.
5. Listen carefully to the positions of the other countries. **Complete the table on pages 8 and 9** to keep track of their positions. A major part of the negotiations is about listening to one another and finding solutions that work for everyone.
6. During the official negotiations, **present your positions and arguments**. Where you share arguments with other countries, it can be useful to present your arguments together in order to give them further weight.
7. Of course, **it is your decision as to how to vote in the end**. Be aware that when it comes to the final vote on a compromise proposal, you need to decide whether you prefer a compromise with which you may not be 100% satisfied or no result at all.



Madam/Mr Chair, Commissioner, colleagues,
I would first of all like to thank the Commission for its proposal and the presidency for including this issue on today's agenda.

In advance of today's meeting, we had fruitful discussions with _____ .

We think it is necessary to adopt a capability-/purpose-based risk classification, because _____

With regard to Article 2, certain exceptions will/will not apply, because we are in favour of _____

We are confident that we will find a workable compromise during today's meeting.

Thank you.

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... **capability-based risk classification: risk is determined by the system's technical abilities.**



... purpose-based risk classification: risk is based on the intended use of the AI in sensitive sectors.

Based on this risk classification, 'high risk' AI systems must undergo rigorous testing before being launched.

Your arguments

- Promoting fundamental rights is your top priority, and you recognise the urgent need for cross-border cooperation to address both national and transnational threats, including those from digital technologies. You have witnessed how AI can fuel misinformation and deepfake campaigns, posing serious risks to freedom of speech and democratic institutions.
- While AI development is advancing rapidly and will play an increasingly significant role in society, you believe it must be designed to benefit people and the environment – not cause harm.
- A major concern in AI systems is bias. When trained on non-diverse or unrepresentative datasets, AI can produce discriminatory outcomes – as seen with Amazon's hiring tool, which was scrapped for favouring male candidates based on past hiring patterns. Your ultimate goal today is to work on a framework that eliminates even the smallest risk of AI-generated harm, such as misinformation. You know it is an ambitious goal – but one you believe is necessary.
- For these reasons, you support a capability-based risk classification: any AI system with the potential for misuse or harmful impact should be considered high risk – not because AI is inherently dangerous, but because of how it might be used.
- Your notes:

Article 2

Scope of application

The provision set out in Article 1 shall apply to all AI systems,



without exception



without exception, unless the system is developed as open-source



except when developed by small companies and startups (and)



except when developed for military or defence purposes (and)

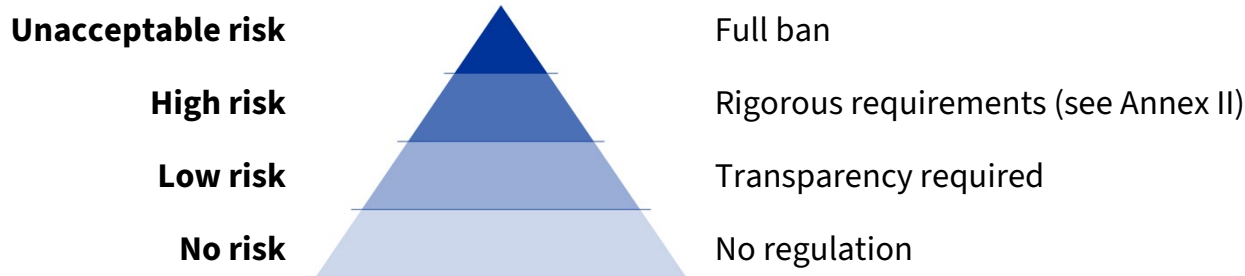


except when developed for national security, migration or border control

Your arguments

- You are very concerned to hear that some countries want to exclude law enforcement, military, defence or national security from the scope of the EU AI Act. These are exactly the areas where AI can cause serious harm – through discrimination, false positives and bias – and where strong safeguards are needed most. For example, biased facial recognition in policing has already led to wrongful arrests – of a disproportionate number of racialised young men – and serious violations of individual rights.
- You understand that many countries see big efficiency gains from using AI in these sectors, and you respect that. But human rights cannot be treated lightly. You have been closely following AI developments in the US and China, and you are deeply concerned about the lack of strong protections in their respective systems.
- The whole point of the EU AI Act is to promote responsible, human-centred AI. Excluding certain sectors from the regulation as a whole would weaken that goal and undermine the EU's ambition of setting a global standard for trustworthy AI.
- Your notes:

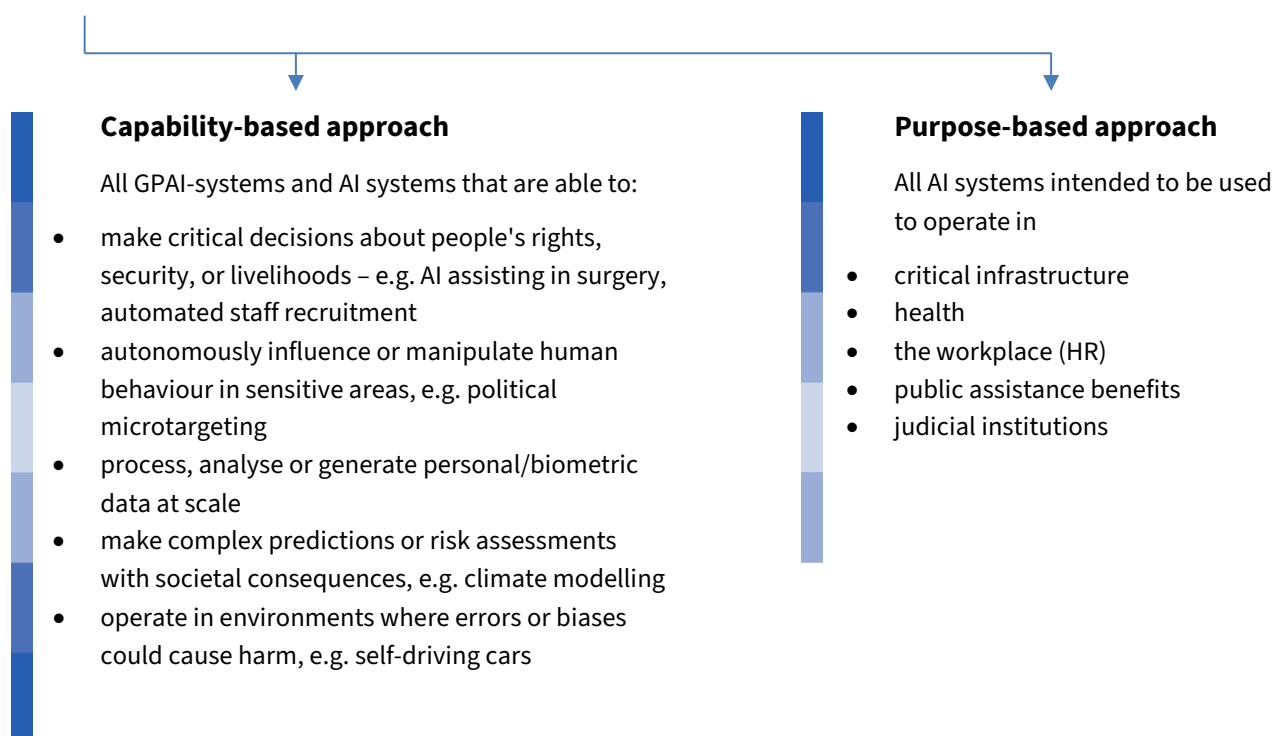
Annex I: Risk classification



Unacceptable risk:

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High risk



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Low risk

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Annex II: Requirements for 'high risk' AI systems

Emphasis on legal and ethical standards:

- Risk assessment before deployment, identifying foreseeable risks and potential misuse.
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Croatia				
Cyprus				
Czechia				
Denmark				
Estonia				
Finland				
France				
Germany	capability-based		without exception	
Greece				
Hungary				
Ireland				

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Poland				
Portugal				
Romania				
Slovakia				
Slovenia				
Spain				
Sweden				
Commission	purpose-based		military/defence	

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Definitions

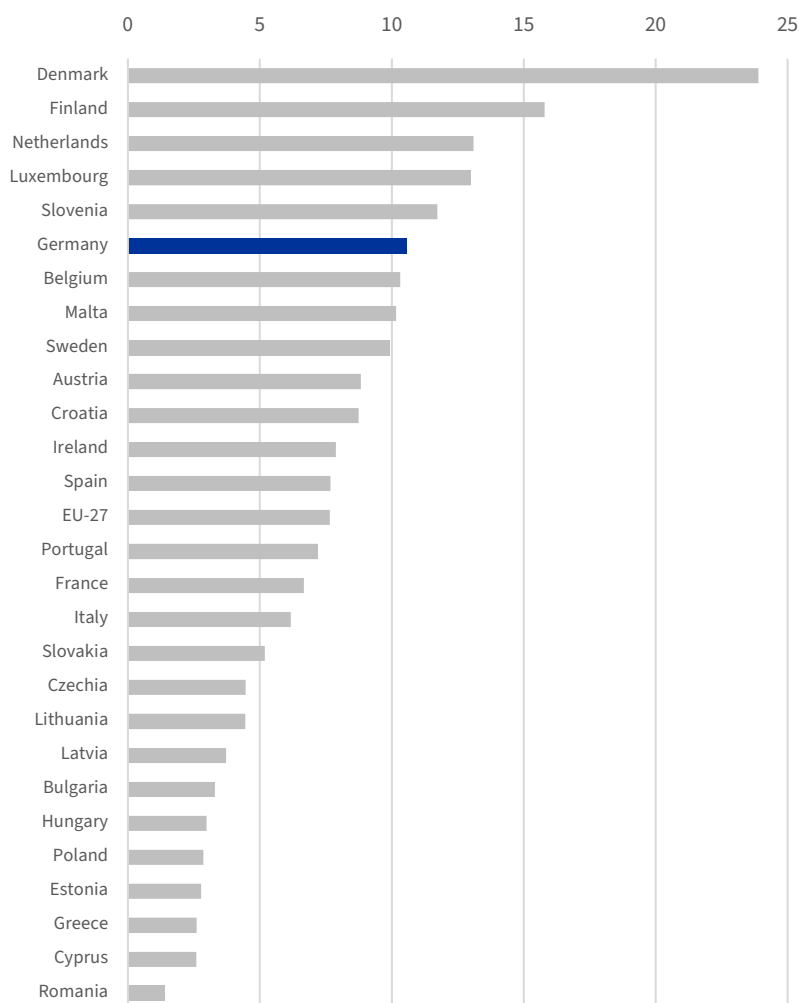
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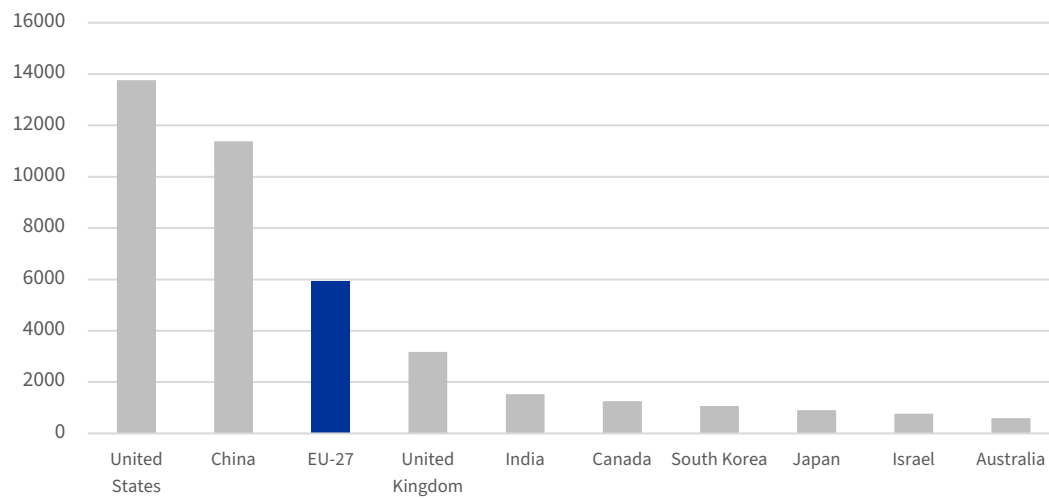
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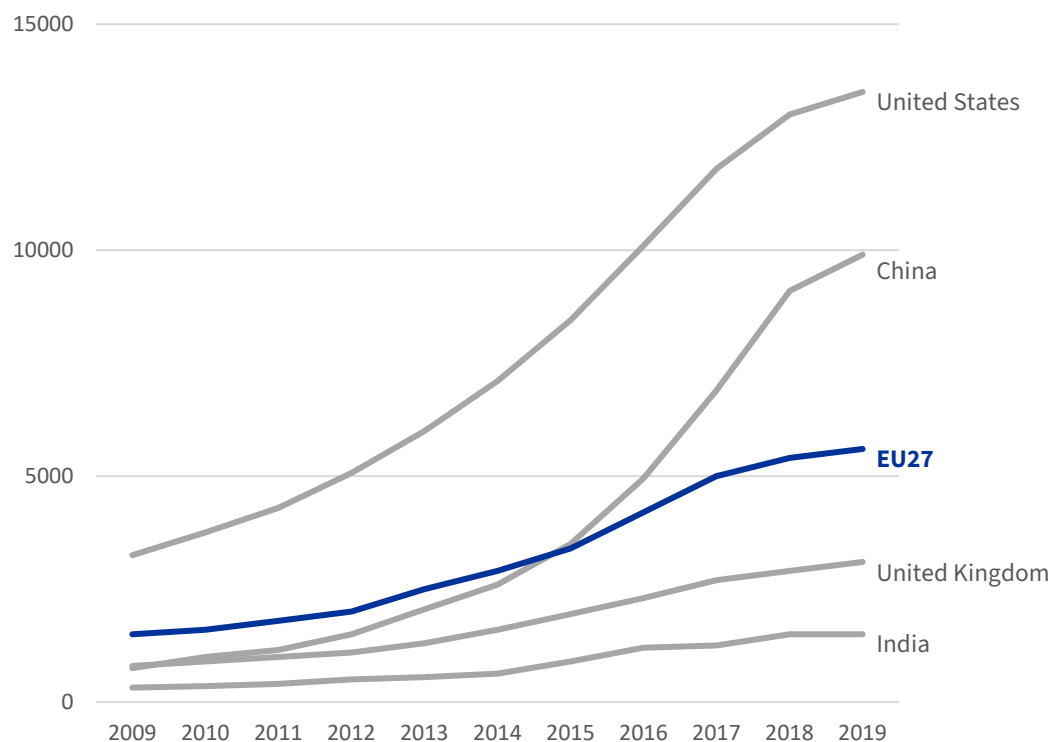


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AI companies by country (2020)



Growth in number of AI companies



Data sources: Eurostat, Joint Research Centre

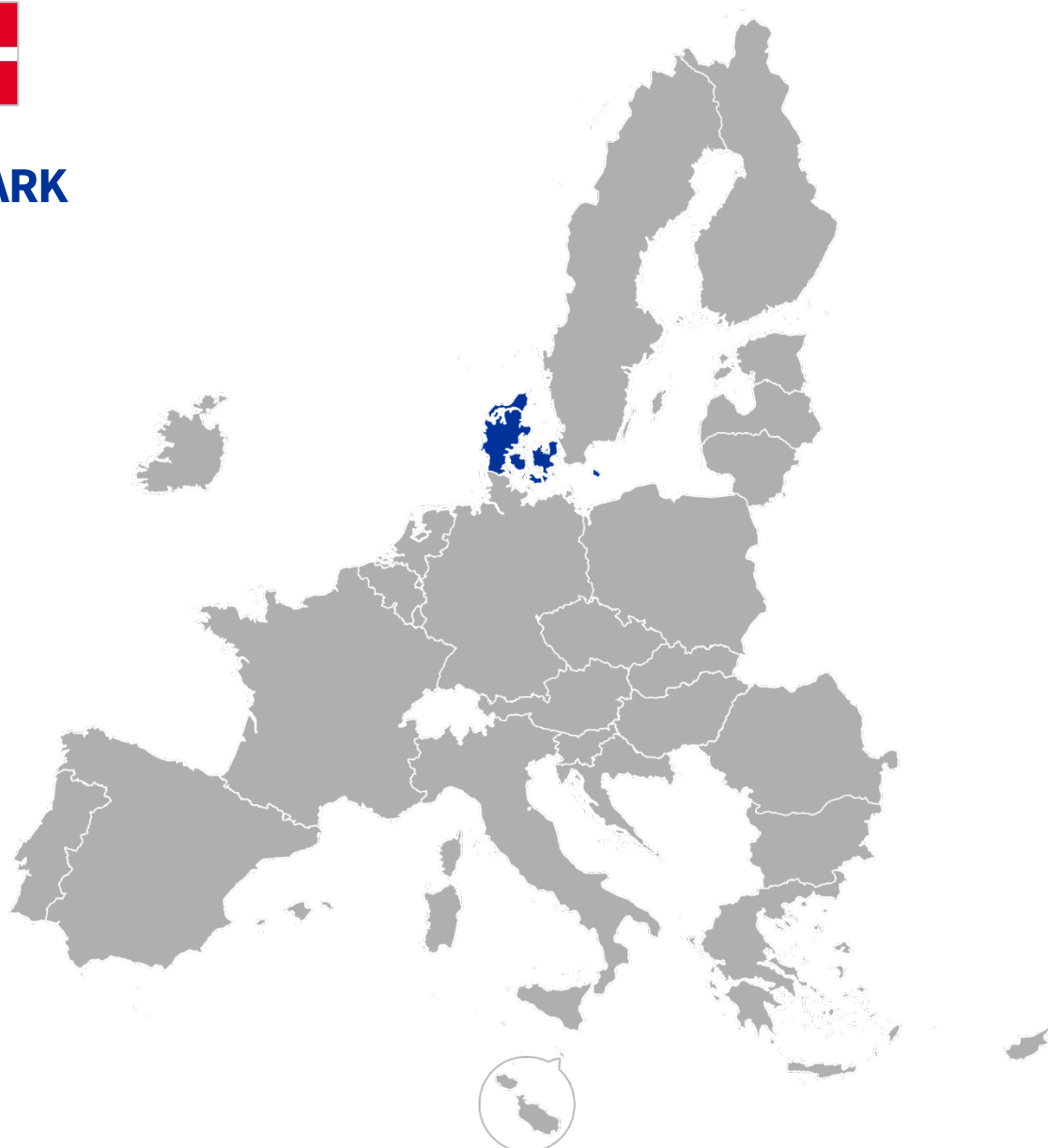
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DENMARK



MINISTER FOR A DAY: NEGOTIATING AT 27

■ Introducing an AI framework

Role profiles | **Standard version** | EN



Council of the
European Union

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on a legal framework for the use of artificial intelligence

CONTEXT OF THE PROPOSAL

The European Union is at a critical juncture in shaping its digital future. As part of the Digital Decade strategy, the EU aims to lead in artificial intelligence (AI) while safeguarding fundamental rights, consumer protection, market competitiveness, innovation and technological leadership. At the heart of these discussions is a legislative proposal by the European Commission which aims to regulate AI development in the EU. After several rounds of negotiations, the following questions have yet to be addressed.

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Article 2

Scope of application

The provision set out in Article 1 shall apply to all AI systems, **except when developed for military or defence purposes**.



Agenda

On the Council's agenda today is the Commission's proposal for a legal framework for the use of artificial intelligence. You will discuss the draft with the representatives of the other member states, aiming to reach a compromise.

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A common position of the Council that reflects your interests. You can also consider supporting a compromise option that partly reflects your interests.

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Madam/Mr Chair, Commissioner, colleagues,

I would first of all like to thank the Commission for its proposal and the presidency for including this issue on today's agenda.

In advance of today's meeting, we had fruitful discussions with _____.

We think it is necessary to adopt a capability-/purpose-based risk classification, because _____.

With regard to Article 2, certain exceptions will/will not apply, because we are in favour of _____.

We are confident that we will find a workable compromise during today's meeting.

Thank you.

Article 1

AI systems classification & risk management

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... capability-based risk classification: risk is determined by the system's technical abilities.



... purpose-based risk classification: risk is based on the intended use of the AI in sensitive sectors.

Based on this risk classification, 'high risk' AI systems must undergo rigorous testing before being launched.

Your arguments

- You welcome the Commission's proposal to introduce an AI framework. The Act should promote a culture of responsibility, making it easier to trace where things have gone wrong whenever any issues arise.
- You support the purpose-based approach as a constructive first step. It fosters healthy competition in each sector. However, you wish to include the education sector. When schools use AI to monitor behaviour, grade assignments or predict performance, students may feel like they are constantly being watched or judged by a machine. This can create pressure to always 'perform' in a certain way, even if the students are simply having a bad day. Unlike a human teacher, AI often lacks empathy or an understanding of personal challenges.
- Furthermore, you want to highlight the Union's linguistic diversity. Most large AI models are trained on data from widely spoken languages such as English, French or German, which can lead to poor performance in less widely spoken languages such as Danish.
- If the EU decides to allocate funds to support AI development, it would be fair to prioritise support for smaller countries and less widely spoken languages. Without this, AI development may worsen inequalities, delivering lower-quality services in less widely spoken languages.
- Your notes:

Article 2

Scope of application

The provision set out in Article 1 shall apply to all AI systems,



without exception



without exception, unless the system is developed as open-source



except when developed by small companies and startups (and)



except when developed for military or defence purposes (and)

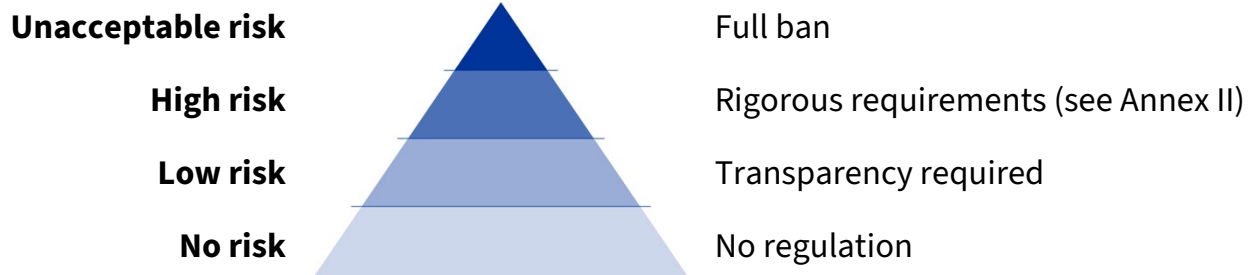


except when developed for national security, migration or border control

Your arguments

- It remains essential for you that matters relating to national security, military or defence should remain outside the scope of AI regulation. Member states are determined to retain control over decisions in those areas, which typically fall outside the EU's jurisdiction in any case. This is also reflected in the fact that the EU does not (yet) possess a unified EU army.
- Additionally, you argue that AI systems used for intelligence gathering, cyber defence or battlefield scenarios cannot be subject to the same disclosure or regulatory requirements as civilian systems, because doing so could compromise operational secrecy, national security interests and the strategic advantage that such systems are designed to provide.
- If your request cannot be fully accommodated in today's discussion, you are open to a compromise in which military and national security purposes are not excluded from the regulation but are rather recognised as low risk AI, resulting in lighter requirements.
- Your notes:

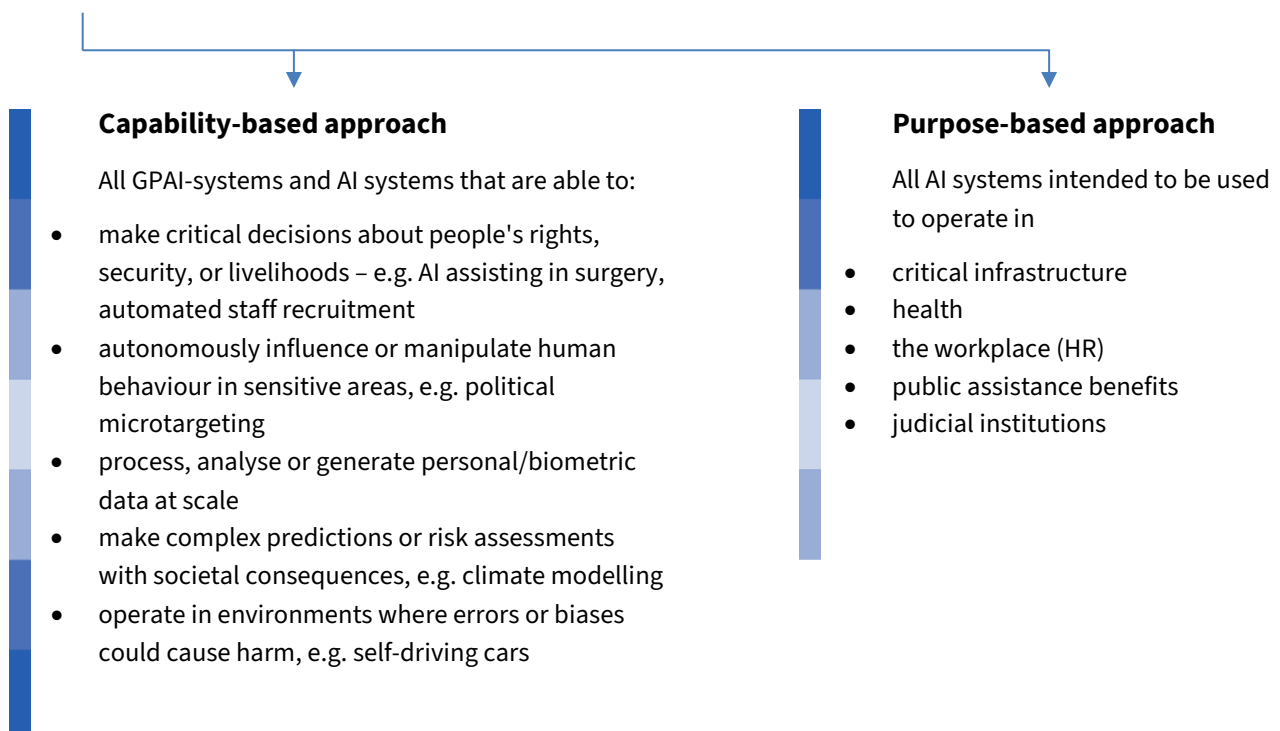
Annex I: Risk classification



Unacceptable risk:

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- **Autonomous lethal weapons** – that can kill without human intervention
- **Subliminal manipulation AI** – influencing people's decisions without transparency

High risk



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Low risk

- **AI systems not classified as 'high risk'**
- **Chatbots & virtual assistants** (as long as users know they are talking to AI)
- **Recommendation algorithms** – AI-powered suggestions on social media
- **AI for business automation** – AI that automates basic administrative tasks

No risk

- AI-powered image, music or art generators/editors
- AI in scientific research
- AI in toy & entertainment robots – AI-powered toys with no real-world risks



Annex II: Requirements for 'high risk' AI systems

Emphasis on legal and ethical standards:

- Risk assessment before deployment, identifying foreseeable risks and potential misuse.
- Human oversight ensured to prevent full automation in decision-making.
- Data governance to ensure unbiased training datasets.
- External audits mandatory, including sandbox testing with human supervision.
- Disclosure of test results to EU regulators.
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Belgium				
Bulgaria				
Croatia				
Cyprus				
Czechia				
Denmark	purpose-based	Include education	military/defence + national security	
Estonia				
Finland				
France				
Germany				
Greece				
Hungary				
Ireland				

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Latvia				
Lithuania				
Luxembourg				
Malta				
The Netherlands				
Poland				
Portugal				
Romania				
Slovakia				
Slovenia				
Spain				
Sweden				
Commission	purpose-based		military/defence	

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Definitions

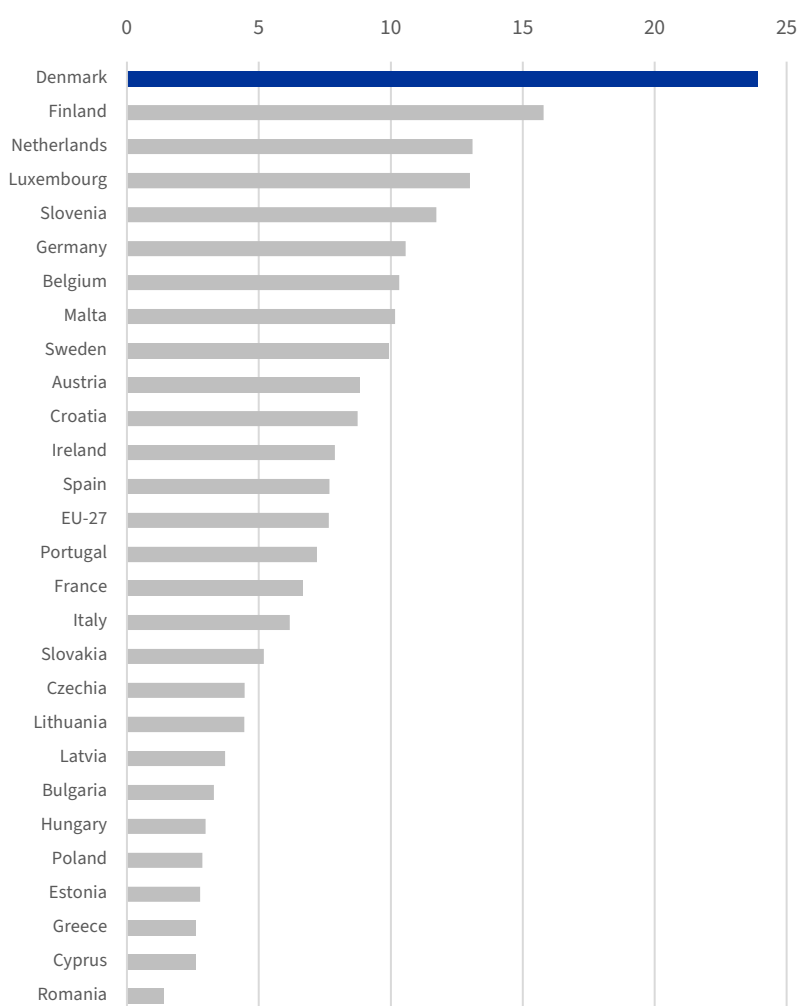
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Please note: **the negotiations are taking place in 2023!**

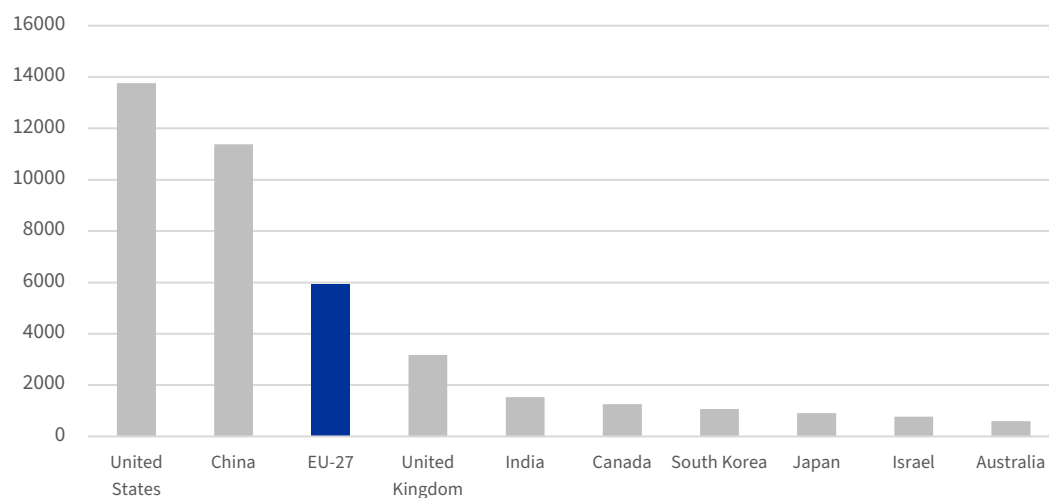
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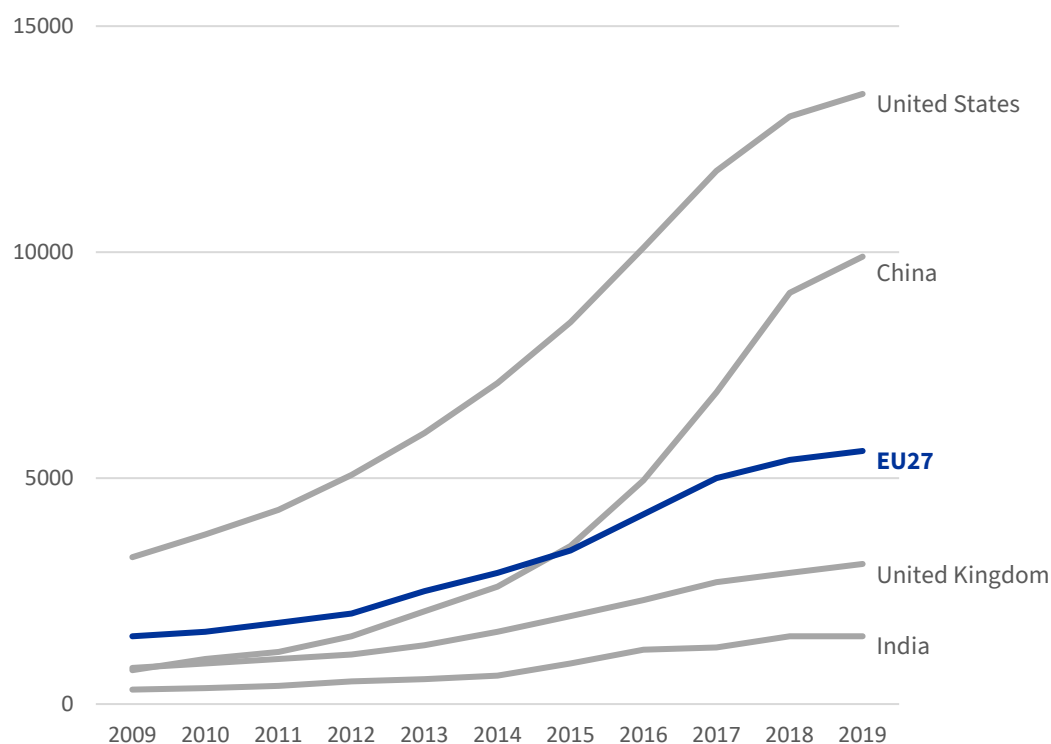


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Data sources: Eurostat, Joint Research Centre

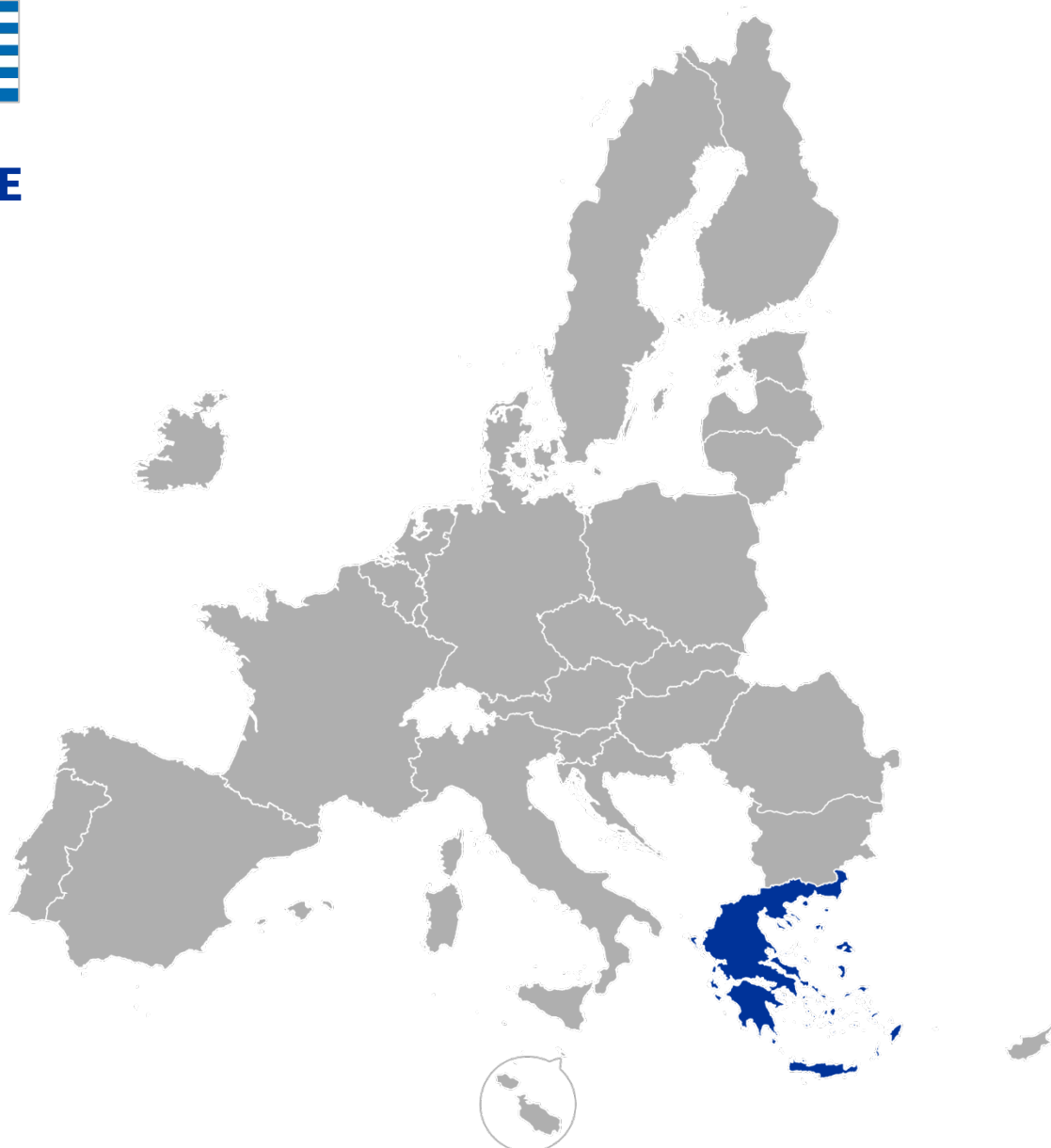
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GREECE



MINISTER FOR A DAY: NEGOTIATING AT 27

■ Introducing an AI framework

Role profiles | **Standard version** | EN



Council of the
European Union

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on a legal framework for the use of artificial intelligence

CONTEXT OF THE PROPOSAL

The European Union is at a critical juncture in shaping its digital future. As part of the Digital Decade strategy, the EU aims to lead in artificial intelligence (AI) while safeguarding fundamental rights, consumer protection, market competitiveness, innovation and technological leadership. At the heart of these discussions is a legislative proposal by the European Commission which aims to regulate AI development in the EU. After several rounds of negotiations, the following questions have yet to be addressed.

Article 1

AI systems classification & risk management

The EU is adopting a common standard for risk management in the development, marketing, import and use of AI systems. These systems are classified as no risk, low risk, high risk or unacceptable risk (see Annex I). To define 'high risk' AI systems, the EU will adopt a **purpose-based risk classification: risk is based on the intended use of the AI in sensitive sectors**. Based on this risk classification, 'high risk' AI systems must undergo rigorous testing before being launched.

Article 2

Scope of application

The provision set out in Article 1 shall apply to all AI systems, **except when developed for military or defence purposes**.



GREECE

Agenda

On the Council's agenda today is the Commission's proposal for a legal framework for the use of artificial intelligence. You will discuss the draft with the representatives of the other member states, aiming to reach a compromise.

Your primary objective

A common position of the Council that reflects your interests. You can also consider supporting a compromise option that partly reflects your interests.

Your task

1. Carefully **read your group information**, which sets out your interests and positions.
2. You **share some of the arguments with countries such as Belgium, Cyprus, Germany and Spain**. Talk to them to see whether you can cooperate to advance your common interests, if you can identify any.
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Madam/Mr Chair, Commissioner, colleagues,

I would first of all like to thank the Commission for its proposal and the presidency for including this issue on today's agenda.

In advance of today's meeting, we had fruitful discussions with _____.

We think it is necessary to adopt a capability-/purpose-based risk classification, because _____.

With regard to Article 2, certain exceptions will/will not apply, because we are in favour of _____.

We are confident that we will find a workable compromise during today's meeting.

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... **capability-based risk classification: risk is determined by the system's technical abilities.**



... purpose-based risk classification: risk is based on the intended use of the AI in sensitive sectors.

Based on this risk classification, 'high risk' AI systems must undergo rigorous testing before being launched.

Your arguments

- Your country aims to foster a technology-enabled future that promotes innovation and development for the benefit of all, grounded in the core values of Europe.
- To prevent AI from having a negative impact on democratic processes (for example, through the spreading of AI-generated fake news), you support the capability-based approach, which considers any AI system high risk if it has the capability to 'manipulate human behaviour' – including in contexts such as elections.
- You are particularly concerned about the potential dangers of biased AI: studies have found that major facial recognition systems have had much higher error rates when identifying people with darker skin tones and women, especially black women. Such errors have subsequently been traced back to training datasets heavily skewed towards white male faces, leading to frequent misidentification and resulting in discriminatory outcomes.
- It may be challenging to reach common ground today. If necessary, **an additional clause could be proposed as a compromise: a mandatory review of the framework within three years**, acknowledging the rapid pace of AI development. This review process should include voices from civil society, the private sector, industry and national governments.
- Your notes:

Article 2

Scope of application

The provision set out in Article 1 shall apply to all AI systems,



without exception



without exception, unless the system is developed as open-source



except when developed by small companies and startups (and)



except when developed for military or defence purposes (and)

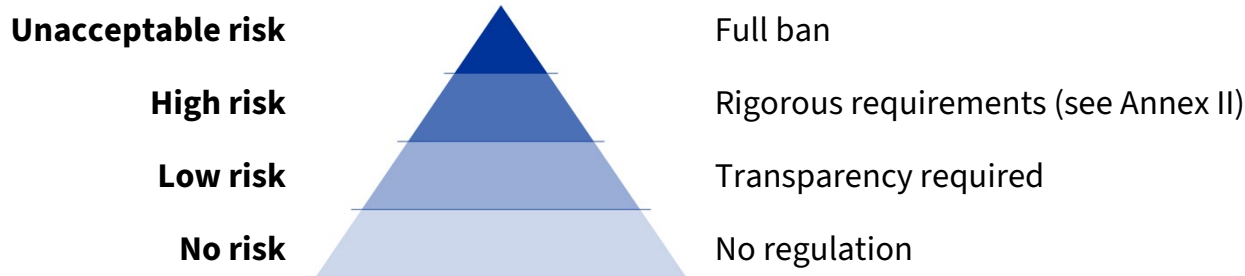


except when developed for national security, migration or border control

Your arguments

- It remains essential for you that matters relating to national security, military and defence remain outside the scope of AI regulation. Member states are determined to retain control over decisions in these areas, which typically fall outside the EU's jurisdiction in any case. As a Schengen border country, Greece plays a critical role in managing the EU's external borders. However, the systems that are currently in place are outdated and inefficient, placing a heavy operational and humanitarian burden on national authorities.
- Greece is therefore looking to AI models as a means of modernising and streamlining border operations – enhancing identification, registration and case management processes, while also supporting swifter, more accurate decision-making. Given the urgent need to manage high volumes of arrivals, Greece needs the flexible and timely deployment of AI systems to support faster, more effective operations.
- Your notes:

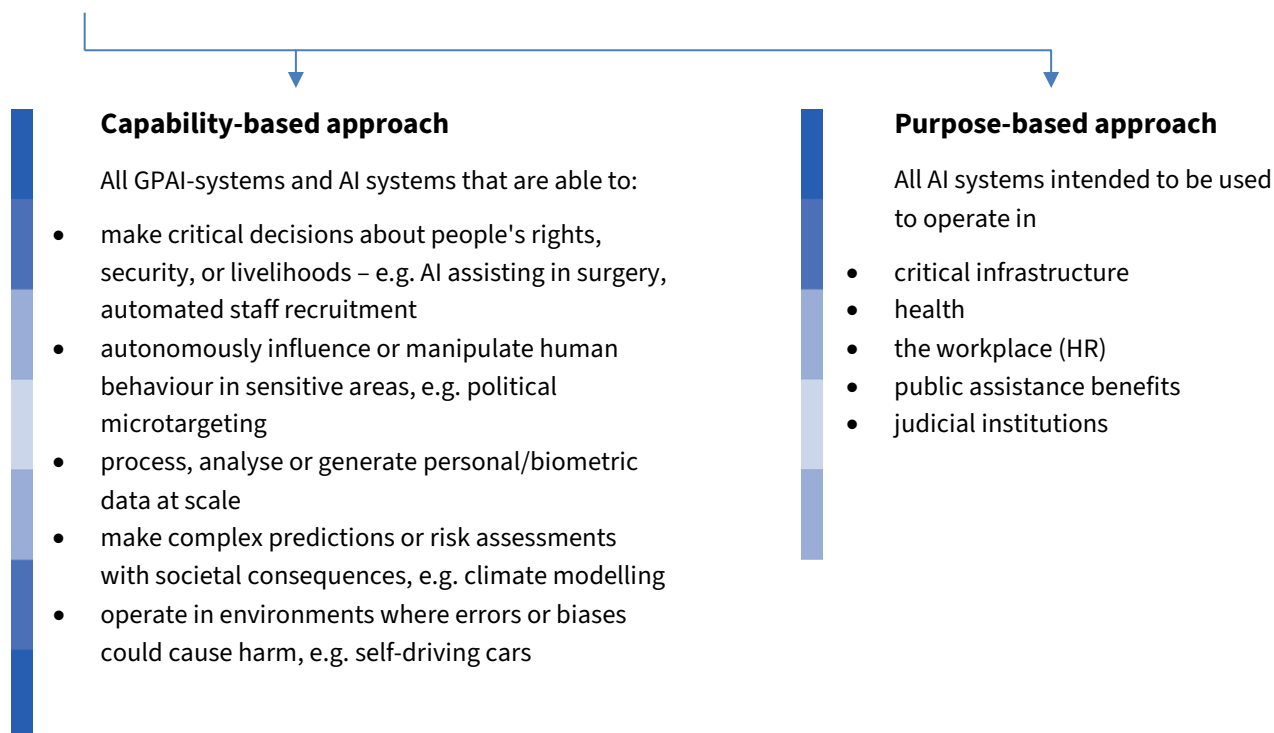
Annex I: Risk classification



Unacceptable risk:

- **Social scoring AI** – ranking citizens based on their behaviour
- **AI-powered mass surveillance** – biometric tracking without consent
- **Emotion recognition in workplaces/schools** to influence work performance
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High risk



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Low risk

- **AI systems not classified as 'high risk'**
- **Chatbots & virtual assistants** (as long as users know they are talking to AI)
- **Recommendation algorithms** – AI-powered suggestions on social media
- **AI for business automation** – AI that automates basic administrative tasks

No risk

- AI-powered image, music or art generators/editors
- AI in scientific research
- AI in toy & entertainment robots – AI-powered toys with no real-world risks



Annex II: Requirements for 'high risk' AI systems

Emphasis on legal and ethical standards:

- Risk assessment before deployment, identifying foreseeable risks and potential misuse.
- Human oversight ensured to prevent full automation in decision-making.
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- External audits mandatory, including sandbox testing with human supervision.
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Belgium				
Bulgaria				
Croatia				
Cyprus				
Czechia				
Denmark				
Estonia				
Finland				
France				
Germany				
Greece	capability-based	Review in 3 years	military/defence + national security	
Hungary				
Ireland				

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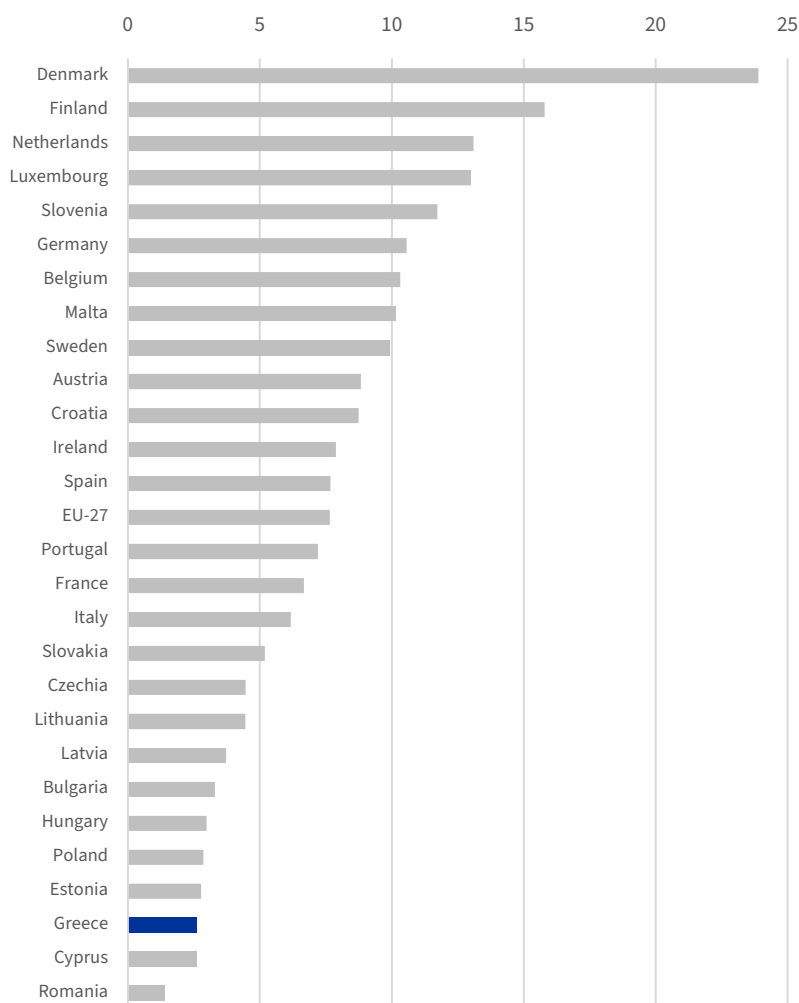
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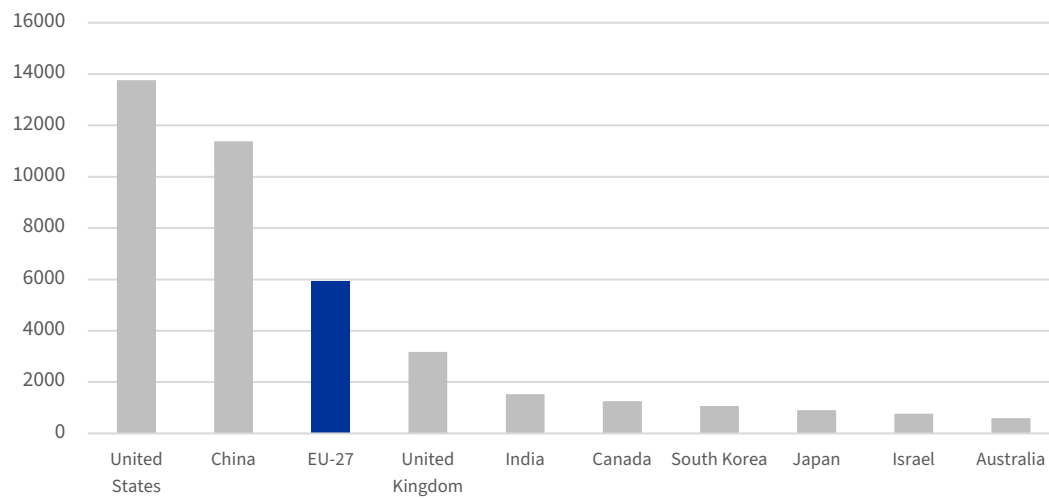
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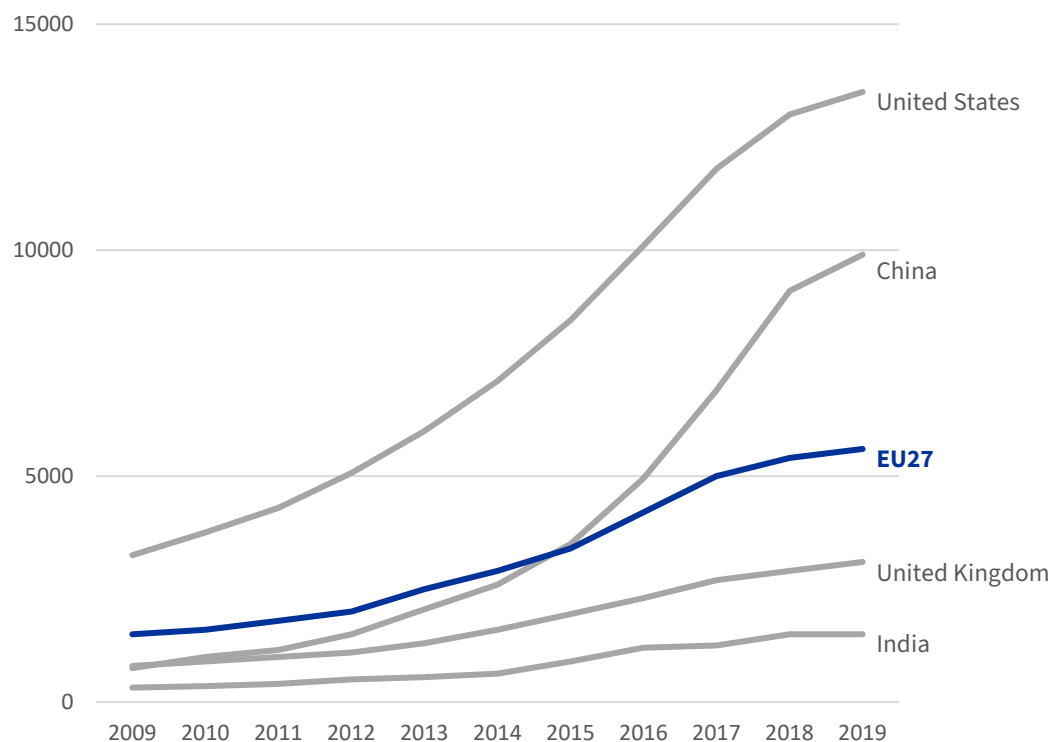


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SPAIN



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Role profiles | **Standard version** | EN



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Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

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Article 2

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SPAIN

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Your arguments

- Your country prioritises civil liberties as the foundation of a just and secure society. Your ultimate goal today is to work on a framework that eliminates even the smallest risk of AI-generated harm, such as bias amplification and privacy risks. You know it is an ambitious goal – but one you believe is necessary.
- You strongly oppose the purpose-based approach proposed by the Commission. For instance, if an AI system designed for the creative sector to create music also emits dangerously loud sounds – like a sound cannon – it could still cause harm, despite being labelled as low risk. Focusing solely on declared intent while ignoring technical capabilities can be dangerous.
- On developer obligations, as AI is still in its early stages, you believe it is most responsible to have developers subjected to mandatory risk assessments, data governance, external audits, disclosure of test results and post-market monitoring. If, over time, developers learn from their mistakes, businesses become more aware of bias risks and the technology matures, you are open to discussing possible derogations from the requirements themselves, but not from the capability-based approach to risk classification.
- Your notes:

Article 2

Scope of application

The provision set out in Article 1 shall apply to all AI systems,



without exception



without exception, unless the system is developed as open-source



except when developed by small companies and startups (and)



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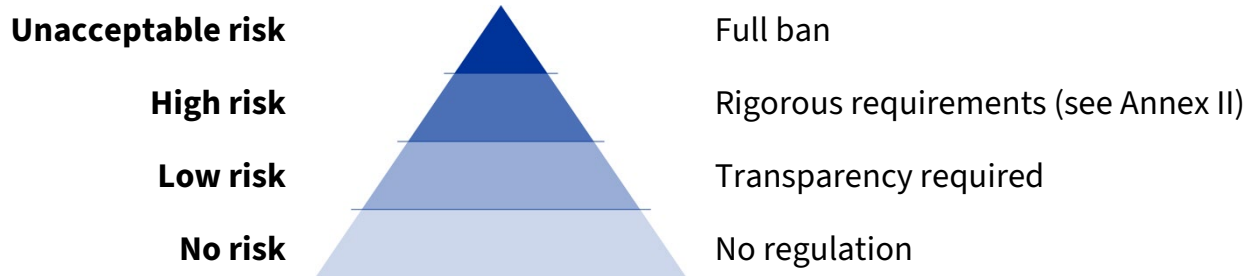


except when developed for national security, migration or border control

Your arguments

- Your government is very committed to civil liberties. At the same time, you support a dual-track approach to AI regulation – one that ensures strong protections in the civilian space while allowing more flexibility for defence and national security. National security is essential to preserving the very freedoms on which civil liberties rely, and AI can play a key role in protecting societies. For these reasons, you advocate for excluding military, defence and national security uses of AI.
- However, a separate, fit-for-purpose regulatory approach should be developed for these sectors to ensure that AI is developed responsibly – but imposing full transparency requirements could jeopardise operational secrecy, slow down deployment and reduce effectiveness in dynamic or high risk environments.
- Cases such as Spain's VioGén system, used to assess the risk of domestic violence, reveal the dangers of opaque AI with limited oversight – tragically, some victims were misclassified as low risk and later killed. These failures highlight the need for responsible AI development, especially in security, but should not justify overregulation. Instead, the EU should promote a culture of responsibility, particularly in the development of AI for security applications.
- Your notes:

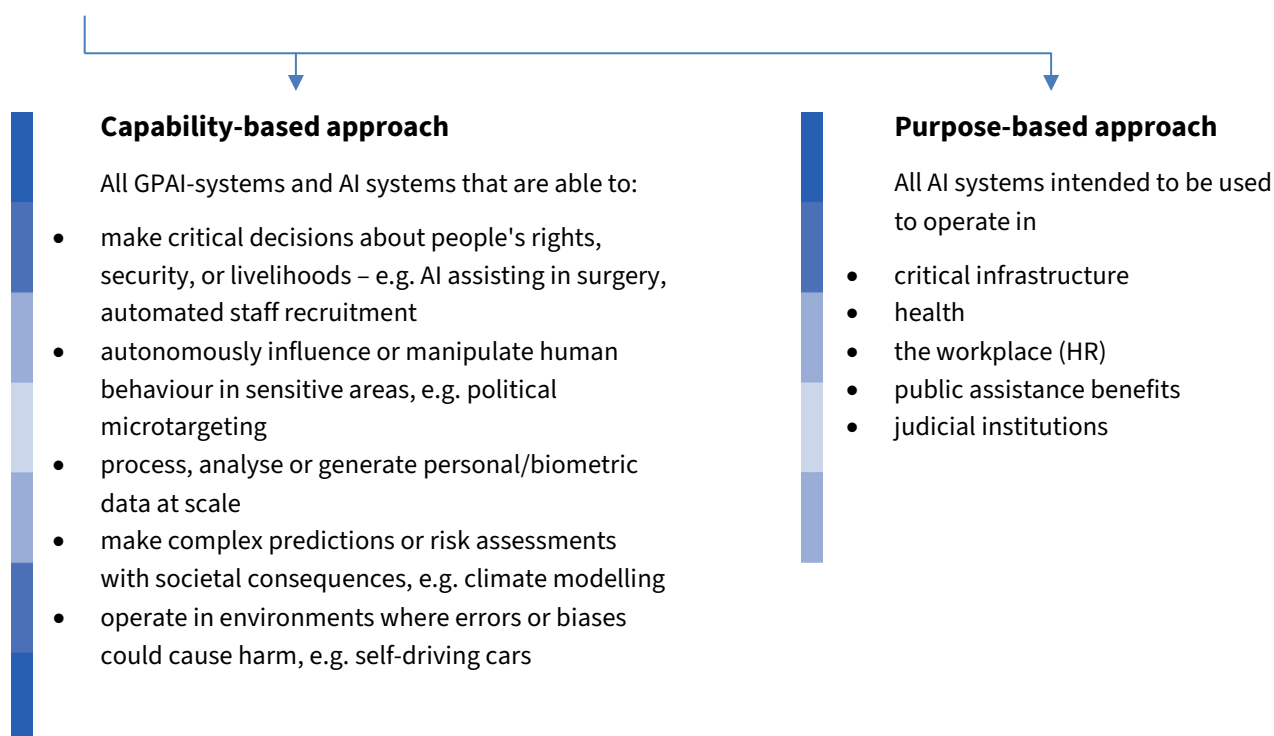
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High risk



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Emphasis on legal and ethical standards:

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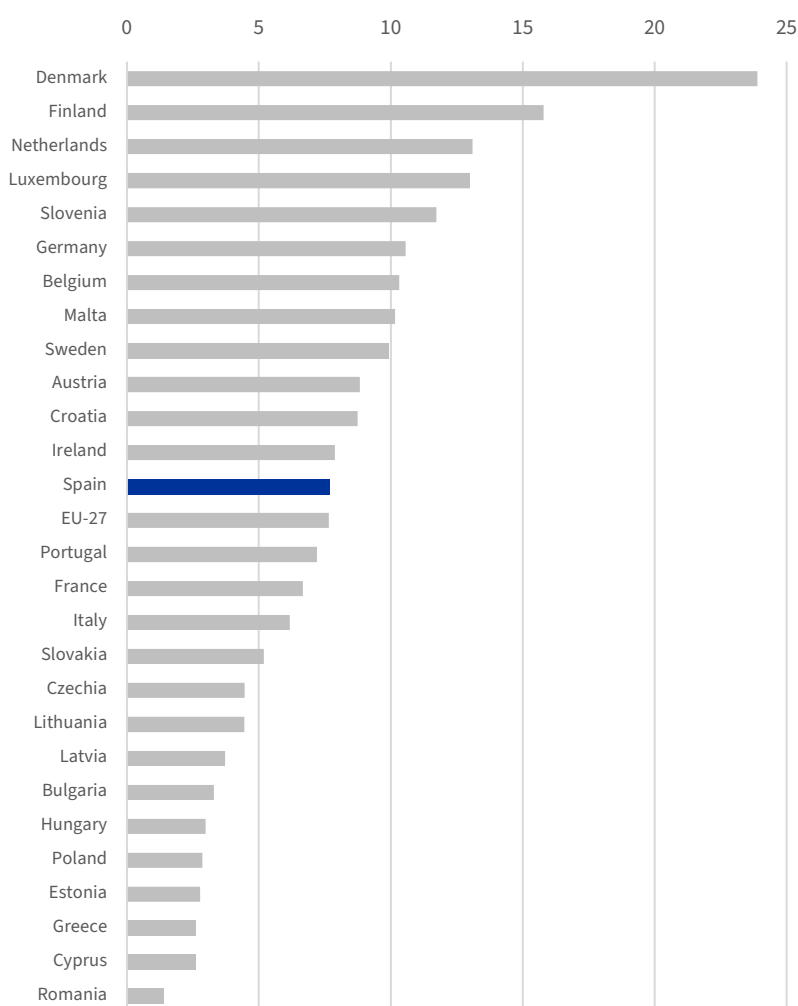
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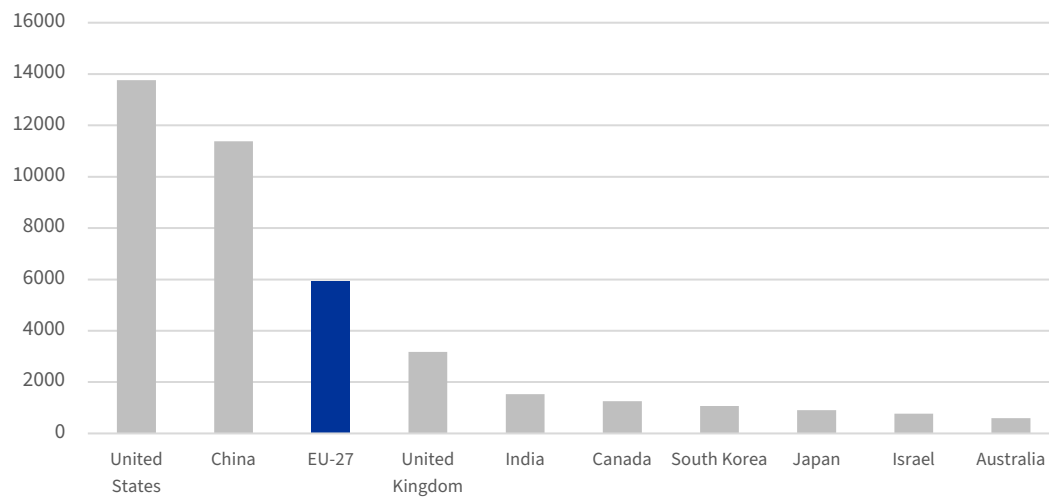
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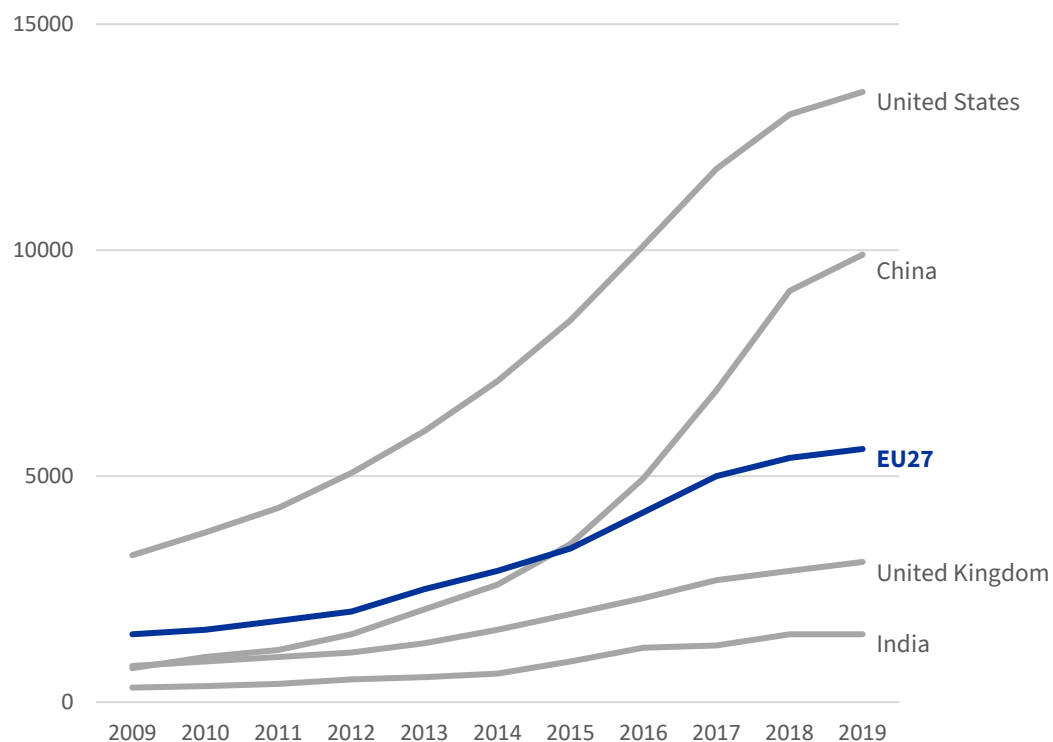


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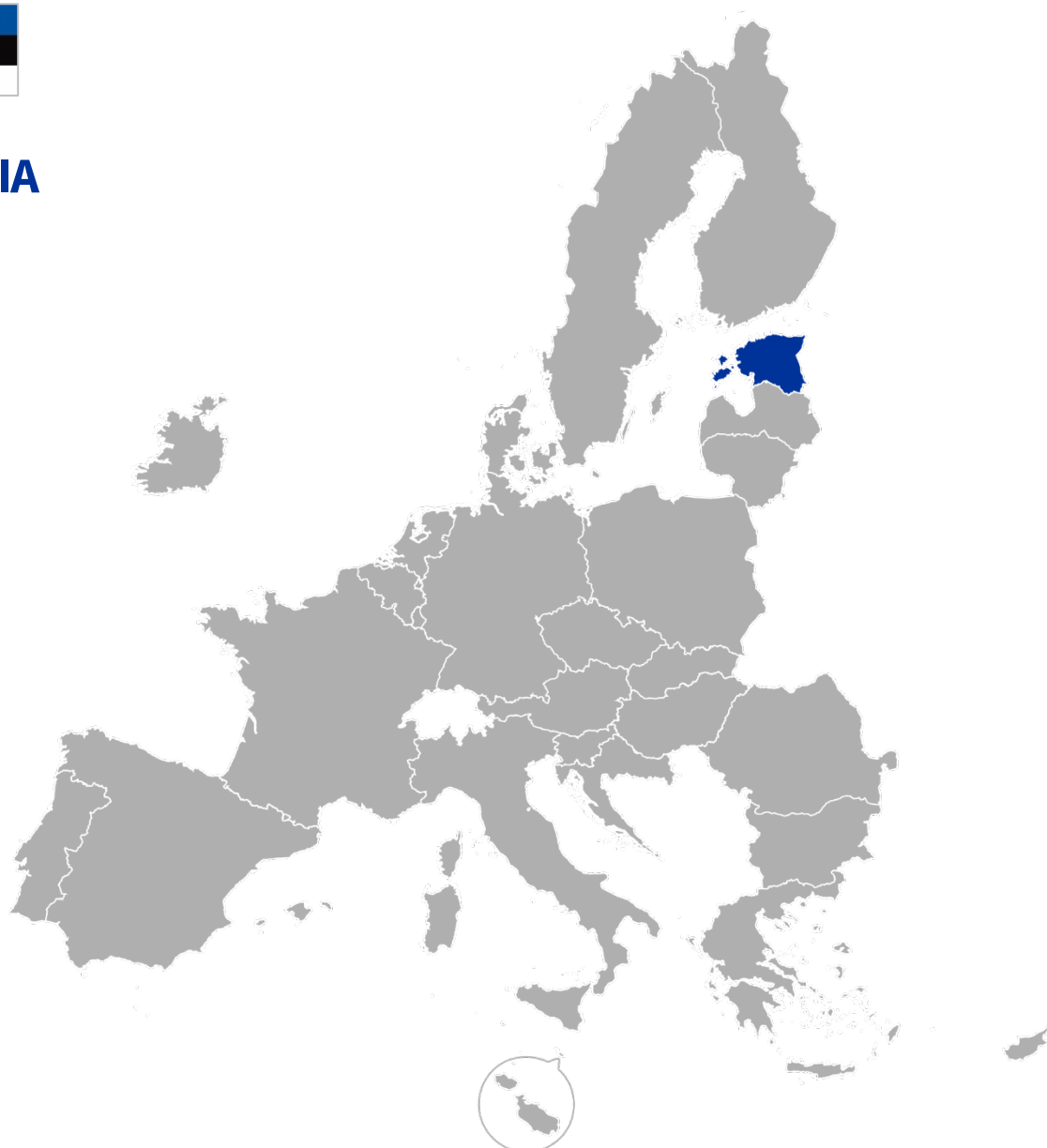
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ESTONIA



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on a legal framework for the use of artificial intelligence

CONTEXT OF THE PROPOSAL

The European Union is at a critical juncture in shaping its digital future. As part of the Digital Decade strategy, the EU aims to lead in artificial intelligence (AI) while safeguarding fundamental rights, consumer protection, market competitiveness, innovation and technological leadership. At the heart of these discussions is a legislative proposal by the European Commission which aims to regulate AI development in the EU. After several rounds of negotiations, the following questions have yet to be addressed.

Article 1

AI systems classification & risk management

The EU is adopting a common standard for risk management in the development, marketing, import and use of AI systems. These systems are classified as no risk, low risk, high risk or unacceptable risk (see Annex I). To define 'high risk' AI systems, the EU will adopt a **purpose-based risk classification: risk is based on the intended use of the AI in sensitive sectors**. Based on this risk classification, 'high risk' AI systems must undergo rigorous testing before being launched.

Article 2

Scope of application

The provision set out in Article 1 shall apply to all AI systems, **except when developed for military or defence purposes**.



ESTONIA

Agenda

On the Council's agenda today is the Commission's proposal for a legal framework for the use of artificial intelligence. You will discuss the draft with the representatives of the other member states, aiming to reach a compromise.

Your primary objective

A common position of the Council that reflects your interests. You can also consider supporting a compromise option that partly reflects your interests.

Your task

1. Carefully **read your group information**, which sets out your interests and positions.
2. You **share some of the arguments with countries such as Czechia, Hungary, Latvia and Lithuania**. Talk to them to see whether you can cooperate to advance your common interests, if you can identify any.
3. Prepare an **opening statement** (maximum 1 minute) for the first round of official negotiations. State your position on Articles 1 and 2. The script in the text box might help you.
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Madam/Mr Chair, Commissioner, colleagues,

I would first of all like to thank the Commission for its proposal and the presidency for including this issue on today's agenda.

In advance of today's meeting, we had fruitful discussions with _____.

We think it is necessary to adopt a capability-/purpose-based risk classification, because _____.

With regard to Article 2, certain exceptions will/will not apply, because we are in favour of _____.

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... capability-based risk classification: risk is determined by the system's technical abilities.



... purpose-based risk classification: risk is based on the intended use of the AI in sensitive sectors.

Based on this risk classification, 'high risk' AI systems must undergo rigorous testing before being launched.

Your arguments

- Your country supports a unified EU AI regulation. As one of the EU's most digitalised nations, Estonia has a population well-versed in digital tools – unlike in some countries, where many citizens (especially those in the older age groups) are less confident and more vulnerable to potential risks.
- You find the Commission's proposal problematic: new AI systems will soon have far greater capabilities, and defining 'high risk' based solely on current technical features risks becoming outdated. Restricting technology based on potential capabilities may also hinder innovation. In sectors such as healthcare, this could mean excluding valuable AI solutions before they have even been considered. You favour a purpose-based approach, as it allows developers more freedom in low risk areas, while providing certainty about testing requirements and stronger safeguards in areas where risks are higher.
- You are convinced that AI companies naturally aim to build safe, trustworthy products, so overregulation is unnecessary. You disagree about expanding the list of affected sectors; you would rather be willing to cut out certain sectors.
- **You find it important to promote the real-world testing of new AI models**, as sandbox environments, while useful, often fall short of fully replicating real-world conditions.
- Your notes:

Article 2

Scope of application

The provision set out in Article 1 shall apply to all AI systems,



without exception



without exception, unless the system is developed as open-source



except when developed by small companies and startups (and)



except when developed for military or defence purposes (and)

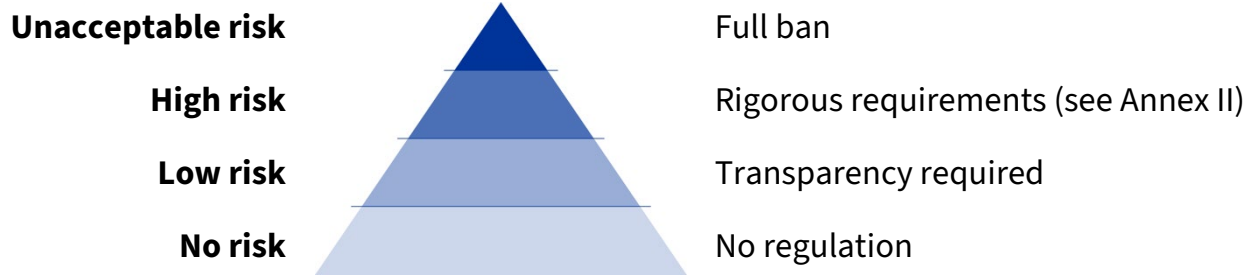


except when developed for national security, migration or border control

Your arguments

- It remains essential for you that matters relating to national security, military or defence should remain outside the scope of AI regulation. Member states are determined to retain control over decisions in those areas, which typically fall outside the EU's jurisdiction in any case. This is also reflected in the fact that the EU does not have a unified EU military.
- Additionally, you argue that AI systems used for intelligence gathering, cyber defence or battlefield scenarios cannot be subject to the same disclosure or regulatory requirements as civilian systems, because doing so could compromise operational secrecy, national security interests and the strategic advantage that such systems are designed to provide.
- Your notes:

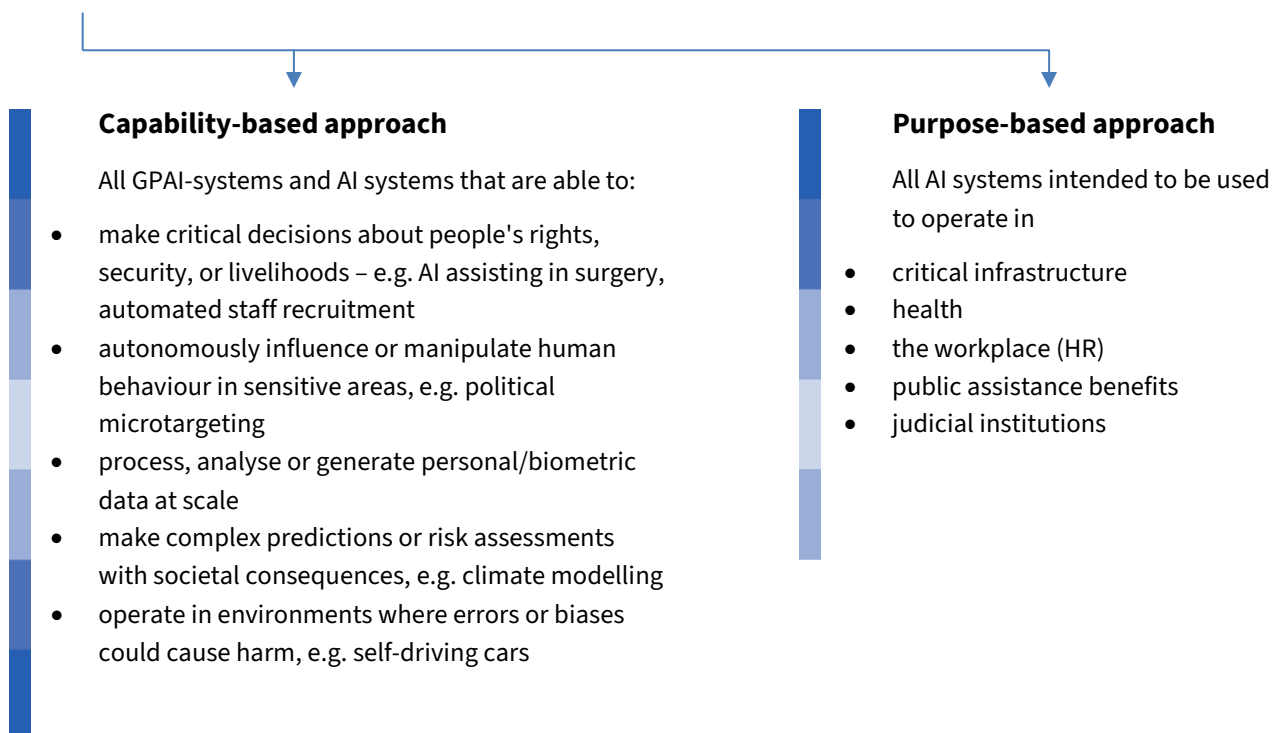
Annex I: Risk classification



Unacceptable risk:

- **Social scoring AI** – ranking citizens based on their behaviour
- **AI-powered mass surveillance** – biometric tracking without consent
- **Emotion recognition in workplaces/schools** to influence work performance
- **Autonomous lethal weapons** – that can kill without human intervention
- **Subliminal manipulation AI** – influencing people's decisions without transparency

High risk



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Low risk

- **AI systems not classified as 'high risk'**
- **Chatbots & virtual assistants** (as long as users know they are talking to AI)
- **Recommendation algorithms** – AI-powered suggestions on social media
- **AI for business automation** – AI that automates basic administrative tasks

No risk

- AI-powered image, music or art generators/editors
- AI in scientific research
- AI in toy & entertainment robots – AI-powered toys with no real-world risks



Annex II: Requirements for 'high risk' AI systems

Emphasis on legal and ethical standards:

- Risk assessment before deployment, identifying foreseeable risks and potential misuse.
- Human oversight ensured to prevent full automation in decision-making.
- Data governance to ensure unbiased training datasets.
- External audits mandatory, including sandbox testing with human supervision.
- Disclosure of test results to EU regulators.
- Post-market monitoring to track performance.

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	Article 1: classification	Other suggestions/notes	Article 2: scope	Other suggestions/notes
Austria				
Belgium				
Bulgaria				
Croatia				
Cyprus				
Czechia				
Denmark				
Estonia	purpose-based	Real-world testing	military/defence + national security	
Finland				
France				
Germany				
Greece				
Hungary				
Ireland				

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Latvia				
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The Netherlands				
Poland				
Portugal				
Romania				
Slovakia				
Slovenia				
Spain				
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Commission	purpose-based		military/defence	

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Definitions

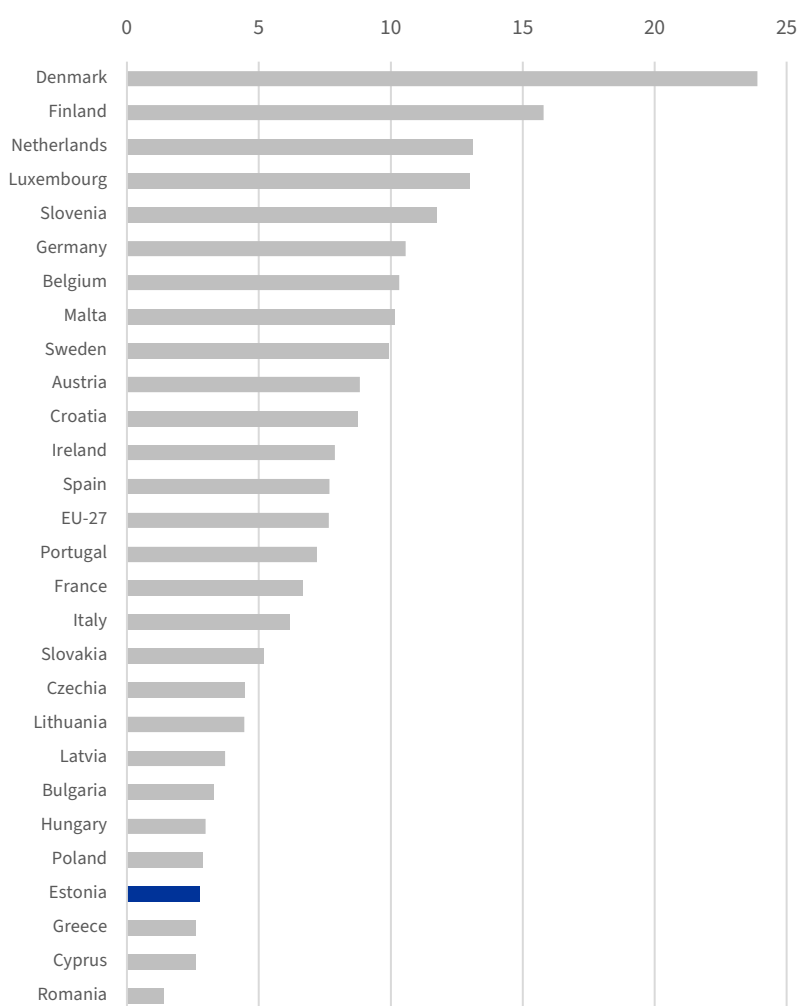
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- **Brain drain** – when skilled workers leave their country to work abroad
- **Business migration** – when a company moves its operations to another country, often for better conditions or lower costs
- **Deep learning AI** – a system that learns from large amounts of data using neural networks, such as how the human brain works. It recognises patterns and improves over time without needing explicit programming
- **General purpose artificial intelligence (GPAI)** – AI that can perform more than one task, e.g. ChatGPT, Google Gemini
- **Open-source** – software whose code is freely available for anyone to view, use and modify
- **Rule-based AI** – an AI system that makes decisions based on predefined rules and logic. For example, 'If X happens, then do Y'
- **Sandbox testing** - testing in an isolated environment, e.g. a self-driving AI is tested in a simulated city before driving on real roads

Background information

Please note: **the negotiations are taking place in 2023!**

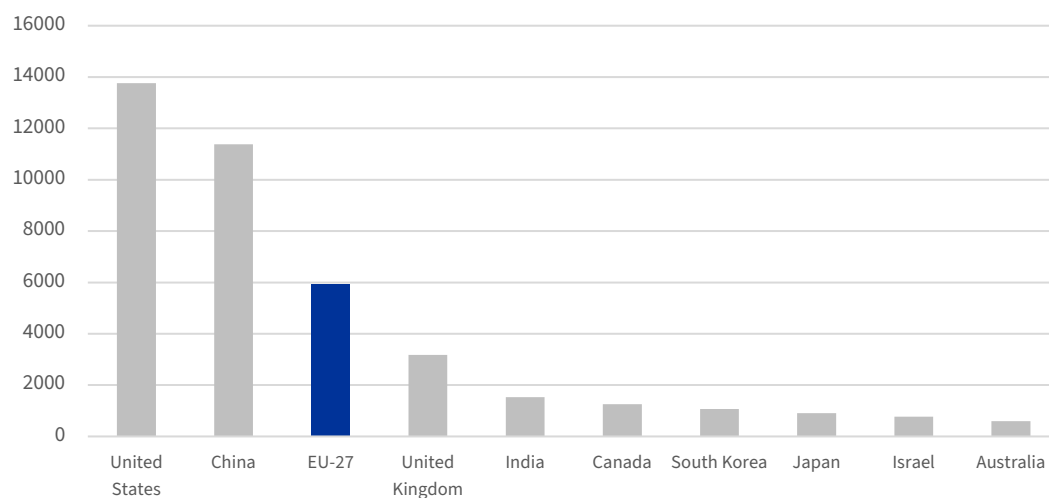
	European Union	Estonia
Population	447 695 350	1 365 884
GDP per capita in EUR	38 150	27 960
Unemployment rate	6.1%	6.4%
Percentage of companies using AI technology	8%	5.2%
Share of population with advanced digital skills	27.3%	34.8%

Percentage of companies with over 10 employees
using at least one AI system (2021)

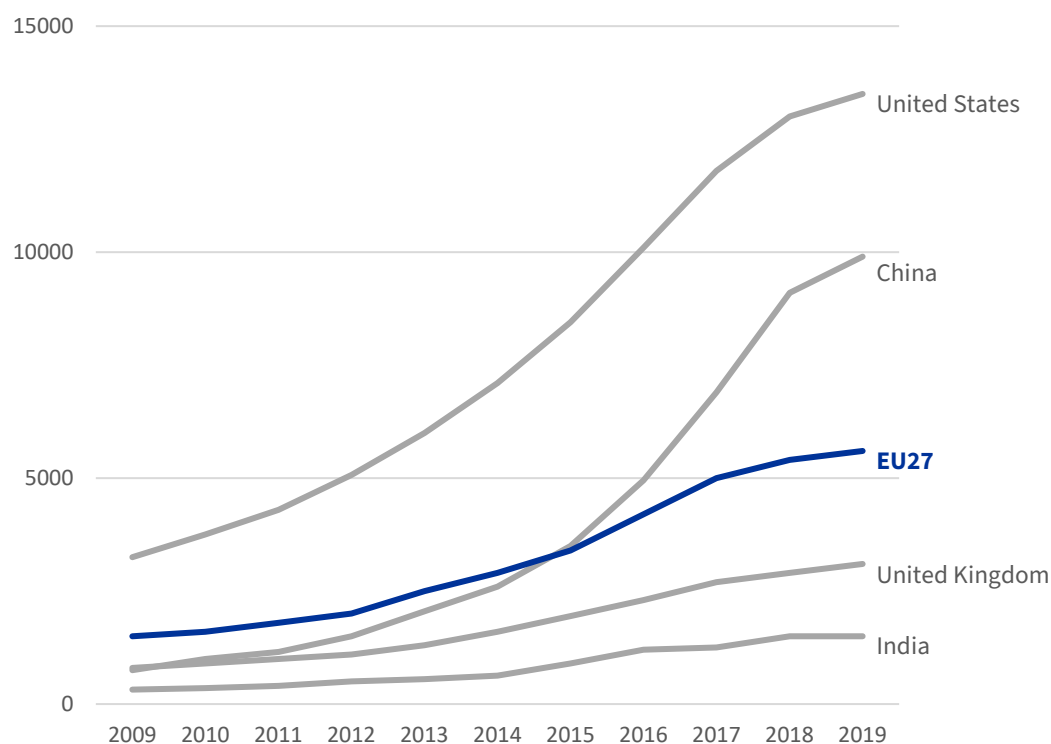


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AI companies by country (2020)



Growth in number of AI companies



Data sources: Eurostat, Joint Research Centre

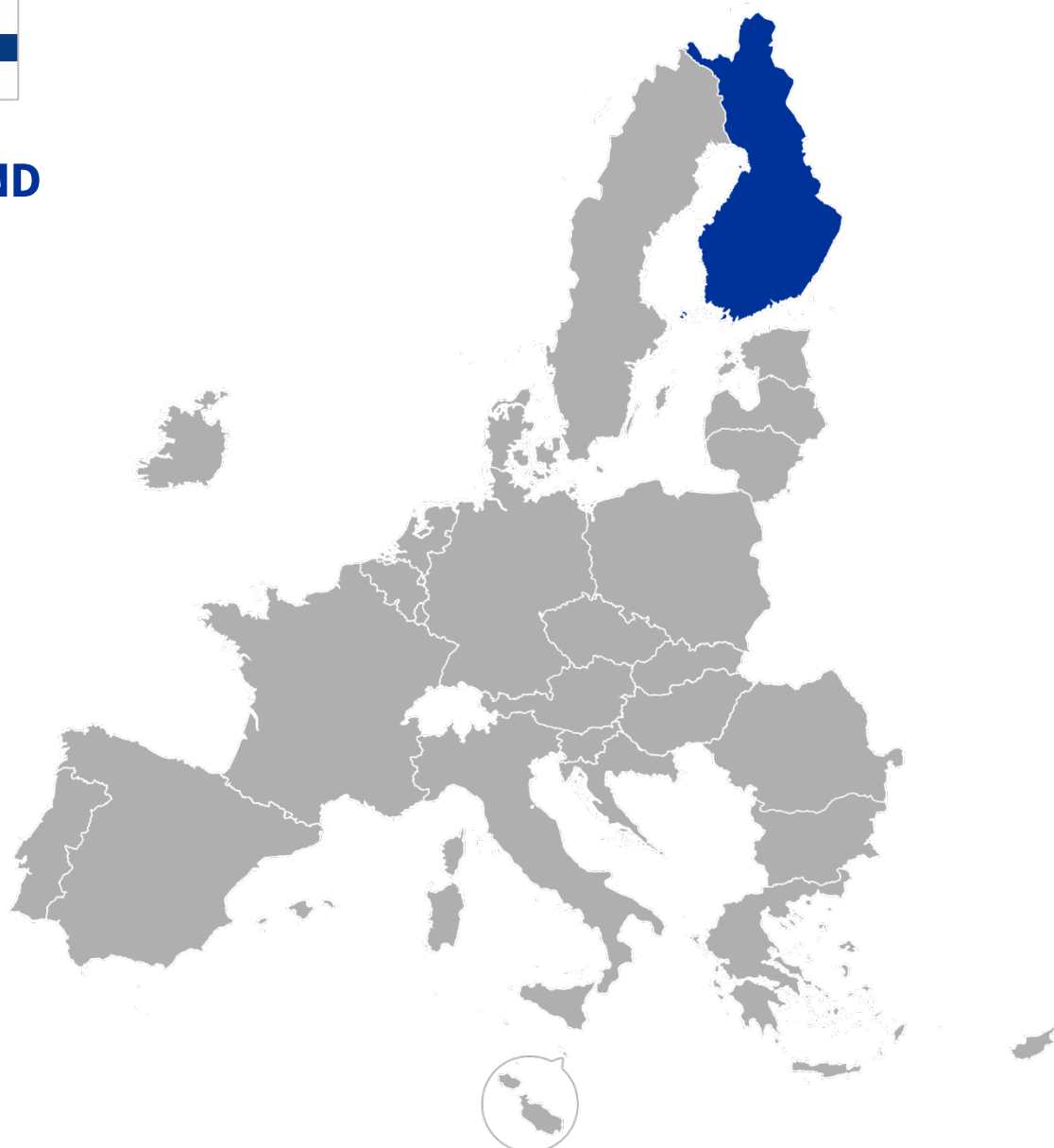
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FINLAND



MINISTER FOR A DAY: NEGOTIATING AT 27

■ Introducing an AI framework

Role profiles | **Standard version** | EN



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Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

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Your arguments

- Your country is one of the EU's AI leaders, with a national goal of becoming a trusted, secure and innovative digital economy pioneer. And public support is strong, partly because there is public education on AI that is freely available to citizens.
- You support the EU's purpose-based regulatory approach, which focuses on how AI is used rather than its technical features. This avoids labelling AI as inherently dangerous and prioritises its real-world impact, which you see as the best way to protect citizens.
- You believe that the proposal should emphasise EU support for innovation through an approach that allows for individual testing schemes. Therefore, you would like to make it possible for real-world AI testing to be carried out under public authority supervision, without forcing developers to use sandbox testing. This would give developers slightly more freedom in terms of deciding how they test their models before marketing. You hope to agree on the final text of the EU AI Act today as a guiding light for trustworthy AI development in Europe.
- You strongly oppose a built-in review in a few years' time, as this would undermine regulatory stability and investor confidence. If uncertainty remains, **it would be more responsible to postpone the vote** than to pre-emptively plan to rewrite the rules.
- Your notes:

Article 2

Scope of application

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without exception



without exception, unless the system is developed as open-source



except when developed by small companies and startups (and)



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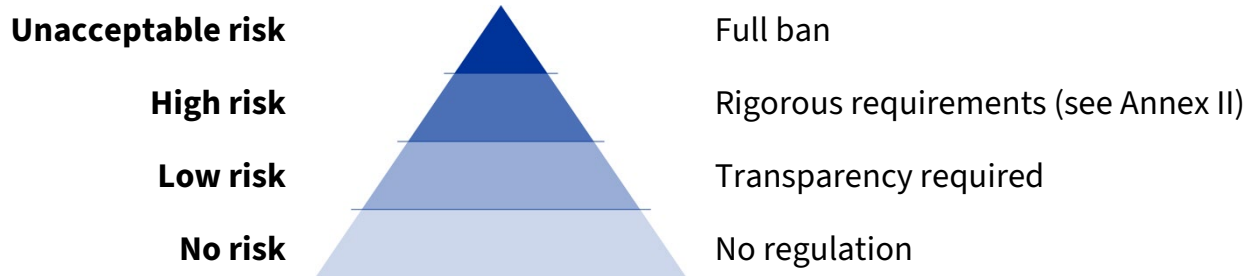


except when developed for national security, migration or border control

Your arguments

- So far, the EU has lagged behind in global AI development. Excluding startups could help incubate a vibrant ecosystem. Startups lack the legal, financial and administrative capacity to comply with the same rules as big tech companies. Heavy compliance could choke off early-stage innovation.
- Article 2 matters more to you than Article 1. If you cannot get others on board with your points concerning Article 1, you will focus on ensuring that your key requests for Article 2 are taken seriously.
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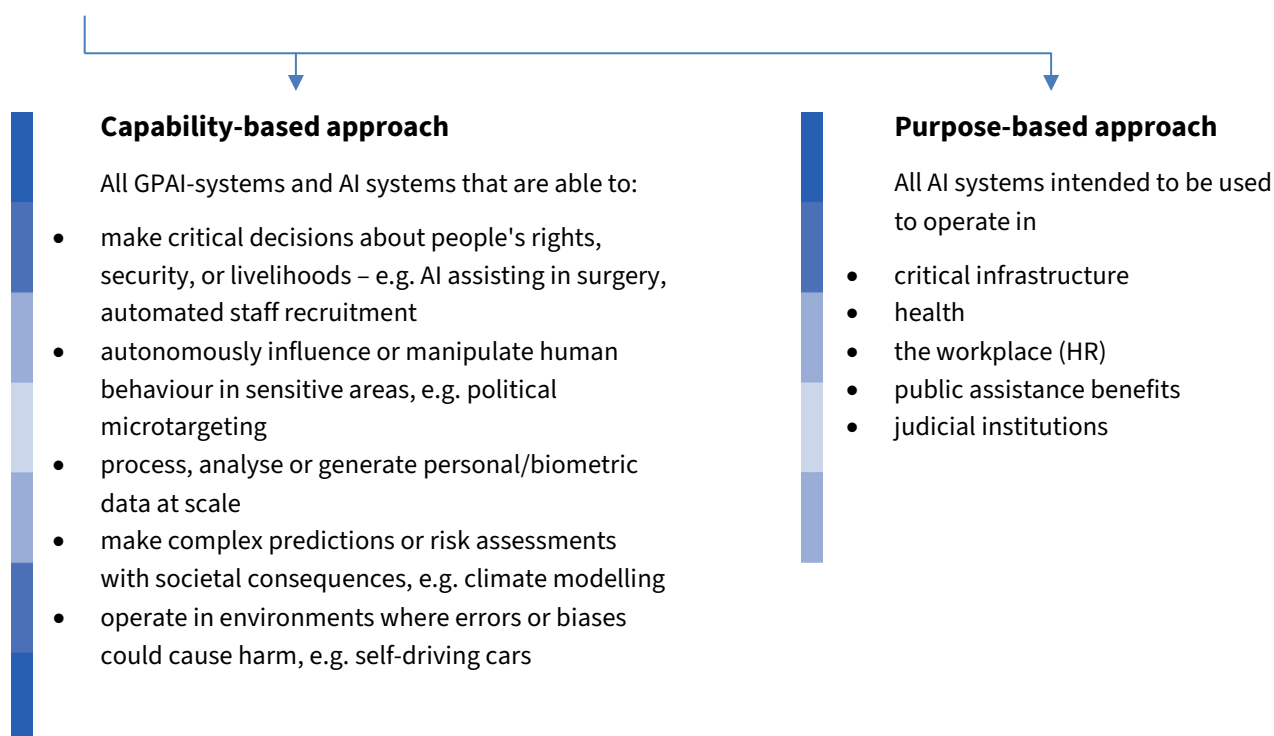
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High risk



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Emphasis on legal and ethical standards:

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Croatia				
Cyprus				
Czechia				
Denmark				
Estonia				
Finland	purpose-based	Postpone the vote	startups	
France				
Germany				
Greece				
Hungary				
Ireland				

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Commission	purpose-based		military/defence	

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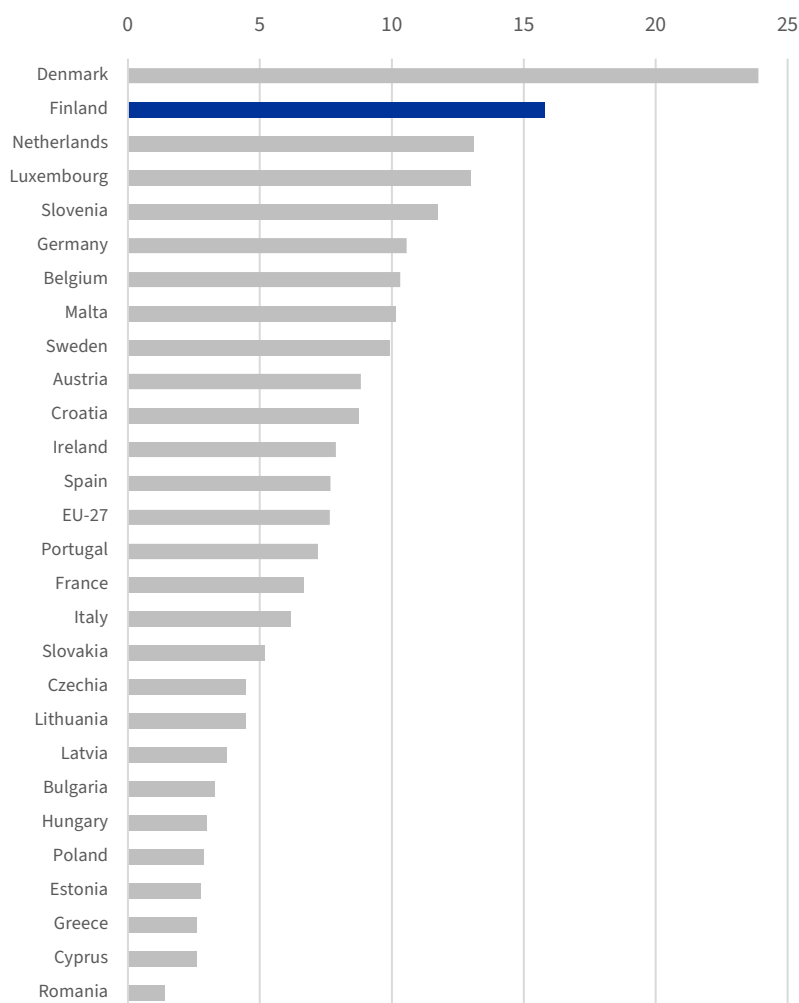
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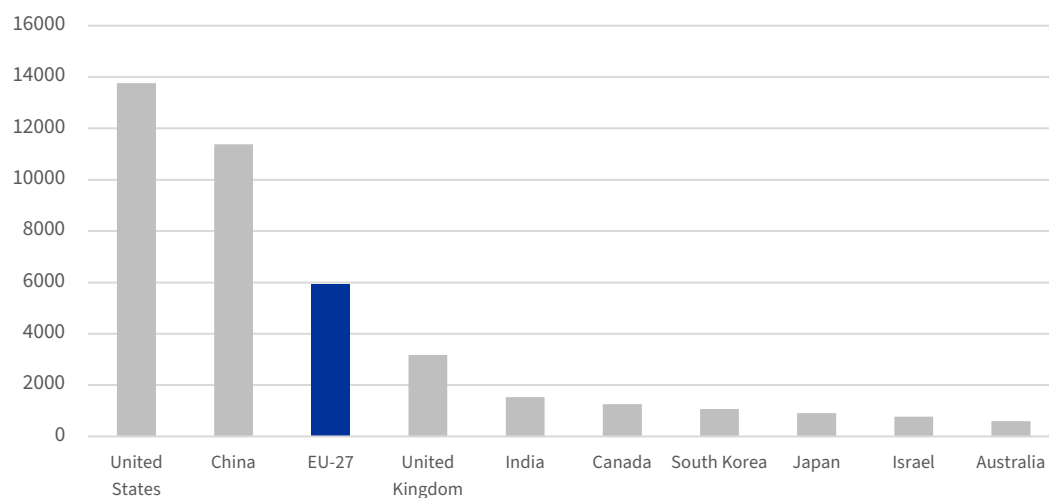
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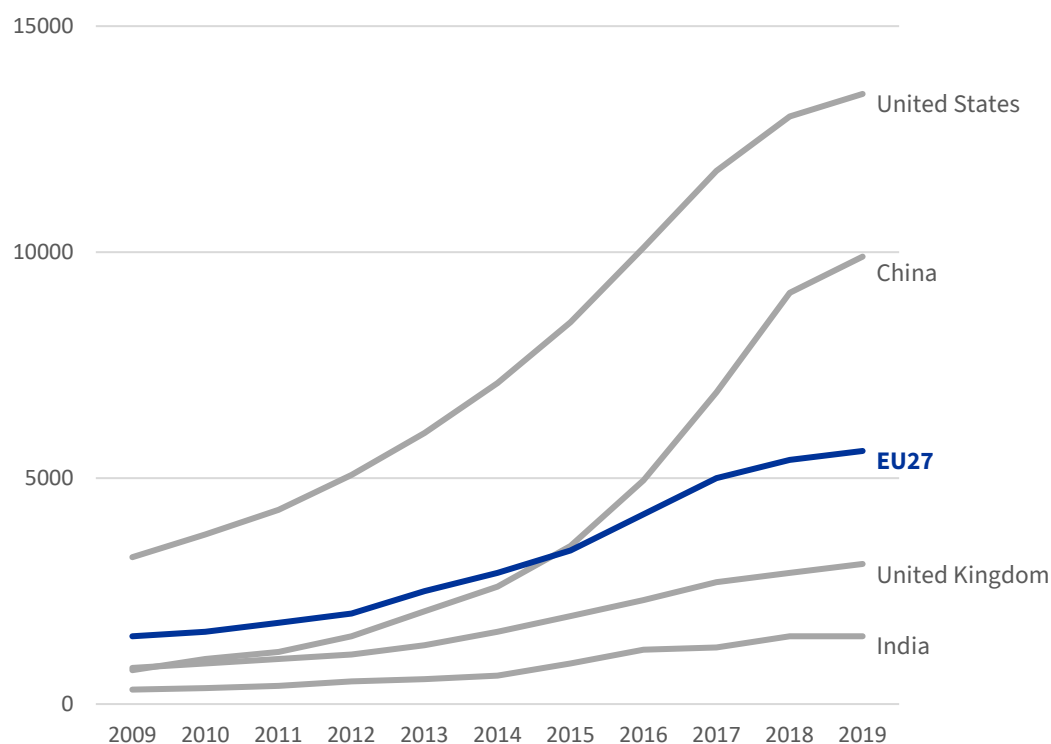


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Growth in number of AI companies



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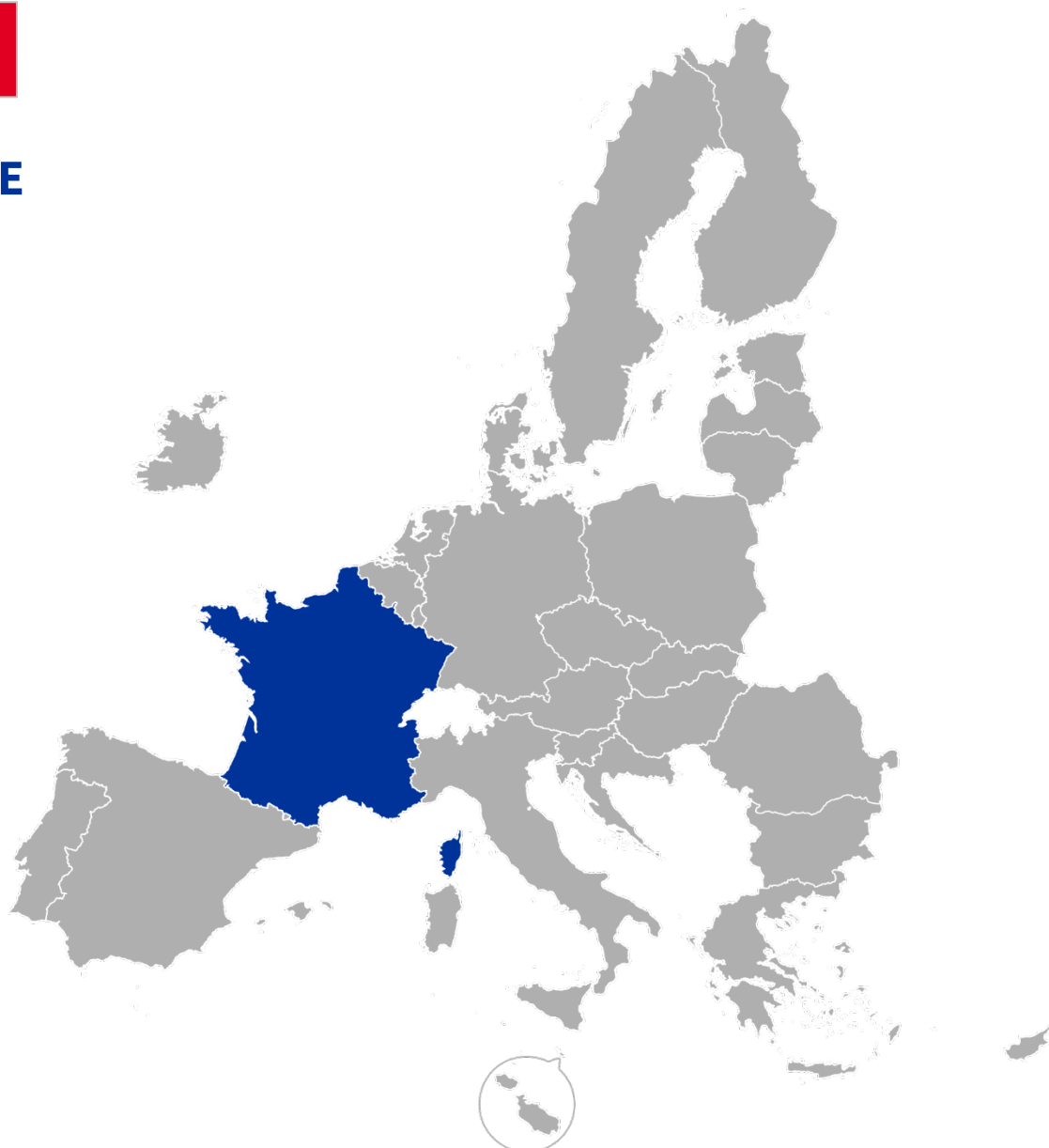
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... **purpose-based risk classification: risk is based on the intended use of the AI in sensitive sectors.**

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Your arguments

- Your national government already has a national AI strategy entitled 'AI for Humanity', reflecting your core priority: people-centred development.
- A European voice is urgently needed in the global AI debate to promote ethical and responsible development. Until now, AI has advanced largely unchecked — but while risks exist, AI should not be demonised. It remains a powerful driver of innovation and growth.
- While you support the purpose-based approach for its clarity to investors, **the list should be expanded to include the education sector.** For example, AI errors in student placement or grading can lead to discrimination and reinforce inequality. This is because many AI tools are trained on data that may include hidden biases; for example, they might favour certain ways of writing or thinking that match what they have seen before. This can lead to students from different backgrounds being graded unfairly or misunderstood by an AI system.
- From experience, you know that regulatory incentives are helpful to developers; however, without public funding, innovative ideas risk fading, leading to brain drain and business migration. The EU must not only adopt a framework but also commit to significant public investment in AI development.
- Your notes:

Article 2

Scope of application

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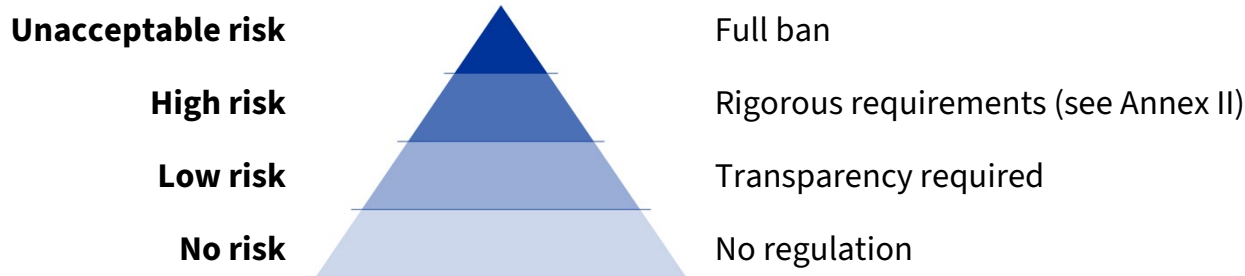


except when developed for national security, migration or border control

Your arguments

- Your government is very committed to civil liberties. At the same time, you support a dual-track approach to AI regulation – one that ensures strong protections in the civilian space while allowing more flexible standards for defence and national security. National security is essential to preserving the very freedoms on which civil liberties rely, and AI can play a key role in protecting democratic societies from emerging threats.
- Therefore, you advocate for excluding military, defence and national security applications from this regulation and developing another regulation for the application of AI in those sectors. While it remains crucial that AI should be developed responsibly, requiring full transparency for defence-related AI could undermine operational secrecy, delay deployment and reduce effectiveness in fast-moving or hostile environments.
- In addition, you advocate for making it clear that the same requirements for testing on all AI systems also apply to AI imported from countries outside the EU. You propose that the wording be changed to 'The provision set out in Article 1 shall apply to all AI systems deployed within the EU, ...'.
- Your notes:

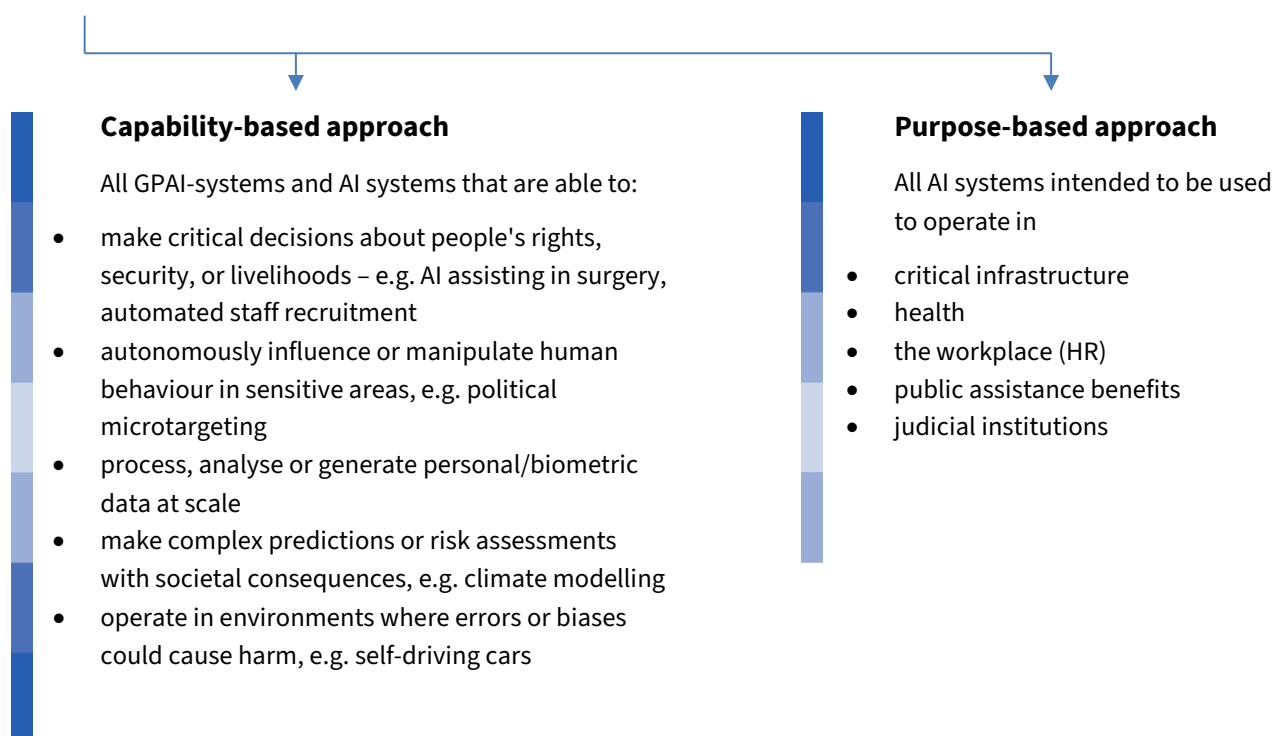
Annex I: Risk classification



Unacceptable risk:

- **Social scoring AI** – ranking citizens based on their behaviour
- **AI-powered mass surveillance** – biometric tracking without consent
- **Emotion recognition in workplaces/schools** to influence work performance
- **Autonomous lethal weapons** – that can kill without human intervention
- **Subliminal manipulation AI** – influencing people's decisions without transparency

High risk



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Low risk

- **AI systems not classified as 'high risk'**
- **Chatbots & virtual assistants** (as long as users know they are talking to AI)
- **Recommendation algorithms** – AI-powered suggestions on social media
- **AI for business automation** – AI that automates basic administrative tasks

No risk

- AI-powered image, music or art generators/editors
- AI in scientific research
- AI in toy & entertainment robots – AI-powered toys with no real-world risks



Annex II: Requirements for 'high risk' AI systems

Emphasis on legal and ethical standards:

- Risk assessment before deployment, identifying foreseeable risks and potential misuse.
- Human oversight ensured to prevent full automation in decision-making.
- Data governance to ensure unbiased training datasets.
- External audits mandatory, including sandbox testing with human supervision.
- Disclosure of test results to EU regulators.
- Post-market monitoring to track performance.

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	Article 1: classification	Other suggestions/notes	Article 2: scope	Other suggestions/notes
Austria				
Belgium				
Bulgaria				
Croatia				
Cyprus				
Czechia				
Denmark				
Estonia				
Finland				
France	purpose-based	Include education	military/defence + national security	
Germany				
Greece				
Hungary				
Ireland				

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	Article 1: classification	Other suggestions/notes	Article 2: scope	Other suggestions/notes
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Latvia				
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Malta				
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Poland				
Portugal				
Romania				
Slovakia				
Slovenia				
Spain				
Sweden				
Commission	purpose-based		military/defence	

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Definitions

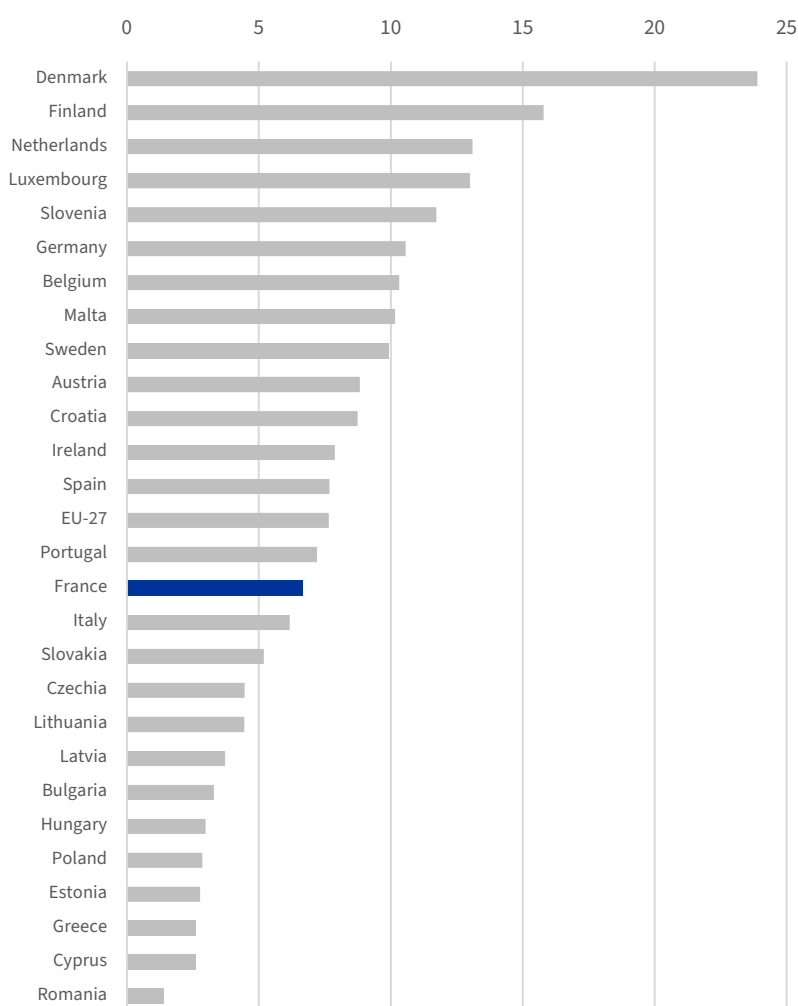
- **Algorithms** – step-by-step instructions which a computer follows in order to solve a problem or make a decision
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- **Brain drain** – when skilled workers leave their country to work abroad
- **Business migration** – when a company moves its operations to another country, often for better conditions or lower costs
- **Deep learning AI** – a system that learns from large amounts of data using neural networks, such as how the human brain works. It recognises patterns and improves over time without needing explicit programming
- **General purpose artificial intelligence (GPAI)** – AI that can perform more than one task, e.g. ChatGPT, Google Gemini
- **Open-source** – software whose code is freely available for anyone to view, use and modify
- **Rule-based AI** – an AI system that makes decisions based on predefined rules and logic. For example, 'If X happens, then do Y'
- **Sandbox testing** - testing in an isolated environment, e.g. a self-driving AI is tested in a simulated city before driving on real roads

Background information

Please note: **the negotiations are taking place in 2023!**

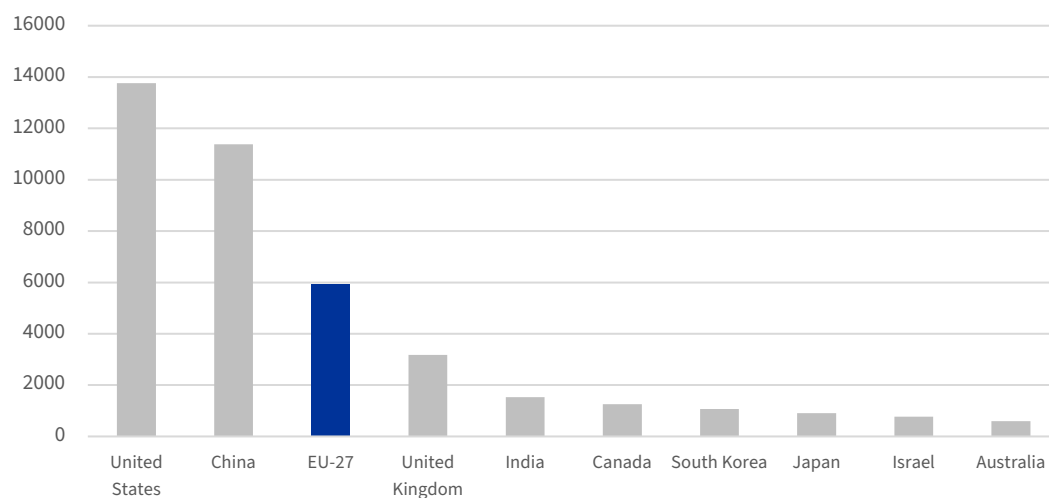
	European Union	France
Population	447 695 350	68 277 210
GDP per capita in EUR	38 150	41 330
Unemployment rate	6.1%	7.3%
Percentage of companies using AI technology	8%	5.9%
Share of population with advanced digital skills	27.3%	30.3%

Percentage of companies with over 10 employees
using at least one AI system (2021)

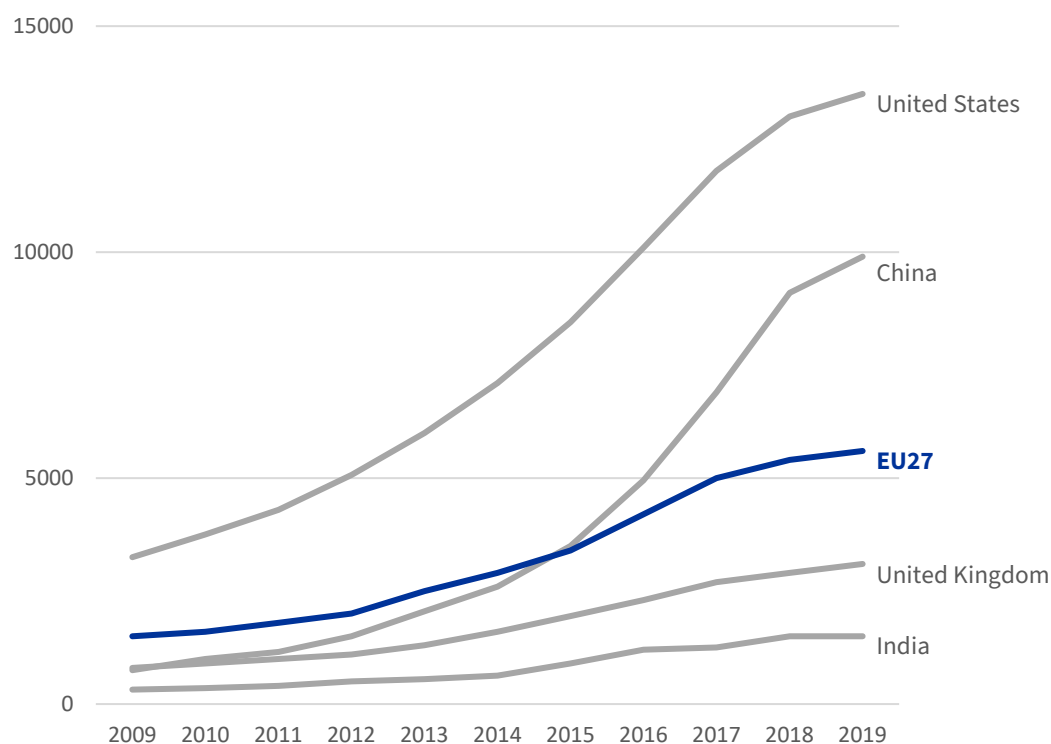


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AI companies by country (2020)



Growth in number of AI companies



Data sources: Eurostat, Joint Research Centre

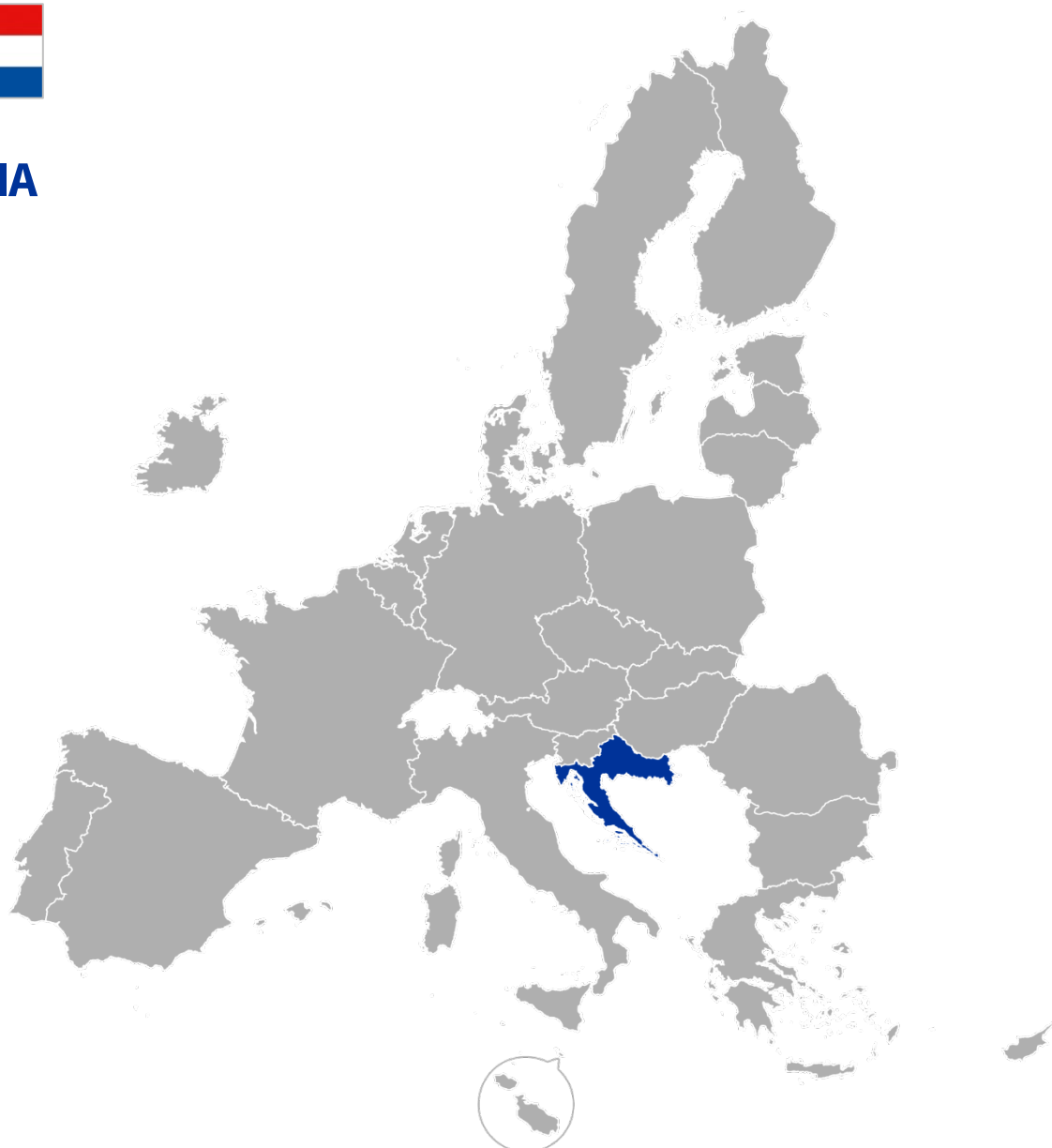
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CROATIA



MINISTER FOR A DAY: NEGOTIATING AT 27

■ Introducing an AI framework

Role profiles | **Standard version** | EN



Council of the
European Union

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on a legal framework for the use of artificial intelligence

CONTEXT OF THE PROPOSAL

The European Union is at a critical juncture in shaping its digital future. As part of the Digital Decade strategy, the EU aims to lead in artificial intelligence (AI) while safeguarding fundamental rights, consumer protection, market competitiveness, innovation and technological leadership. At the heart of these discussions is a legislative proposal by the European Commission which aims to regulate AI development in the EU. After several rounds of negotiations, the following questions have yet to be addressed.

Article 1

AI systems classification & risk management

The EU is adopting a common standard for risk management in the development, marketing, import and use of AI systems. These systems are classified as no risk, low risk, high risk or unacceptable risk (see Annex I). To define 'high risk' AI systems, the EU will adopt a **purpose-based risk classification: risk is based on the intended use of the AI in sensitive sectors**. Based on this risk classification, 'high risk' AI systems must undergo rigorous testing before being launched.

Article 2

Scope of application

The provision set out in Article 1 shall apply to all AI systems, **except when developed for military or defence purposes**.



CROATIA

Agenda

On the Council's agenda today is the Commission's proposal for a legal framework for the use of artificial intelligence. You will discuss the draft with the representatives of the other member states, aiming to reach a compromise.

Your primary objective

A common position of the Council that reflects your interests. You can also consider supporting a compromise option that partly reflects your interests.

Your task

1. Carefully **read your group information**, which sets out your interests and positions.
2. You **share some of the arguments with countries such as Italy, the Netherlands and Slovenia**. Talk to them to see whether you can cooperate to advance your common interests, if you can identify any.
3. Prepare an **opening statement** (maximum 1 minute) for the first round of official negotiations. State your position on Articles 1 and 2. The script in the text box might help you.
4. Make your opening statement when the presidency (which chairs the meeting) gives you the floor. If you agree with other countries' positions that have already been mentioned, then make this clear.
5. Listen carefully to the positions of the other countries. **Complete the table on pages 8 and 9** to keep track of their positions. A major part of the negotiations is about listening to one another and finding solutions that work for everyone.
6. During the official negotiations, **present your positions and arguments**. Where you share arguments with other countries, it can be useful to present your arguments together in order to give them further weight.
7. Of course, **it is your decision as to how to vote in the end**. Be aware that when it comes to the final vote on a compromise proposal, you need to decide whether you prefer a compromise with which you may not be 100% satisfied or no result at all.



Madam/Mr Chair, Commissioner, colleagues,

I would first of all like to thank the Commission for its proposal and the presidency for including this issue on today's agenda.

In advance of today's meeting, we had fruitful discussions with _____ .

We think it is necessary to adopt a capability-/purpose-based risk classification, because _____ .

With regard to Article 2, certain exceptions will/will not apply, because we are in favour of _____ .

We are confident that we will find a workable compromise during today's meeting.

Thank you.

Article 1

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... capability-based risk classification: risk is determined by the system's technical abilities.



... purpose-based risk classification: risk is based on the intended use of the AI in sensitive sectors.

Based on this risk classification, 'high risk' AI systems must undergo rigorous testing before being launched.

Your arguments

- The number of startups in Croatia is growing rapidly, with business consultancies forecasting that AI-driven automation could contribute up to 16% of GDP by 2025, largely through productivity gains. Up to 52% of working hours could be automated. While this is promising for economic growth, you are worried about rising unemployment in the production sector.
- You support the Commission's purpose-based approach to AI classification, as it realistically reflects context-specific risks – for example, facial recognition for unlocking a phone vs. its use in mass surveillance.
- However, you believe that transparency is crucial: all AI systems, regardless of risk level, should clearly inform users of their purpose. This ensures accountability and protects individual rights.
- On testing requirements, you find the current 'risk assessment' guidelines too vague. You advocate for mandatory human rights impact assessment for high risk AI, developed in consultation with affected communities, to safeguard vulnerable groups. As far as your country is concerned, it is crucial to make it clear that those affected by bias and human rights violations must play an active role in the assessment process, as their lived experiences make them the true experts in this field.
- Your notes:

Article 2

Scope of application

The provision set out in Article 1 shall apply to all AI systems,



without exception



without exception, unless the system is developed as open-source



except when developed by small companies and startups (and)



except when developed for military or defence purposes (and)

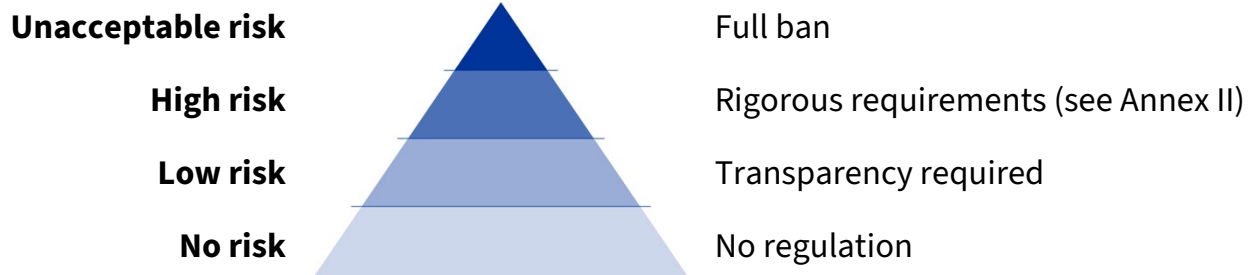


except when developed for national security, migration or border control

Your arguments

- In your view, the EU AI Act should serve as a catalyst for AI development across all EU member states. Some capital-rich countries have powerful AI companies, while others are still trying to establish their startup ecosystems. The whole idea behind startups is to create something disruptive in a short period of time and with limited access to capital. That is nearly impossible if there is a significant administrative burden.
- Therefore, you would like to see startups (with fewer than 10 employees and an annual turnover of less than €2 million) exempted from the EU AI Regulation.
- If you cannot convince a sufficient number of other member states to support your position, you would consider additional EU resources for startups a good compromise. This way, they would not be held back by the administrative and budgetary constraints caused by the regulation.
- Your notes:

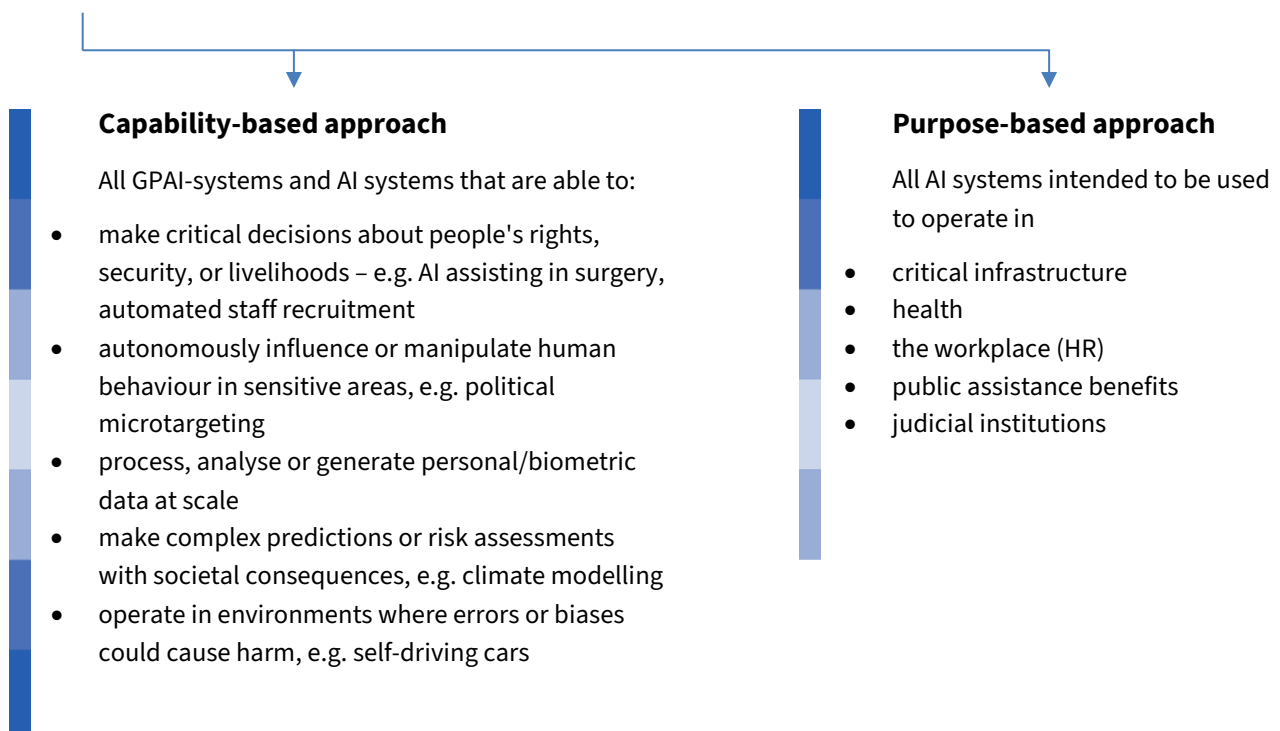
Annex I: Risk classification



Unacceptable risk:

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High risk



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Low risk

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No risk

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Annex II: Requirements for 'high risk' AI systems

Emphasis on legal and ethical standards:

- Risk assessment before deployment, identifying foreseeable risks and potential misuse.
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Belgium				
Bulgaria				
Croatia	purpose-based		startups	
Cyprus				
Czechia				
Denmark				
Estonia				
Finland				
France				
Germany				
Greece				
Hungary				
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Spain				
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Definitions

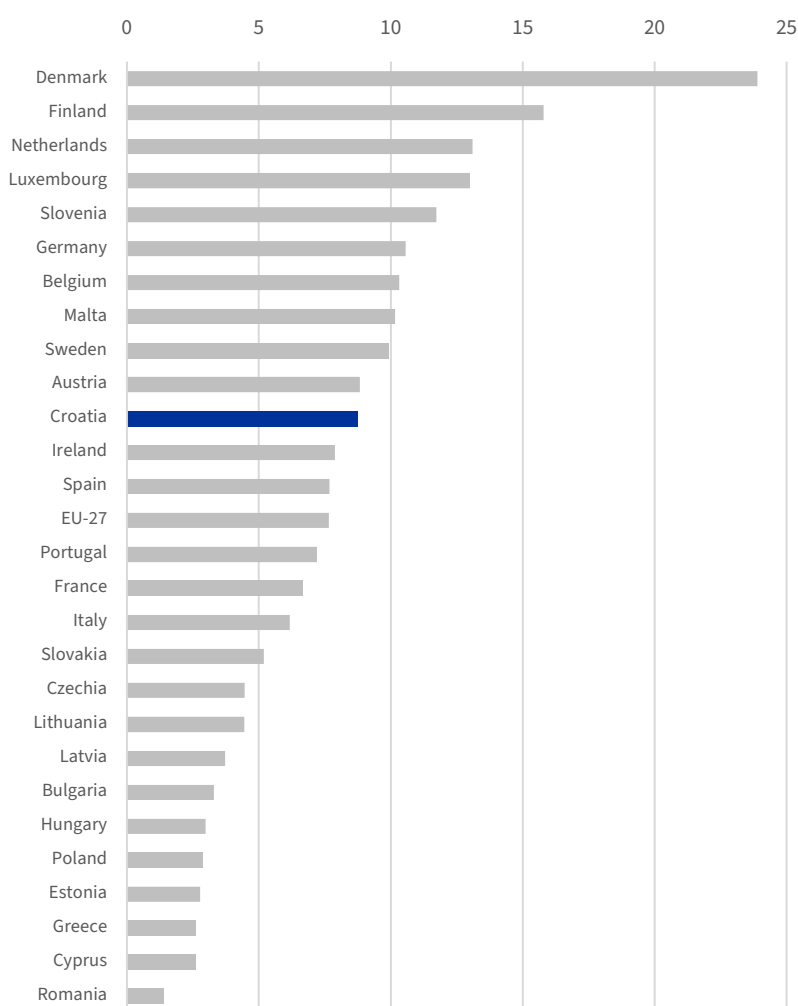
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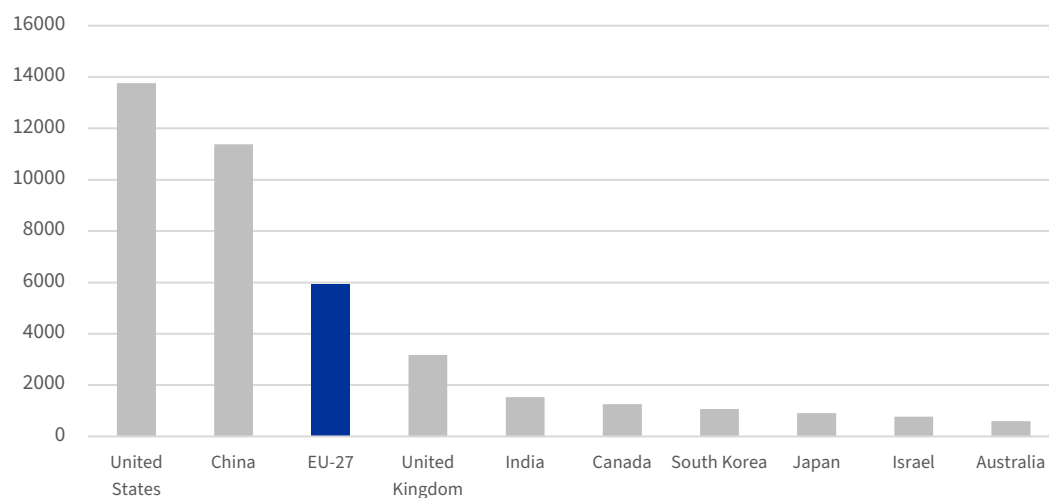
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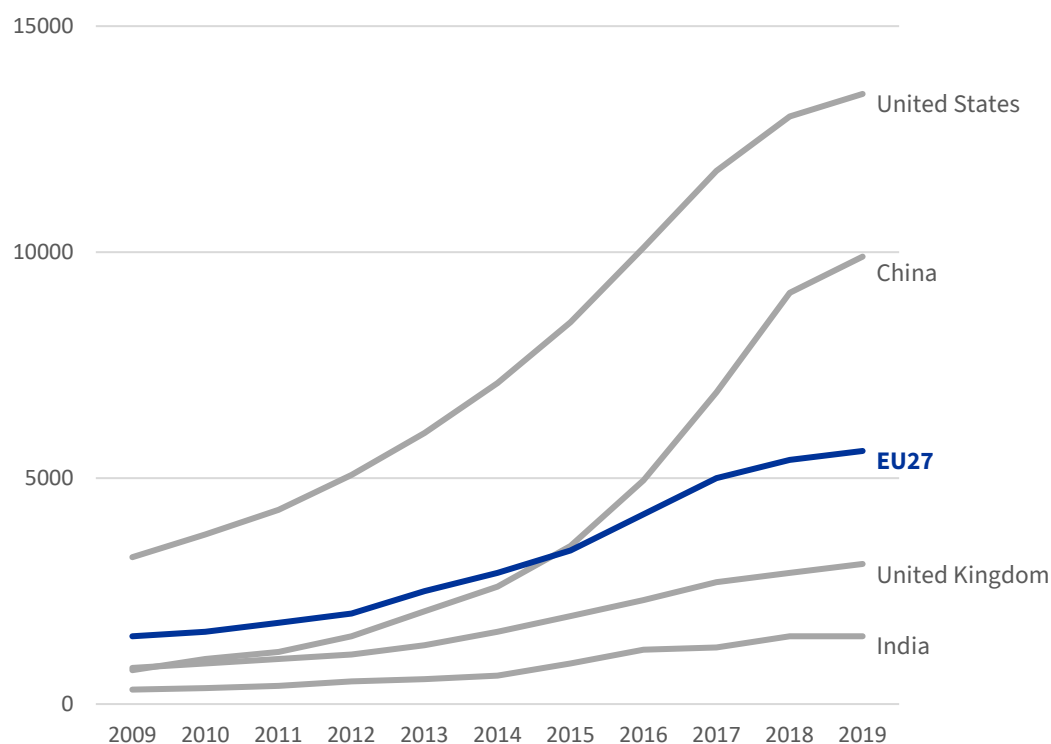


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Growth in number of AI companies



Data sources: Eurostat, Joint Research Centre

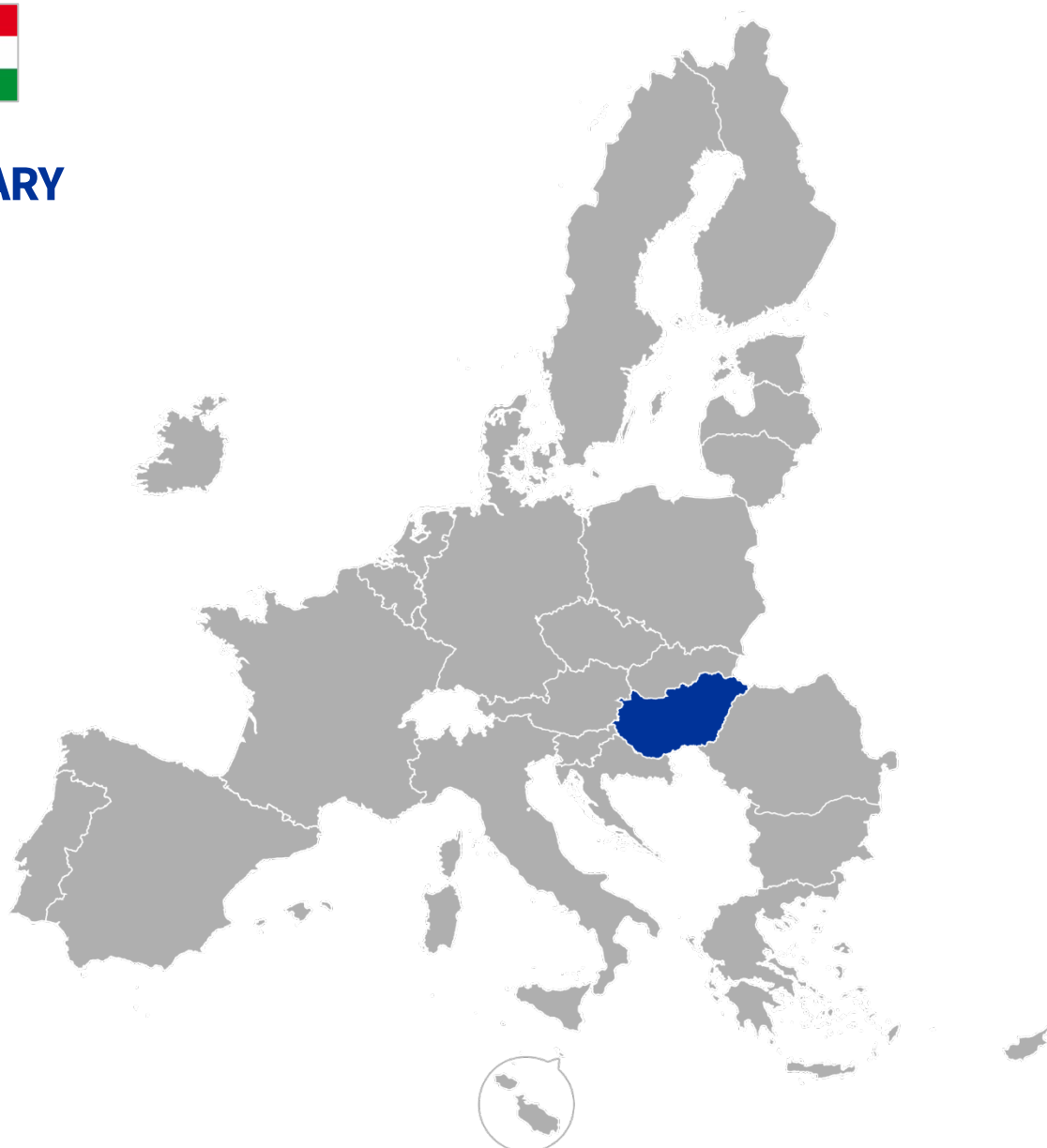
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HUNGARY



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■ Introducing an AI framework

Role profiles | **Standard version** | EN



Council of the
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Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

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Article 2

Scope of application

The provision set out in Article 1 shall apply to all AI systems, **except when developed for military or defence purposes**.



HUNGARY

Agenda

On the Council's agenda today is the Commission's proposal for a legal framework for the use of artificial intelligence. You will discuss the draft with the representatives of the other member states, aiming to reach a compromise.

Your primary objective

A common position of the Council that reflects your interests. You can also consider supporting a compromise option that partly reflects your interests.

Your task

1. Carefully **read your group information**, which sets out your interests and positions.
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I would first of all like to thank the Commission for its proposal and the presidency for including this issue on today's agenda.

In advance of today's meeting, we had fruitful discussions with _____.

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Article 1

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... **capability-based risk classification: risk is determined by the system's technical abilities.**



... purpose-based risk classification: risk is based on the intended use of the AI in sensitive sectors.

Based on this risk classification, 'high risk' AI systems must undergo rigorous testing before being launched.

Your arguments

- Your government has recently developed a national AI strategy. One of its objectives is to prepare society for effectively managing the inevitable changes resulting from AI and to allow your industry and universities to exploit the advantages of the technology. Your country aims to be an attractive destination for foreign investment.
- You believe that a growing AI adoption rate could generate significant added value for the national GDP – resources that are urgently needed for investment in public infrastructure.
- You see a strong role for the European Union in ensuring fair competition so that both European and Hungarian companies remain competitive in the internal market and global value chains.
- When it comes to classifying 'high risk' AI models, the capability-based approach is better suited than the purpose-based approach proposed by the Commission. If the same AI system is considered low risk in one context and high risk in another, it may create confusion and legal uncertainty for users, developers and investors.
- Your notes:

Article 2

Scope of application

The provision set out in Article 1 shall apply to all AI systems,



without exception



without exception, unless the system is developed as open-source



except when developed by small companies and startups (and)



except when developed for military or defence purposes (and)

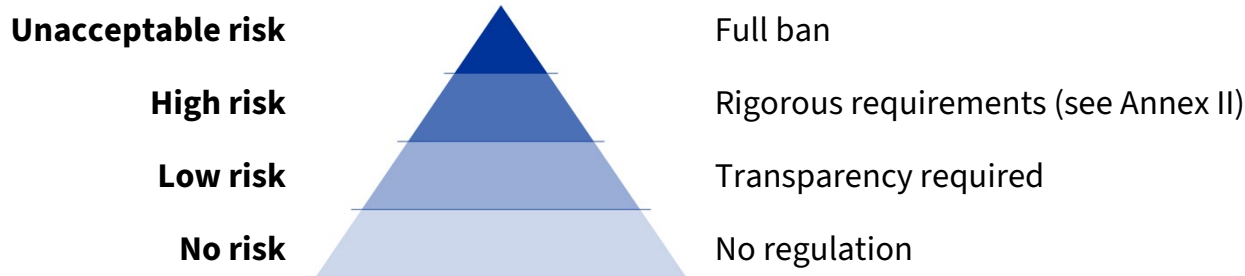


except when developed for national security, migration or border control

Your arguments

- You advocate for the exclusion of military and defence-related applications from AI regulation, emphasising that overregulation in this area could hinder the rapid deployment of AI technologies in conflict zones or during crisis response. In the context of ongoing regional instability, flexibility in the use of such technologies is crucial.
- As a country sharing a border with Ukraine – a nation currently at war with Russia – Hungary is deeply concerned about national security and the safety of its citizens. Additionally, as a Schengen border state, Hungary faces significant challenges in terms of managing increased migration flows, particularly along its southern border.
- In the light of these pressures, Hungary seeks greater understanding and support from fellow EU member states as regards its unique geopolitical and security challenges.
- Your notes:

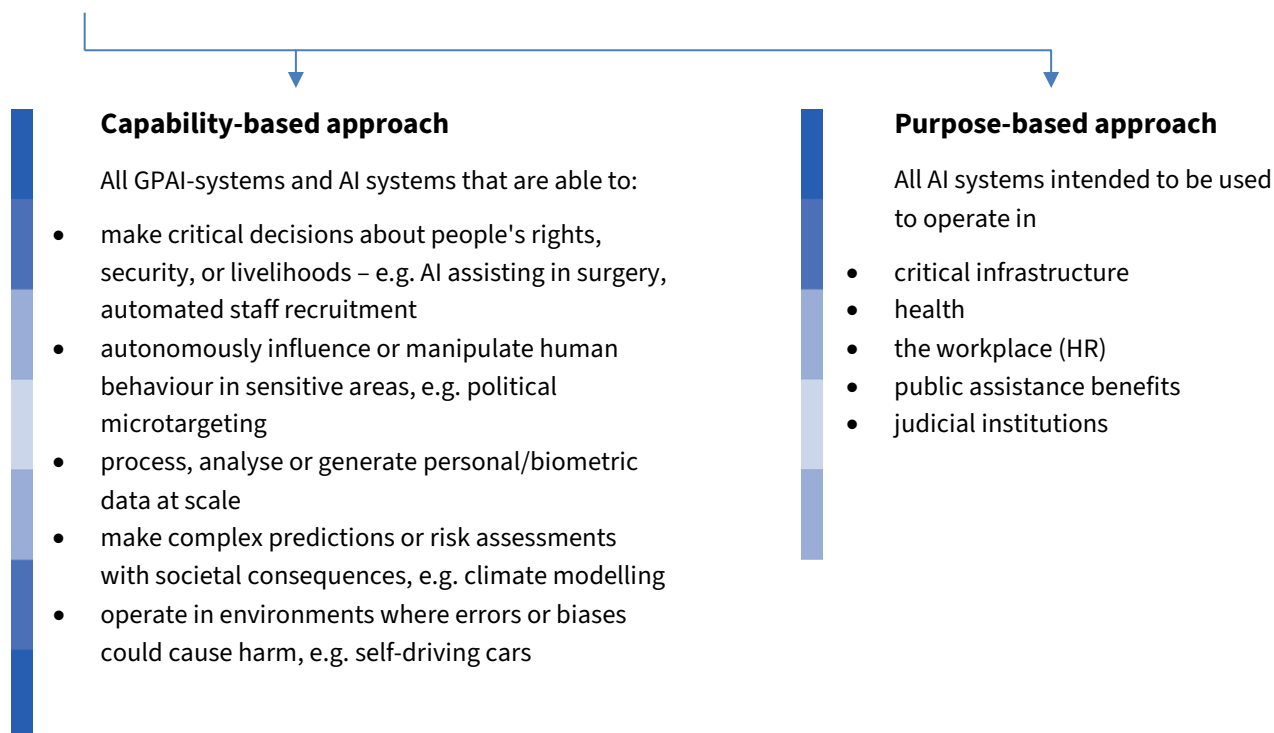
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Emphasis on legal and ethical standards:

- Risk assessment before deployment, identifying foreseeable risks and potential misuse.
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Denmark				
Estonia				
Finland				
France				
Germany				
Greece				
Hungary	capability-based		military/defence	
Ireland				

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Portugal				
Romania				
Slovakia				
Slovenia				
Spain				
Sweden				
Commission	purpose-based		military/defence	

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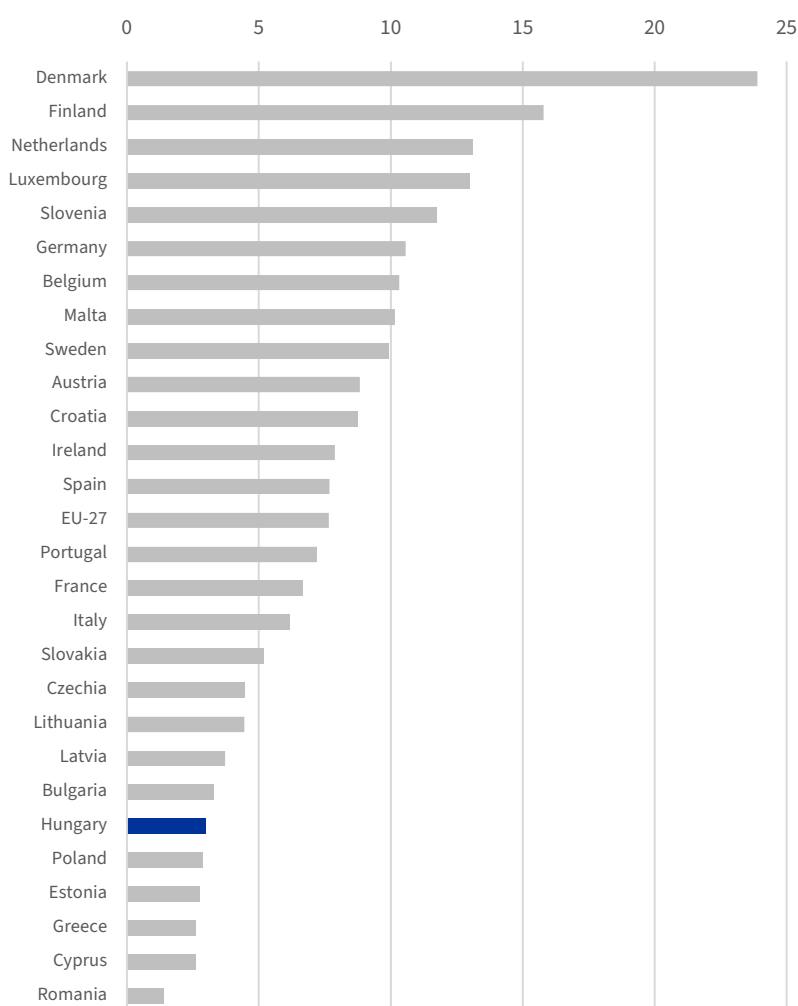
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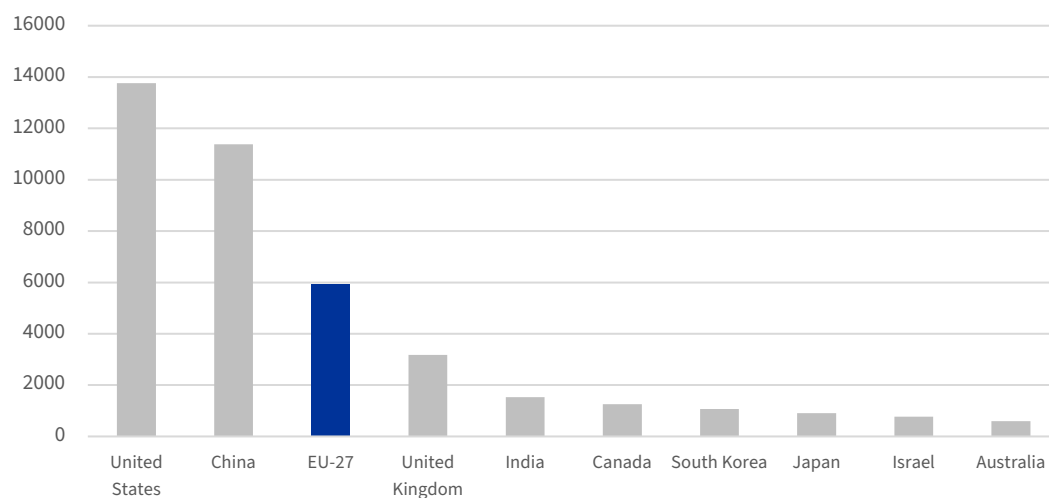
	European Union	Hungary
Population	447 695 350	9 599 744
GDP per capita in EUR	38 150	20 630
Unemployment rate	6.1%	4.1%
Percentage of companies using AI technology	8%	3.7%
Share of population with advanced digital skills	27.3%	28.1%

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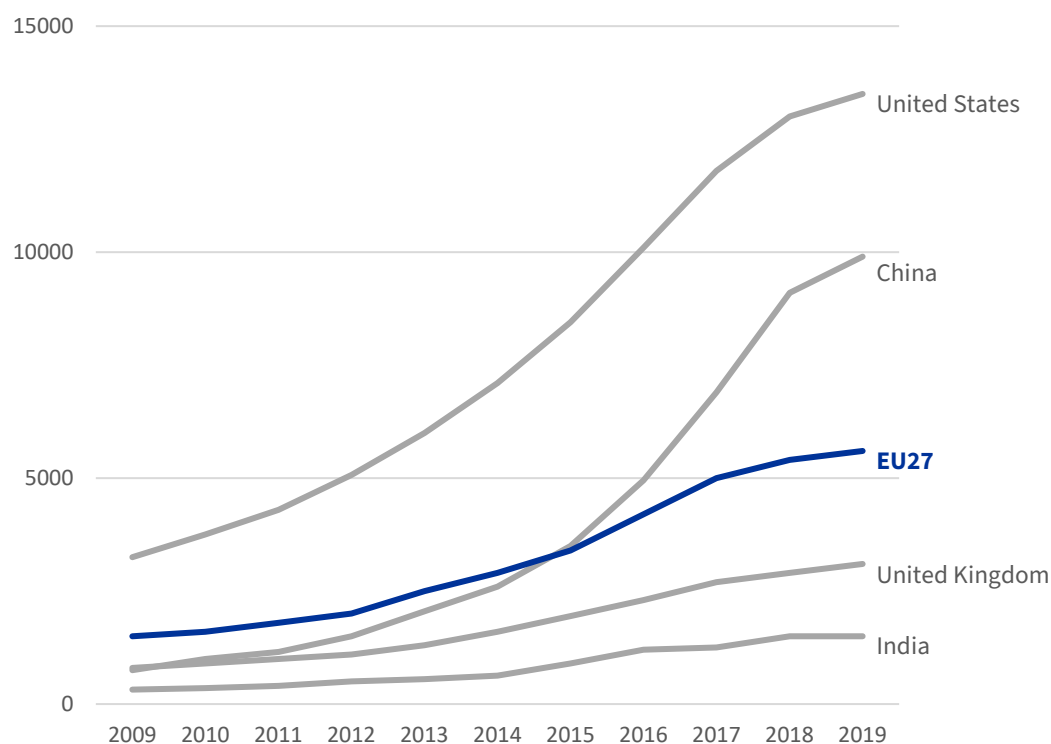


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AI companies by country (2020)



Growth in number of AI companies



Data sources: Eurostat, Joint Research Centre

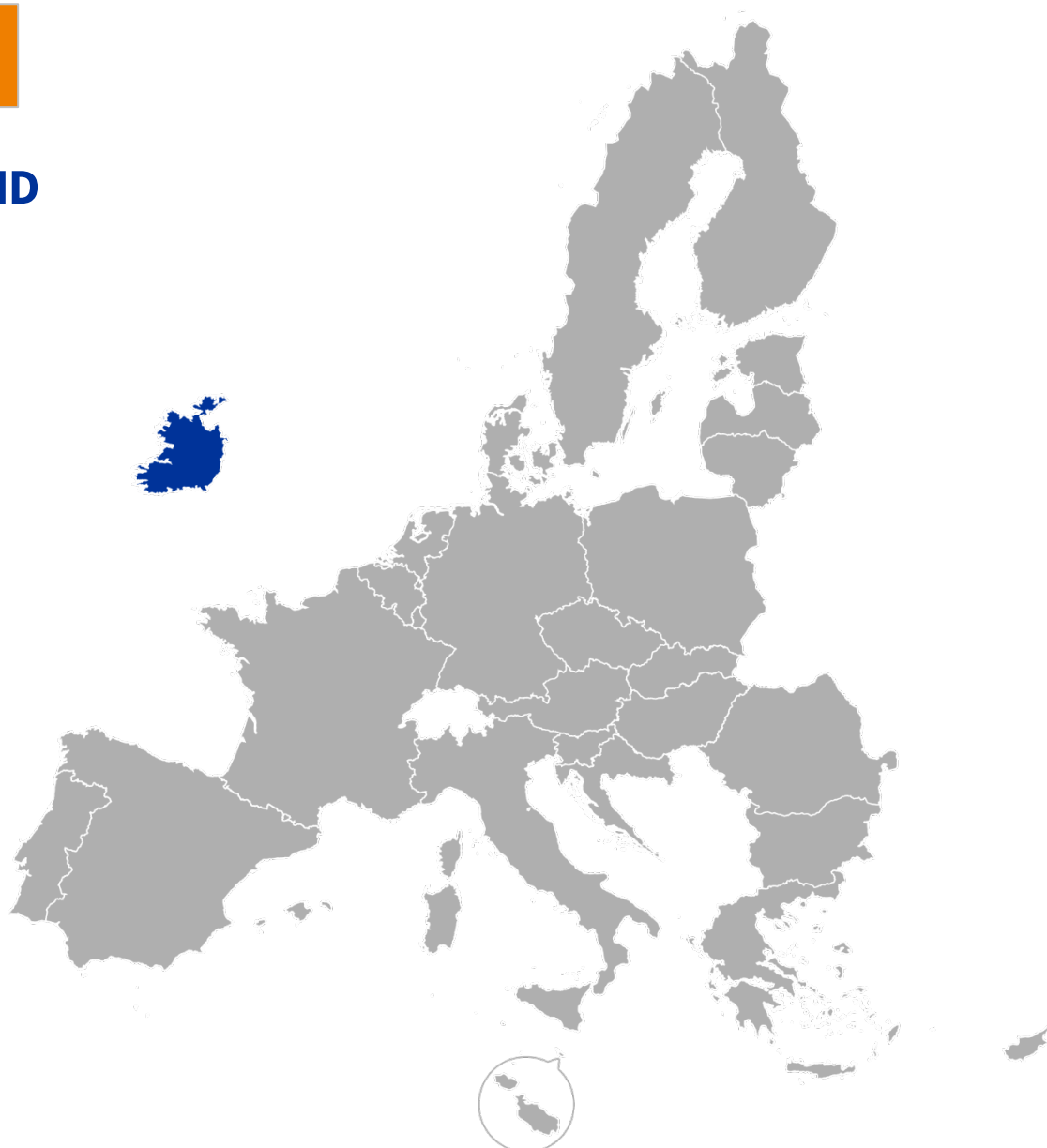
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IRELAND



MINISTER FOR A DAY: NEGOTIATING AT 27

■ Introducing an AI framework

Role profiles | **Standard version** | EN



Council of the
European Union

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on a legal framework for the use of artificial intelligence

CONTEXT OF THE PROPOSAL

The European Union is at a critical juncture in shaping its digital future. As part of the Digital Decade strategy, the EU aims to lead in artificial intelligence (AI) while safeguarding fundamental rights, consumer protection, market competitiveness, innovation and technological leadership. At the heart of these discussions is a legislative proposal by the European Commission which aims to regulate AI development in the EU. After several rounds of negotiations, the following questions have yet to be addressed.

Article 1

AI systems classification & risk management

The EU is adopting a common standard for risk management in the development, marketing, import and use of AI systems. These systems are classified as no risk, low risk, high risk or unacceptable risk (see Annex I). To define 'high risk' AI systems, the EU will adopt a **purpose-based risk classification: risk is based on the intended use of the AI in sensitive sectors**. Based on this risk classification, 'high risk' AI systems must undergo rigorous testing before being launched.

Article 2

Scope of application

The provision set out in Article 1 shall apply to all AI systems, **except when developed for military or defence purposes**.



IRELAND

Agenda

On the Council's agenda today is the Commission's proposal for a legal framework for the use of artificial intelligence. You will discuss the draft with the representatives of the other member states, aiming to reach a compromise.

Your primary objective

A common position of the Council that reflects your interests. You can also consider supporting a compromise option that partly reflects your interests.

Your task

1. Carefully **read your group information**, which sets out your interests and positions.
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Madam/Mr Chair, Commissioner, colleagues,
I would first of all like to thank the Commission for its proposal and the presidency for including this issue on today's agenda.

In advance of today's meeting, we had fruitful discussions with _____ .

We think it is necessary to adopt a capability-/purpose-based risk classification, because _____

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... capability-based risk classification: risk is determined by the system's technical abilities.



... **purpose-based risk classification: risk is based on the intended use of the AI in sensitive sectors.**

Based on this risk classification, 'high risk' AI systems must undergo rigorous testing before being launched.

Your arguments

- Your country is home to the EU headquarters of OpenAI, Google and Meta. Keeping these companies in Ireland aligns with your national interest – and benefits the EU as a whole.
- You are pleased with the Commission's proposal to introduce a common EU framework on AI. You find it important as it sends the right signal, showing the world that the EU is ready to be a responsible AI powerhouse.
- You support the purpose-based approach suggested by the Commission. With this approach – in comparison with the capability-based approach – there is less risk of conflict with existing requirements in other sector-specific regulations.
- You want to highlight that many AI risks emerge post-deployment, so you believe that post-market monitoring is the most important feature. **The list of requirements to be met before launch could be slightly more flexible.**
- Your notes:

Article 2

Scope of application

The provision set out in Article 1 shall apply to all AI systems,



without exception



without exception, unless the system is developed as open-source



except when developed by small companies and startups (and)



except when developed for military or defence purposes (and)

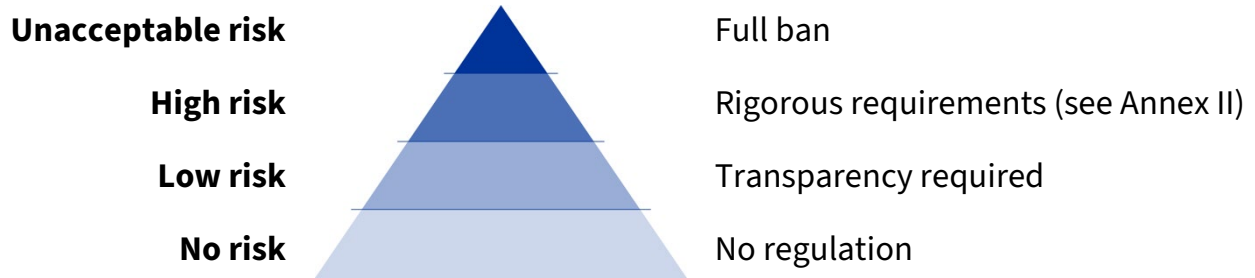


except when developed for national security, migration or border control

Your arguments

- You believe that the AI and digital revolution must also drive gender equality in the EU. Women are underrepresented in almost all areas and levels in research and innovation-related fields. You stress the importance of actively supporting their involvement in shaping AI.
- Startups offer a unique opportunity. Unlike big tech, they often have smaller gender gaps and provide more accessible pathways for women and genderqueer people in AI. Diverse teams are also proven to build less biased, more ethical AI – something the EU should encourage.
- Startups, by their very nature, aim to innovate quickly with limited resources. Heavy administrative burdens can stifle that potential, especially for small teams trying to break into the field.
- That is why you support exempting small startups (under 10 employees and €2 million in turnover) from the full weight of the EU AI Regulation.
- Your notes:

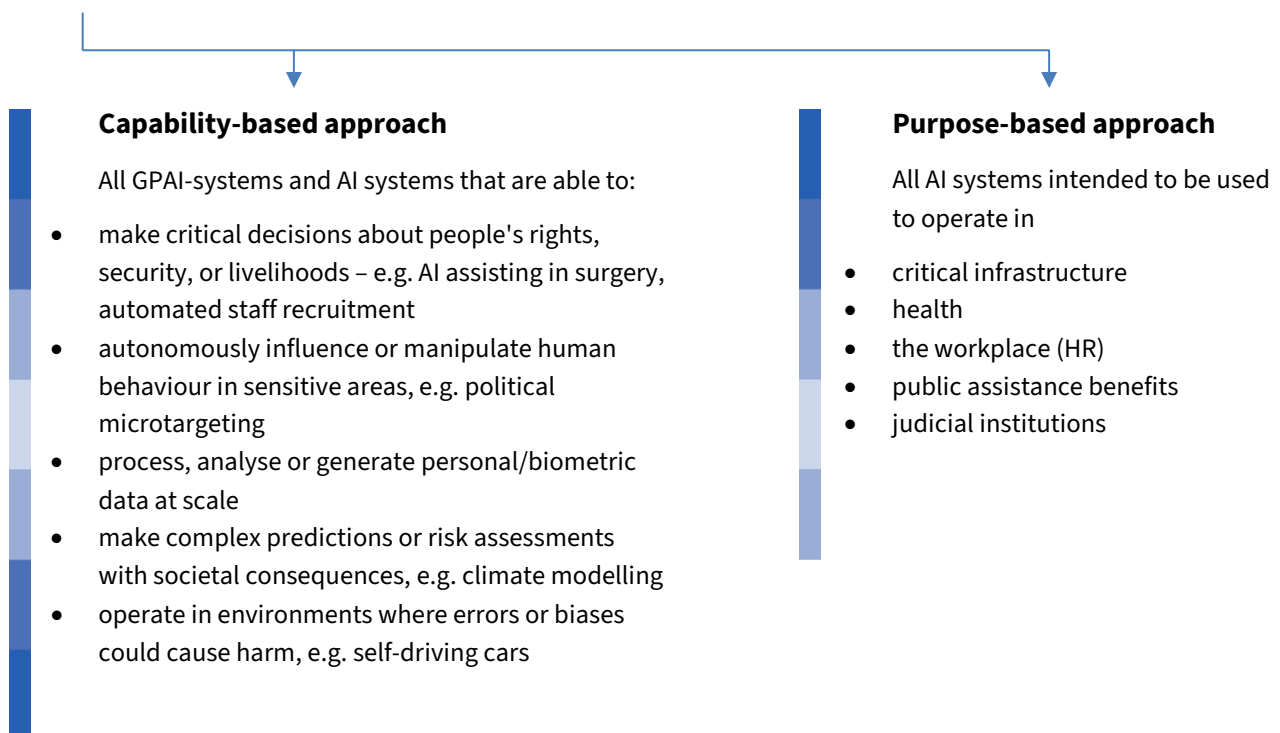
Annex I: Risk classification



Unacceptable risk:

- **Social scoring AI** – ranking citizens based on their behaviour
- **AI-powered mass surveillance** – biometric tracking without consent
- **Emotion recognition in workplaces/schools** to influence work performance
- **Autonomous lethal weapons** – that can kill without human intervention
- **Subliminal manipulation AI** – influencing people's decisions without transparency

High risk



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Low risk

- **AI systems not classified as 'high risk'**
- **Chatbots & virtual assistants** (as long as users know they are talking to AI)
- **Recommendation algorithms** – AI-powered suggestions on social media
- **AI for business automation** – AI that automates basic administrative tasks

No risk

- AI-powered image, music or art generators/editors
- AI in scientific research
- AI in toy & entertainment robots – AI-powered toys with no real-world risks



Annex II: Requirements for 'high risk' AI systems

Emphasis on legal and ethical standards:

- Risk assessment before deployment, identifying foreseeable risks and potential misuse.
- Human oversight ensured to prevent full automation in decision-making.
- Data governance to ensure unbiased training datasets.
- External audits mandatory, including sandbox testing with human supervision.
- Disclosure of test results to EU regulators.
- Post-market monitoring to track performance.

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	Article 1: classification	Other suggestions/notes	Article 2: scope	Other suggestions/notes
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Belgium				
Bulgaria				
Croatia				
Cyprus				
Czechia				
Denmark				
Estonia				
Finland				
France				
Germany				
Greece				
Hungary				
Ireland	purpose-based	Flexibility on testing	startups	

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	Article 1: classification	Other suggestions/notes	Article 2: scope	Other suggestions/notes
Italy				
Latvia				
Lithuania				
Luxembourg				
Malta				
The Netherlands				
Poland				
Portugal				
Romania				
Slovakia				
Slovenia				
Spain				
Sweden				
Commission	purpose-based		military/defence	

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Definitions

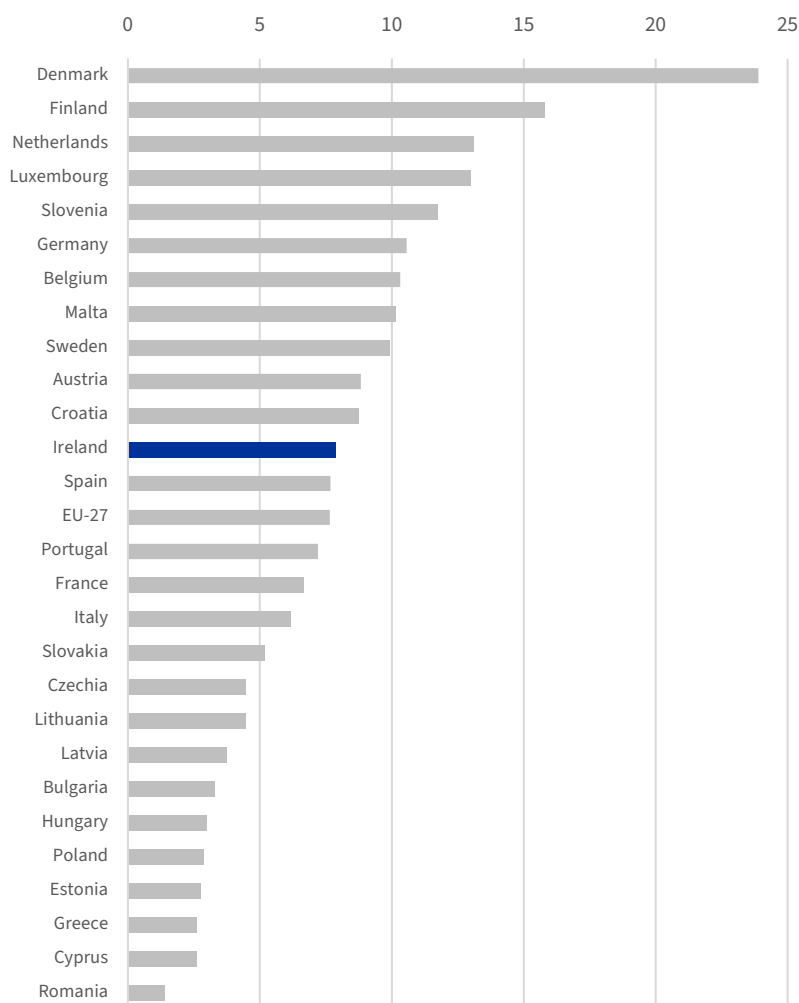
- **Algorithms** – step-by-step instructions which a computer follows in order to solve a problem or make a decision
- **Artificial intelligence systems** (AI systems) – computer-based systems that use AI to perform tasks typically requiring human intelligence, e.g. learning, reasoning, problem-solving, decision-making, perception and language understanding
- **Brain drain** – when skilled workers leave their country to work abroad
- **Business migration** – when a company moves its operations to another country, often for better conditions or lower costs
- **Deep learning AI** – a system that learns from large amounts of data using neural networks, such as how the human brain works. It recognises patterns and improves over time without needing explicit programming
- **General purpose artificial intelligence (GPAI)** – AI that can perform more than one task, e.g. ChatGPT, Google Gemini
- **Open-source** – software whose code is freely available for anyone to view, use and modify
- **Rule-based AI** – an AI system that makes decisions based on predefined rules and logic. For example, 'If X happens, then do Y'
- **Sandbox testing** - testing in an isolated environment, e.g. a self-driving AI is tested in a simulated city before driving on real roads

Background information

Please note: **the negotiations are taking place in 2023!**

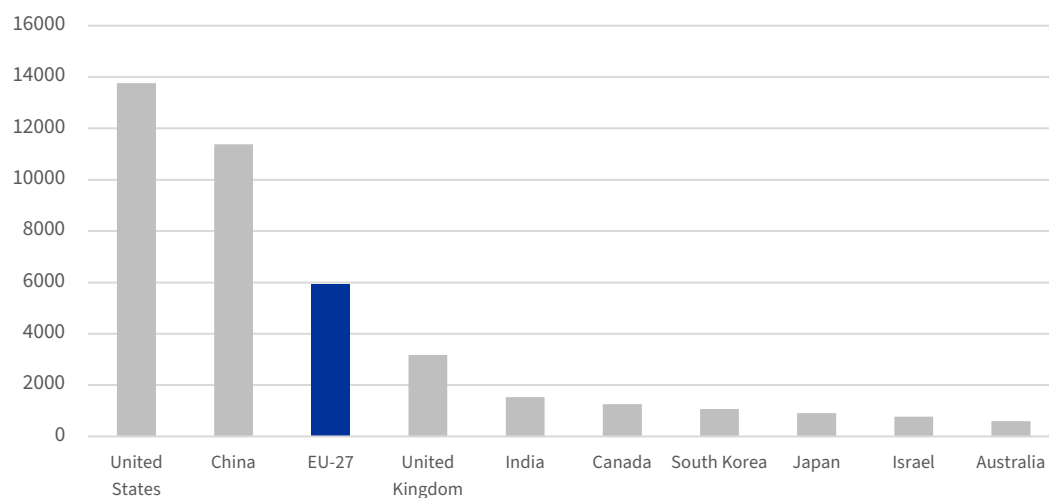
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GDP per capita in EUR	38 150	96 290
Unemployment rate	6.1%	4.3%
Percentage of companies using AI technology	8%	8%
Share of population with advanced digital skills	27.3%	43.8%

Percentage of companies with over 10 employees
using at least one AI system (2021)

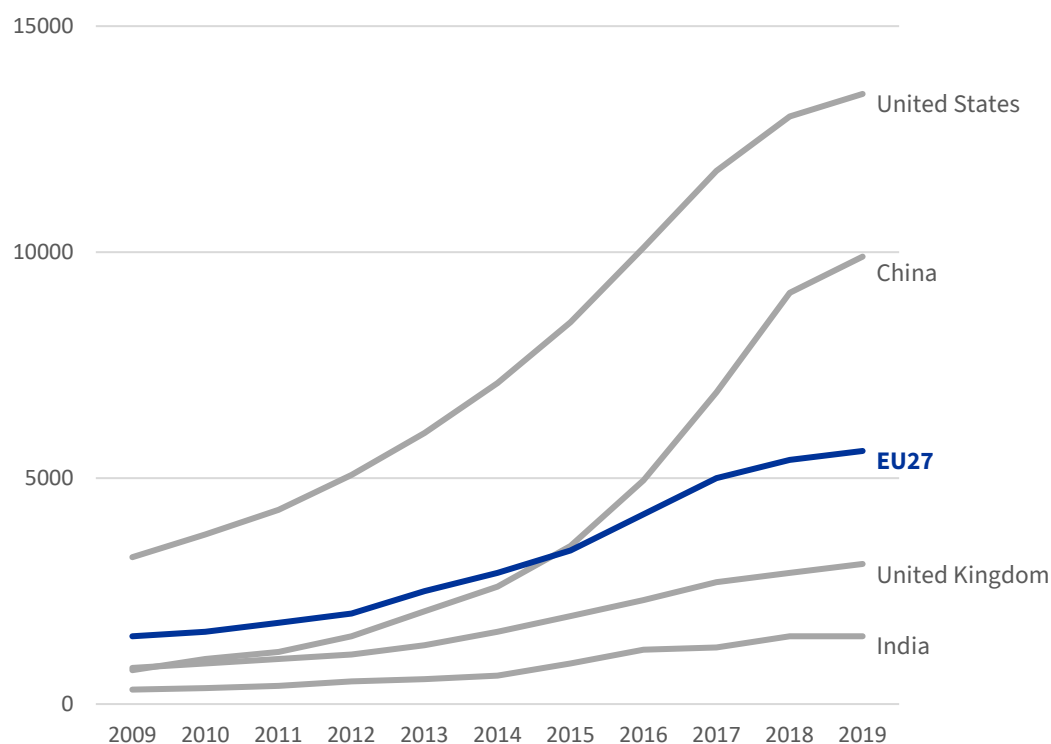


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AI companies by country (2020)



Growth in number of AI companies



Data sources: Eurostat, Joint Research Centre

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ITALY



MINISTER FOR A DAY: NEGOTIATING AT 27

■ Introducing an AI framework

Role profiles | **Standard version** | EN



Council of the
European Union

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on a legal framework for the use of artificial intelligence

CONTEXT OF THE PROPOSAL

The European Union is at a critical juncture in shaping its digital future. As part of the Digital Decade strategy, the EU aims to lead in artificial intelligence (AI) while safeguarding fundamental rights, consumer protection, market competitiveness, innovation and technological leadership. At the heart of these discussions is a legislative proposal by the European Commission which aims to regulate AI development in the EU. After several rounds of negotiations, the following questions have yet to be addressed.

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AI systems classification & risk management

The EU is adopting a common standard for risk management in the development, marketing, import and use of AI systems. These systems are classified as no risk, low risk, high risk or unacceptable risk (see Annex I). To define 'high risk' AI systems, the EU will adopt a **purpose-based risk classification: risk is based on the intended use of the AI in sensitive sectors**. Based on this risk classification, 'high risk' AI systems must undergo rigorous testing before being launched.

Article 2

Scope of application

The provision set out in Article 1 shall apply to all AI systems, **except when developed for military or defence purposes**.



ITALY

Agenda

On the Council's agenda today is the Commission's proposal for a legal framework for the use of artificial intelligence. You will discuss the draft with the representatives of the other member states, aiming to reach a compromise.

Your primary objective

A common position of the Council that reflects your interests. You can also consider supporting a compromise option that partly reflects your interests.

Your task

1. Carefully **read your group information**, which sets out your interests and positions.
2. You **share some of the arguments with countries such as Croatia, the Netherlands and Slovenia**. Talk to them to see whether you can cooperate to advance your common interests, if you can identify any.
3. Prepare an **opening statement** (maximum 1 minute) for the first round of official negotiations. State your position on Articles 1 and 2. The script in the text box might help you.
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Madam/Mr Chair, Commissioner, colleagues,
I would first of all like to thank the Commission for its proposal and the presidency for including this issue on today's agenda.

In advance of today's meeting, we had fruitful discussions with _____.

We think it is necessary to adopt a capability-/purpose-based risk classification, because _____.

With regard to Article 2, certain exceptions will/will not apply, because we are in favour of _____.

We are confident that we will find a workable compromise during today's meeting.

Thank you.

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... **capability-based risk classification: risk is determined by the system's technical abilities.**



... purpose-based risk classification: risk is based on the intended use of the AI in sensitive sectors.

Based on this risk classification, 'high risk' AI systems must undergo rigorous testing before being launched.

Your arguments

- Your national government believes that AI regulation should be handled at European level, as national rules would undermine EU competitiveness and strategic autonomy.
- In line with Article 3 of the Italian Constitution ('All citizens have equal social dignity and are equal before the law') and the UN Sustainable Development Goals, AI must promote inclusiveness, sustainability, and human rights – serving both people and the planet.
- You find the purpose-based approach problematic, as it creates sectoral inconsistencies: for example, AI assisting surgery and AI assigning hospital rooms are both classified as high risk, despite differing impact levels. A capability-based approach better reflects real-world dangers, although you support regular updates to the risk list to reflect evolving AI capabilities.
- Your notes:

Article 2

Scope of application

The provision set out in Article 1 shall apply to all AI systems,



without exception



without exception, unless the system is developed as open-source



except when developed by small companies and startups (and)



except when developed for military or defence purposes (and)

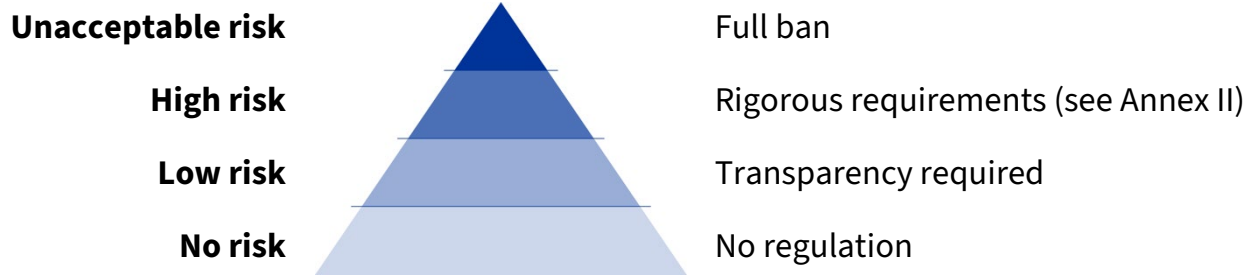


except when developed for national security, migration or border control

Your arguments

- In your view, the EU AI Act should serve as a catalyst for AI development across all EU member states. Startups are a crucial driver of innovation, so the AI Act should not place an excessive burden on AI startups – rigorous testing requirements may go beyond a startup's financial and administrative capacity.
- For this reason, you propose exempting startups with fewer than 20 employees and under €4 million in turnover. Instead, they should comply with the requirements for low risk AI models. You see this as a balanced compromise and aim to lead the conversation on it.
- Your notes:

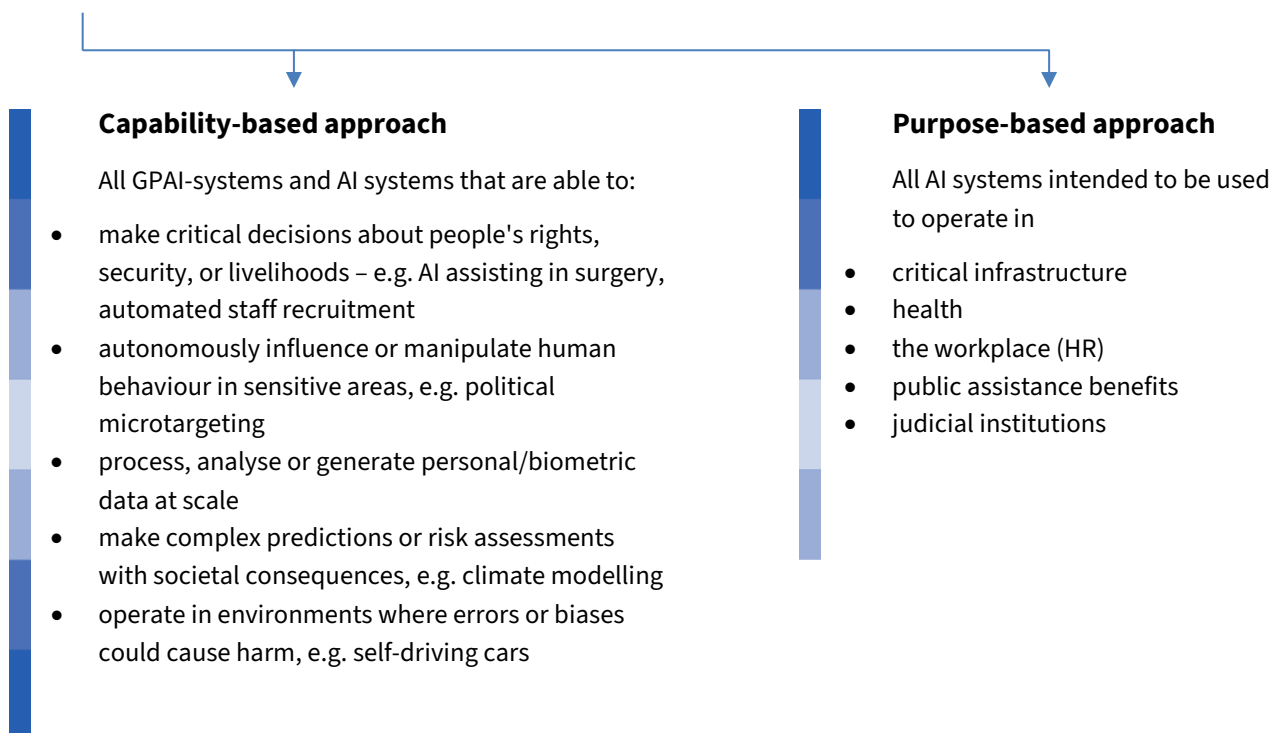
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High risk



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Annex II: Requirements for 'high risk' AI systems

Emphasis on legal and ethical standards:

- Risk assessment before deployment, identifying foreseeable risks and potential misuse.
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Latvia				
Lithuania				
Luxembourg				
Malta				
The Netherlands				
Poland				
Portugal				
Romania				
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Slovenia				
Spain				
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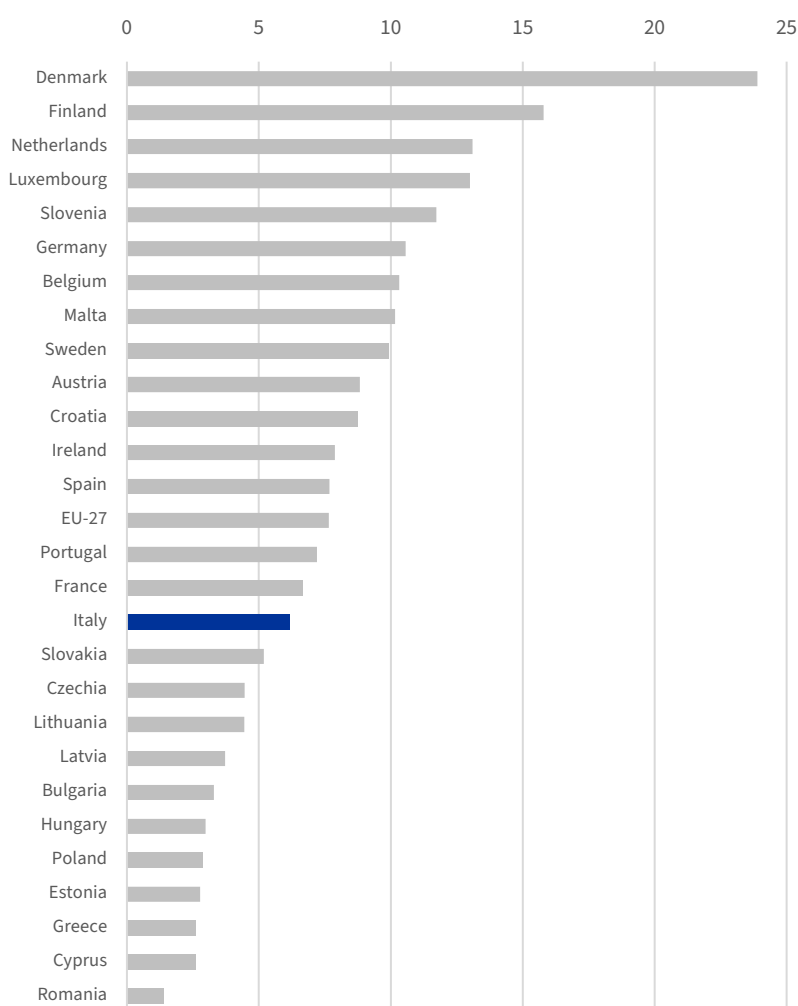
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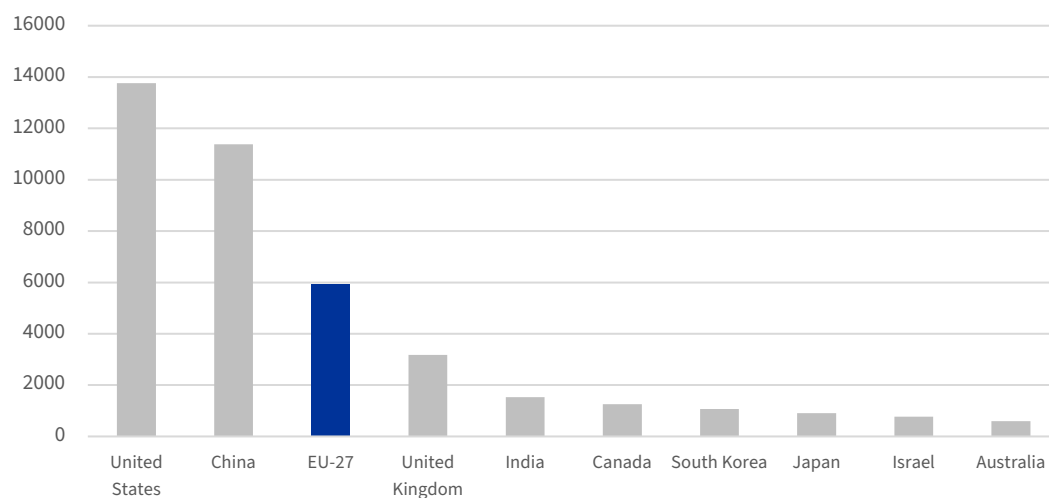
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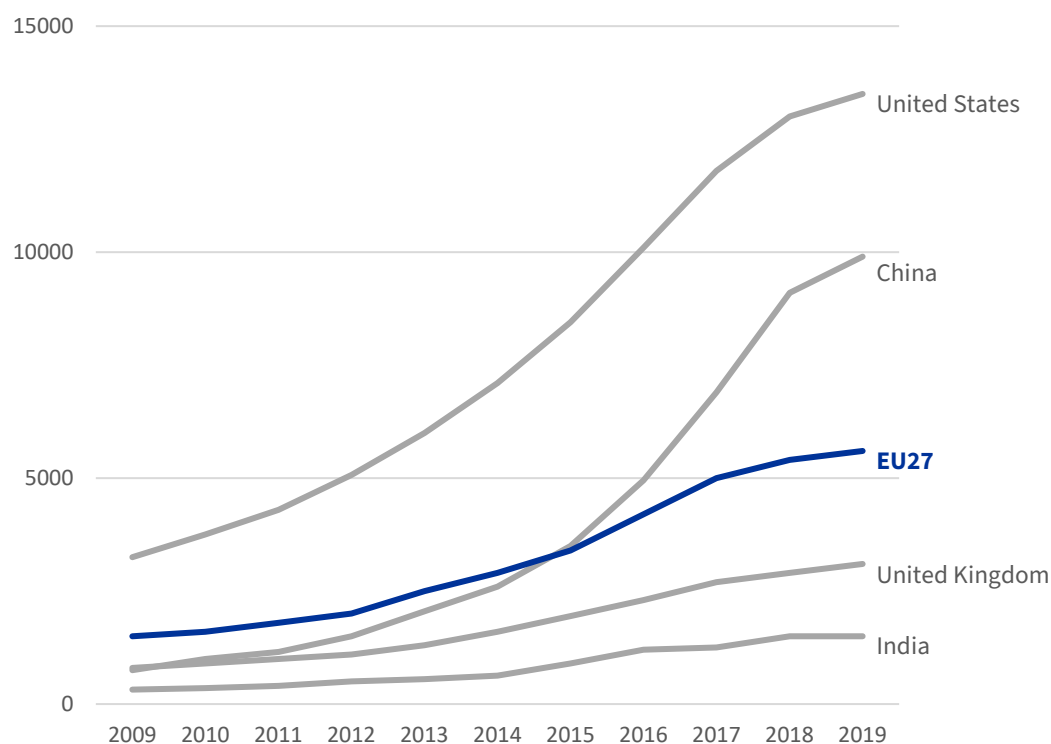


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Growth in number of AI companies



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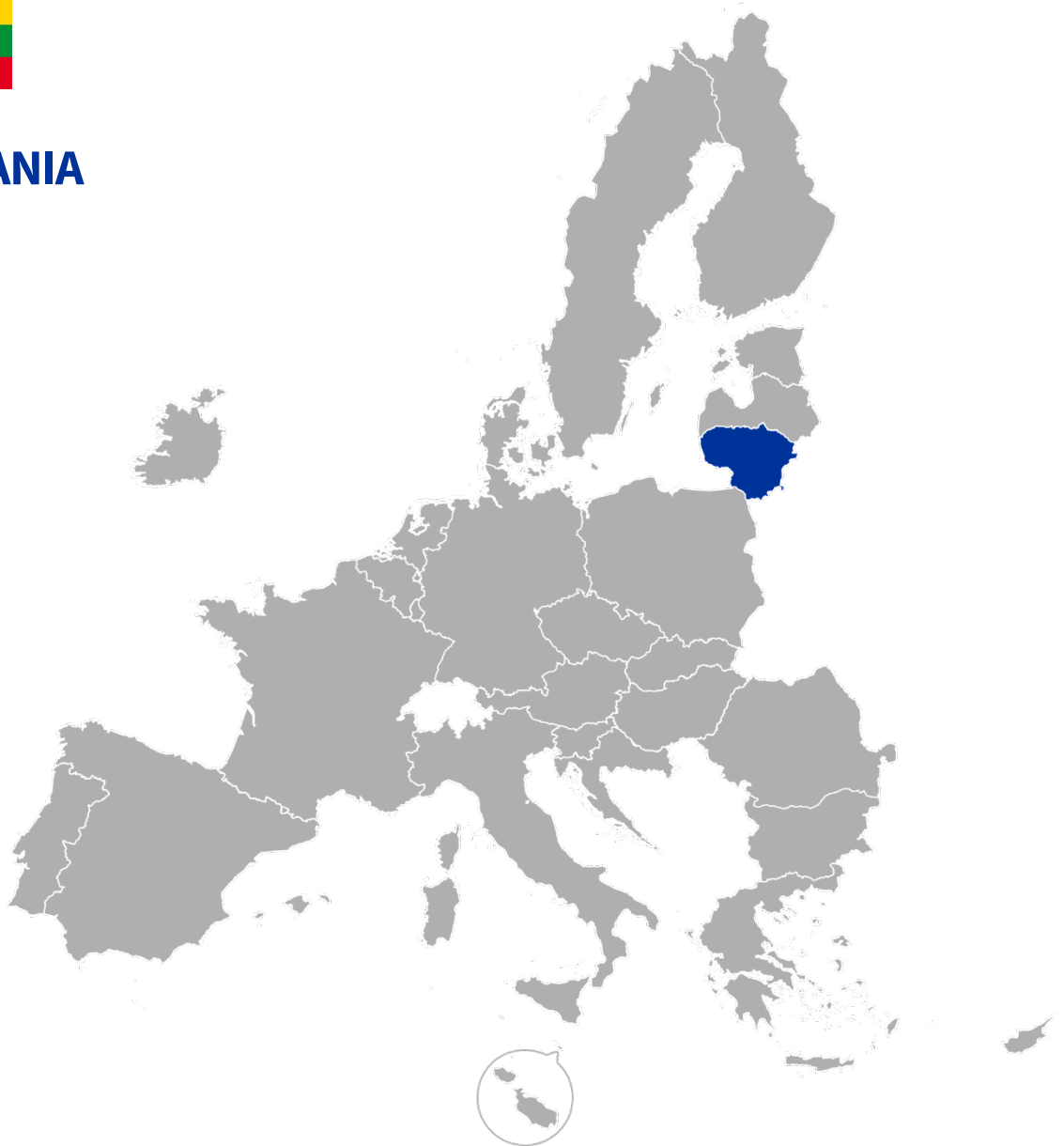
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LITHUANIA



MINISTER FOR A DAY: NEGOTIATING AT 27

■ Introducing an AI framework

Role profiles | **Standard version** | EN

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on a legal framework for the use of artificial intelligence

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Article 2

Scope of application

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Agenda

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Your task

1. Carefully **read your group information**, which sets out your interests and positions.
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... purpose-based risk classification: risk is based on the intended use of the AI in sensitive sectors.

Based on this risk classification, 'high risk' AI systems must undergo rigorous testing before being launched.

Your arguments

- Manufacturing is the largest sector of the Lithuanian economy, generating 20.4% of the country's GDP. One of the main challenges facing it is low labour productivity – an issue that artificial intelligence can help to address by automating routine tasks.
- Therefore, you advocate for a framework that allows free innovation and experimentation. You think the capability-based approach is best for that purpose.
- Too much regulation would slow down innovation and harm European AI startups, due to costly compliance requirements. . Therefore, you think that the EU would be overregulating if all AI systems 'able to process, analyse and generate personal/biometric data at scale' were to be considered high risk. Data-related questions will be covered by the General Data Protection Regulation (GDPR) of the EU.
- While some member states are pushing for stricter rules due to concerns over human rights, you argue that AI can also be a powerful tool for protecting those rights. It can help reduce bias in hiring, policing and decision-making, defend against cyberattacks and safeguard personal data. And while AI can generate misinformation or deepfakes, it can also be trained to detect and counter such phenomena. The EU should actively support innovation in these protective uses of AI.
- Your notes:

Article 2

Scope of application

The provision set out in Article 1 shall apply to all AI systems,



without exception



without exception, unless the system is developed as open-source



except when developed by small companies and startups (and)



except when developed for military or defence purposes (and)

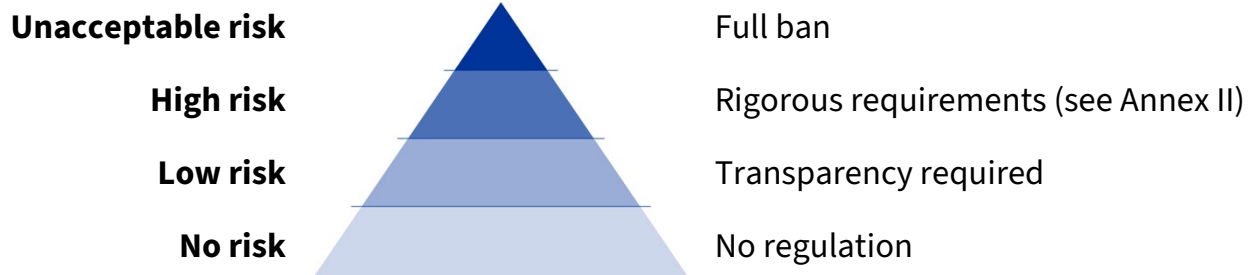


except when developed for national security, migration or border control

Your arguments

- In Article 1 you push for more freedom to innovate – but even so, you firmly believe that rules still matter. Regulation makes the most sense when it applies to everyone. It gives developers a clearer idea of what is expected and helps the EU display a consistent approach to responsible AI.
- Startups and small companies should not be left out either. Just because a company is small does not mean its tech cannot do damage. Plus, if they are exempt, big companies might just shift risky projects on to them in order to avoid the testing requirements. That is a loophole waiting to be exploited and the EU should ensure that this does not happen.
- There are already warning signs: in China, AI-powered facial and emotional recognition technology has been used to target the Muslim Uyghur minority, resulting in self-censorship and the detention of many in so-called 're-education camps'. In the US, Clearview AI scraped billions of images from social media platforms without consent and sold the tool to agencies such as the FBI and ICE. In the UK, live facial recognition trials by the Met Police have produced high error rates, especially for black individuals.
- You believe that these issues could have been avoided with proper testing and rules that apply to everyone – no exceptions.
- Your notes:

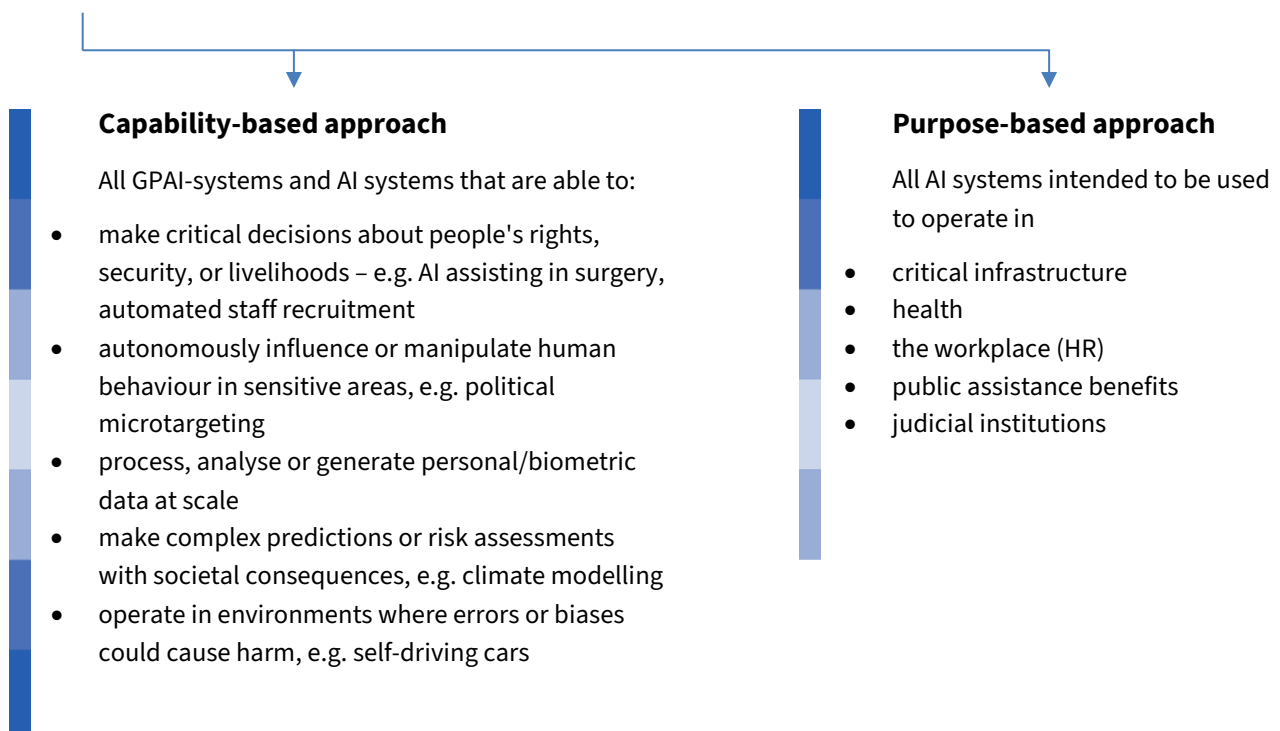
Annex I: Risk classification



Unacceptable risk:

- **Social scoring AI** – ranking citizens based on their behaviour
- **AI-powered mass surveillance** – biometric tracking without consent
- **Emotion recognition in workplaces/schools** to influence work performance
- **Autonomous lethal weapons** – that can kill without human intervention
- **Subliminal manipulation AI** – influencing people's decisions without transparency

High risk



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Low risk

- **AI systems not classified as 'high risk'**
- **Chatbots & virtual assistants** (as long as users know they are talking to AI)
- **Recommendation algorithms** – AI-powered suggestions on social media
- **AI for business automation** – AI that automates basic administrative tasks

No risk

- AI-powered image, music or art generators/editors
- AI in scientific research
- AI in toy & entertainment robots – AI-powered toys with no real-world risks



Annex II: Requirements for 'high risk' AI systems

Emphasis on legal and ethical standards:

- Risk assessment before deployment, identifying foreseeable risks and potential misuse.
- Human oversight ensured to prevent full automation in decision-making.
- Data governance to ensure unbiased training datasets.
- External audits mandatory, including sandbox testing with human supervision.
- Disclosure of test results to EU regulators.
- Post-market monitoring to track performance.

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	Article 1: classification	Other suggestions/notes	Article 2: scope	Other suggestions/notes
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Belgium				
Bulgaria				
Croatia				
Cyprus				
Czechia				
Denmark				
Estonia				
Finland				
France				
Germany				
Greece				
Hungary				
Ireland				

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	Article 1: classification	Other suggestions/notes	Article 2: scope	Other suggestions/notes
Italy				
Latvia				
Lithuania	capability-based		without exception	
Luxembourg				
Malta				
The Netherlands				
Poland				
Portugal				
Romania				
Slovakia				
Slovenia				
Spain				
Sweden				
Commission	purpose-based		military/defence	

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Definitions

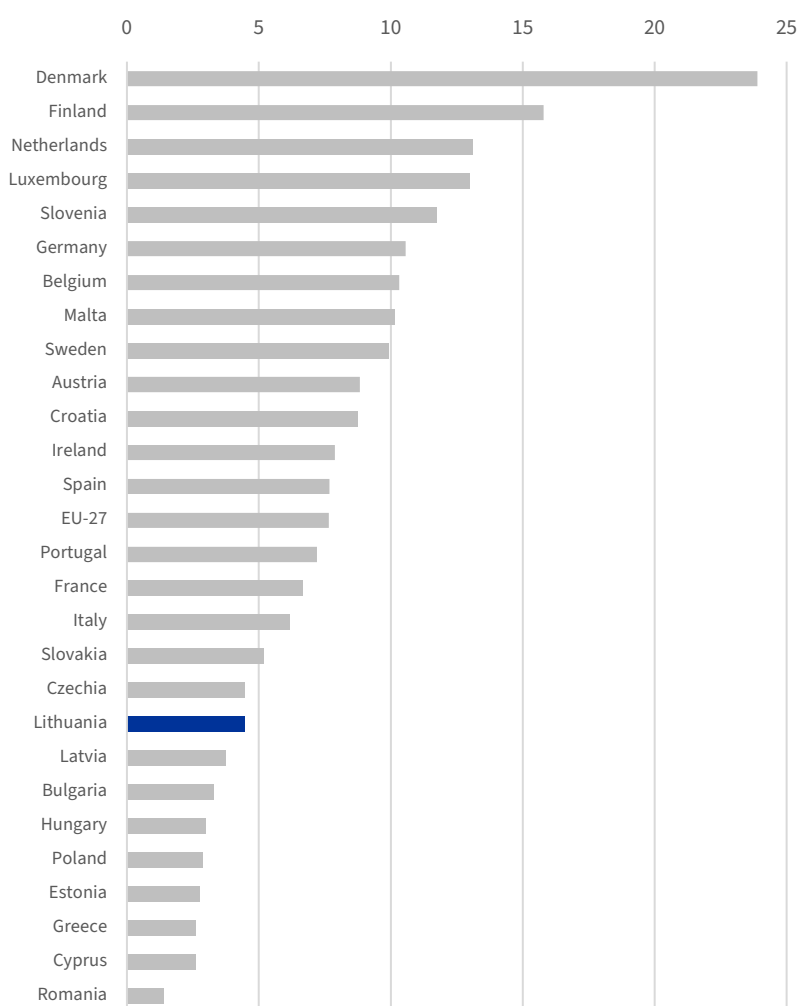
- **Algorithms** – step-by-step instructions which a computer follows in order to solve a problem or make a decision
- **Artificial intelligence systems** (AI systems) – computer-based systems that use AI to perform tasks typically requiring human intelligence, e.g. learning, reasoning, problem-solving, decision-making, perception and language understanding
- **Brain drain** – when skilled workers leave their country to work abroad
- **Business migration** – when a company moves its operations to another country, often for better conditions or lower costs
- **Deep learning AI** – a system that learns from large amounts of data using neural networks, such as how the human brain works. It recognises patterns and improves over time without needing explicit programming
- **General purpose artificial intelligence (GPAI)** – AI that can perform more than one task, e.g. ChatGPT, Google Gemini
- **Open-source** – software whose code is freely available for anyone to view, use and modify
- **Rule-based AI** – an AI system that makes decisions based on predefined rules and logic. For example, 'If X happens, then do Y'
- **Sandbox testing** - testing in an isolated environment, e.g. a self-driving AI is tested in a simulated city before driving on real roads

Background information

Please note: **the negotiations are taking place in 2023!**

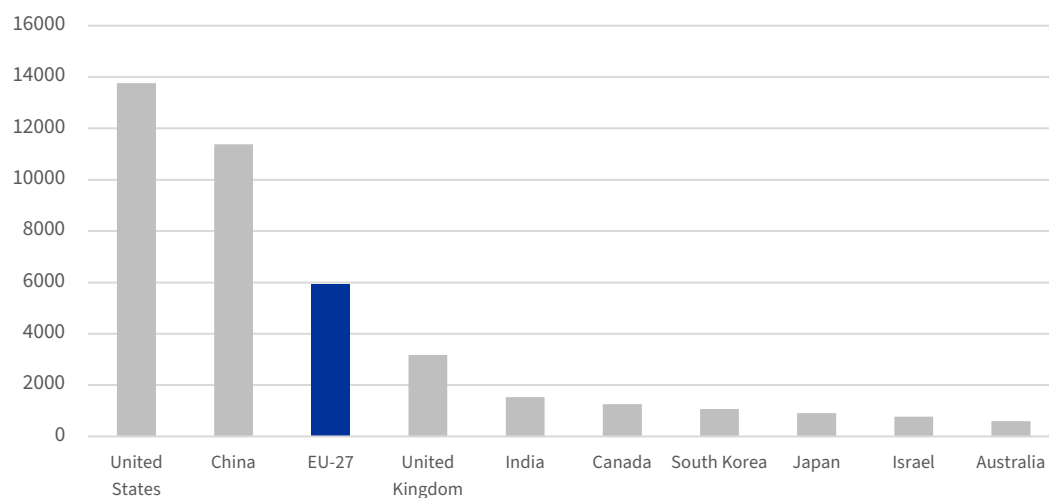
	European Union	Lithuania
Population	447 695 350	2 857 279
GDP per capita in EUR	38 150	25 700
Unemployment rate	6.1%	6.9%
Percentage of companies using AI technology	8%	4.9%
Share of population with advanced digital skills	27.3%	25.9%

Percentage of companies with over 10 employees
using at least one AI system (2021)

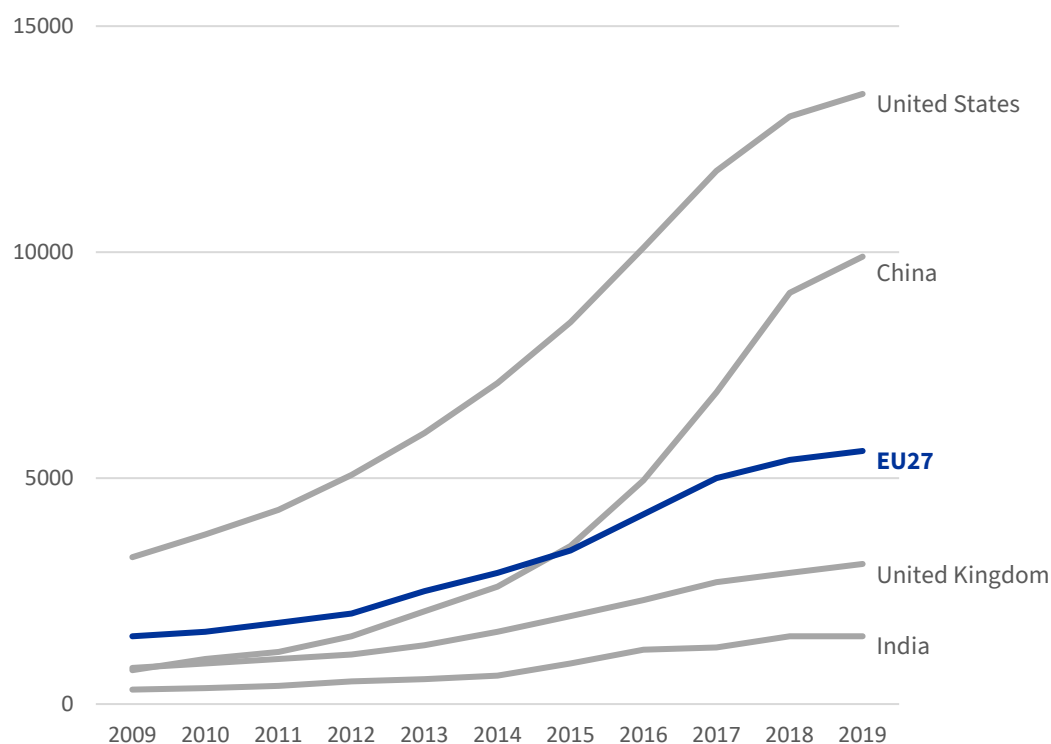


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AI companies by country (2020)



Growth in number of AI companies



Data sources: Eurostat, Joint Research Centre

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LUXEMBOURG



MINISTER FOR A DAY: NEGOTIATING AT 27

■ Introducing an AI framework

Role profiles | **Standard version** | EN



Council of the
European Union

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on a legal framework for the use of artificial intelligence

CONTEXT OF THE PROPOSAL

The European Union is at a critical juncture in shaping its digital future. As part of the Digital Decade strategy, the EU aims to lead in artificial intelligence (AI) while safeguarding fundamental rights, consumer protection, market competitiveness, innovation and technological leadership. At the heart of these discussions is a legislative proposal by the European Commission which aims to regulate AI development in the EU. After several rounds of negotiations, the following questions have yet to be addressed.

Article 1

AI systems classification & risk management

The EU is adopting a common standard for risk management in the development, marketing, import and use of AI systems. These systems are classified as no risk, low risk, high risk or unacceptable risk (see Annex I). To define 'high risk' AI systems, the EU will adopt a **purpose-based risk classification: risk is based on the intended use of the AI in sensitive sectors**. Based on this risk classification, 'high risk' AI systems must undergo rigorous testing before being launched.

Article 2

Scope of application

The provision set out in Article 1 shall apply to all AI systems, **except when developed for military or defence purposes**.



LUXEMBOURG

Agenda

On the Council's agenda today is the Commission's proposal for a legal framework for the use of artificial intelligence. You will discuss the draft with the representatives of the other member states, aiming to reach a compromise.

Your primary objective

A common position of the Council that reflects your interests. You can also consider supporting a compromise option that partly reflects your interests.

Your task

1. Carefully **read your group information**, which sets out your interests and positions.
2. You **share some of the arguments with countries such as Bulgaria, Malta and Slovakia**. Talk to them to see whether you can cooperate to advance your common interests, if you can identify any.
3. Prepare an **opening statement** (maximum 1 minute) for the first round of official negotiations. State your position on Articles 1 and 2. The script in the text box might help you.
4. Make your opening statement when the presidency (which chairs the meeting) gives you the floor. If you agree with other countries' positions that have already been mentioned, then make this clear.
5. Listen carefully to the positions of the other countries. **Complete the table on pages 8 and 9** to keep track of their positions. A major part of the negotiations is about listening to one another and finding solutions that work for everyone.
6. During the official negotiations, **present your positions and arguments**. Where you share arguments with other countries, it can be useful to present your arguments together in order to give them further weight.
7. Of course, **it is your decision as to how to vote in the end**. Be aware that when it comes to the final vote on a compromise proposal, you need to decide whether you prefer a compromise with which you may not be 100% satisfied or no result at all.



Madam/Mr Chair, Commissioner, colleagues,

I would first of all like to thank the Commission for its proposal and the presidency for including this issue on today's agenda.

In advance of today's meeting, we had fruitful discussions with _____.

We think it is necessary to adopt a capability-/purpose-based risk classification, because _____.

With regard to Article 2, certain exceptions will/will not apply, because we are in favour of _____.

We are confident that we will find a workable compromise during today's meeting.

Thank you.

Article 1

AI systems classification & risk management

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... capability-based risk classification: risk is determined by the system's technical abilities.



... purpose-based risk classification: risk is based on the intended use of the AI in sensitive sectors.

Based on this risk classification, 'high risk' AI systems must undergo rigorous testing before being launched.

Your arguments

- Countries such as Germany and Spain aim to eliminate even the slightest AI-related bias, which you find unrealistic. AI, when developed responsibly, can actually reduce human bias. You seek to steer the debate toward a more realistic path that reflects all members' needs. If accused of downplaying AI risks, you strongly disagree: you are simply prioritising the most immediate risks. For this reason, a purpose-based approach is essential.
- For example, AI must not jeopardise electricity or internet systems, which could impact hospitals and endanger lives across regions. You find the capability-based approach too confusing.
- You are in favour of enabling faster development of AI, including in the high risk-sectors. However, you are afraid that your country lacks the financial capabilities to fully exploit AI opportunities under rigid rules. Therefore, you advocate for some derogations from the list of requirements (see annex II), to include the possibility of real-world testing, provided that external audits remain mandatory. In this way, developers can choose freely which testing to apply, on the basis of their financial capabilities.
- If it is difficult to reach a consensus on the purpose-based approach, **you are willing to agree to a review clause in three years' time.**
- Your notes:

Article 2

Scope of application

The provision set out in Article 1 shall apply to all AI systems,



without exception



without exception, unless the system is developed as open-source



except when developed by small companies and startups (and)



except when developed for military or defence purposes (and)

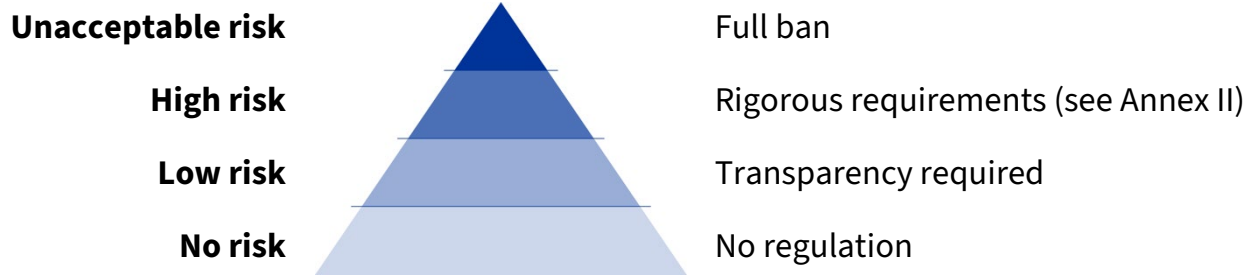


except when developed for national security, migration or border control

Your arguments

- You believe that AI and the digital revolution must also drive gender equality in the EU. Women are underrepresented in almost all areas and levels in research and innovation-related fields. You stress the importance of actively supporting their involvement in shaping AI.
- Startups offer a unique opportunity. Unlike big tech, they often have smaller gender gaps and provide more accessible pathways for women and genderqueer people in AI. Diverse teams are also proven to build less biased, more ethical AI – something the EU should encourage.
- Startups, by their very nature, aim to innovate quickly with limited resources. Heavy administrative burdens can stifle that potential, especially for small teams trying to break into the field.
- That is why you support exempting small startups (under 10 employees and €2 million in turnover) from the full weight of the EU AI Regulation.
- Your notes:

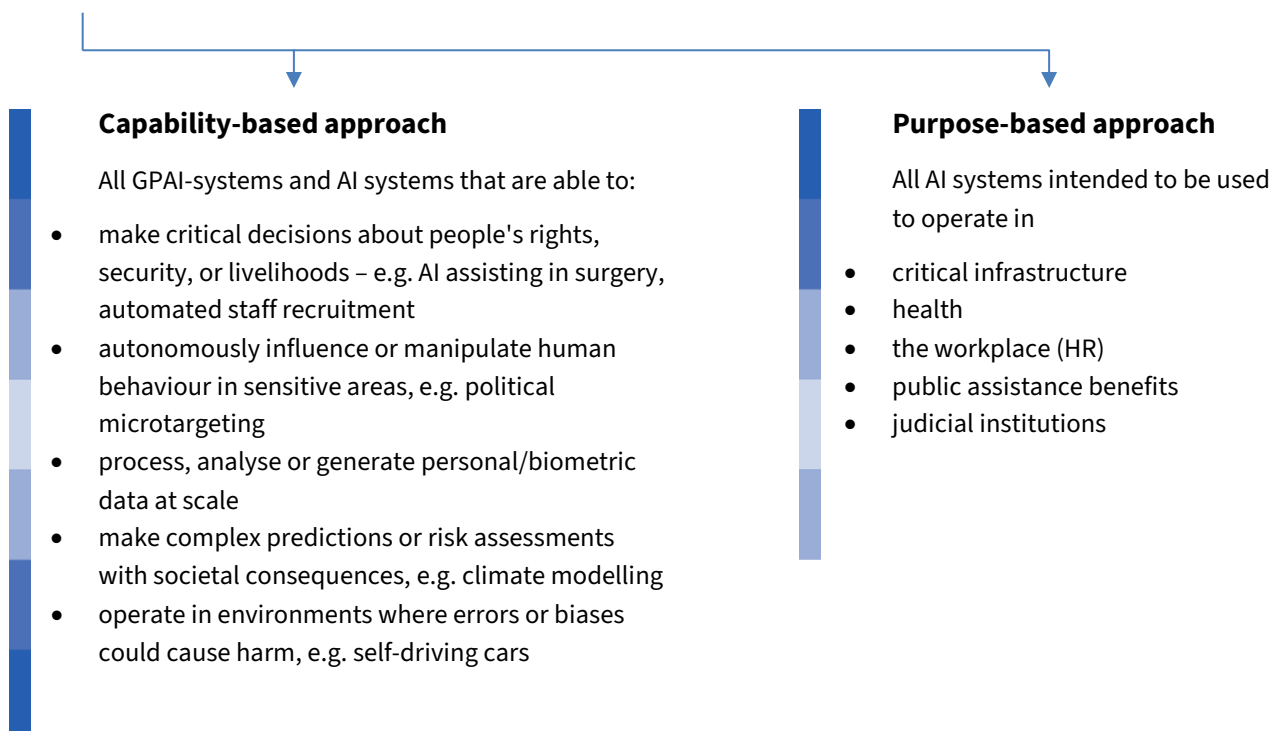
Annex I: Risk classification



Unacceptable risk:

- **Social scoring AI** – ranking citizens based on their behaviour
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- **Autonomous lethal weapons** – that can kill without human intervention
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High risk



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Low risk

- **AI systems not classified as 'high risk'**
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No risk

- AI-powered image, music or art generators/editors
- AI in scientific research
- AI in toy & entertainment robots – AI-powered toys with no real-world risks



Annex II: Requirements for 'high risk' AI systems

Emphasis on legal and ethical standards:

- Risk assessment before deployment, identifying foreseeable risks and potential misuse.
- Human oversight ensured to prevent full automation in decision-making.
- Data governance to ensure unbiased training datasets.
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- Disclosure of test results to EU regulators.
- Post-market monitoring to track performance.

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Greece				
Hungary				
Ireland				

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Italy				
Latvia				
Lithuania				
Luxembourg	purpose-based	Review in 3 years	startups	
Malta				
The Netherlands				
Poland				
Portugal				
Romania				
Slovakia				
Slovenia				
Spain				
Sweden				
Commission	purpose-based		military/defence	

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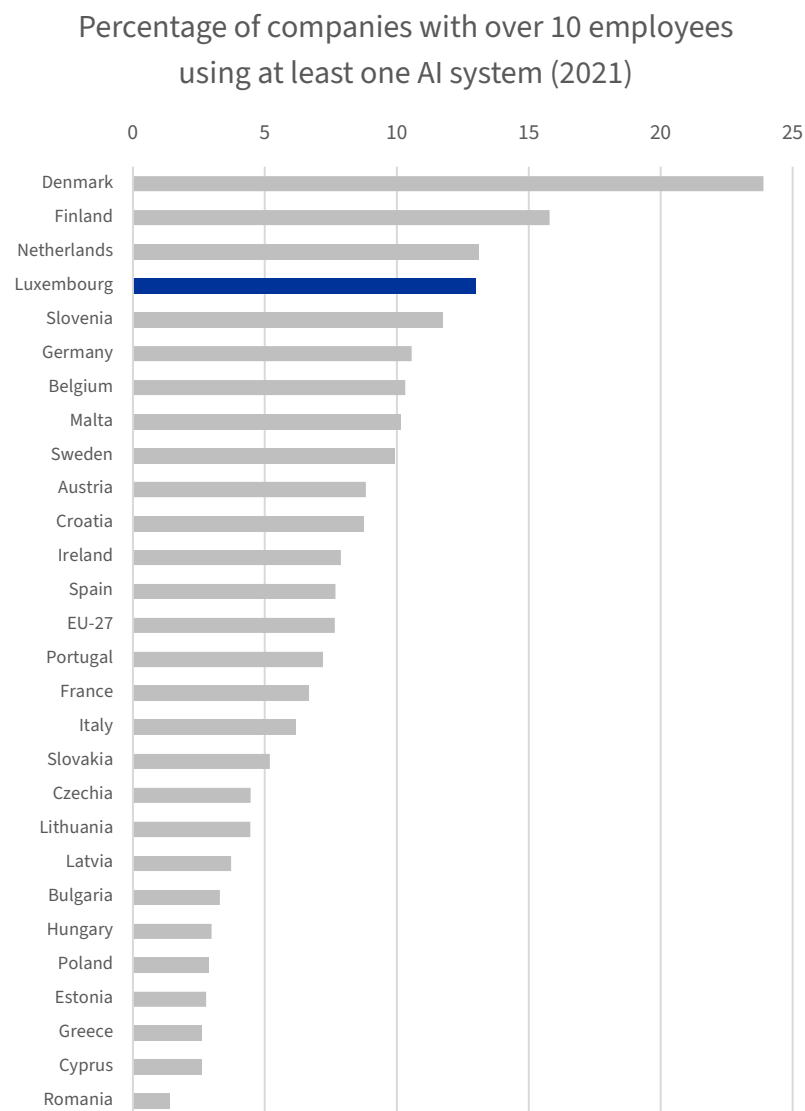
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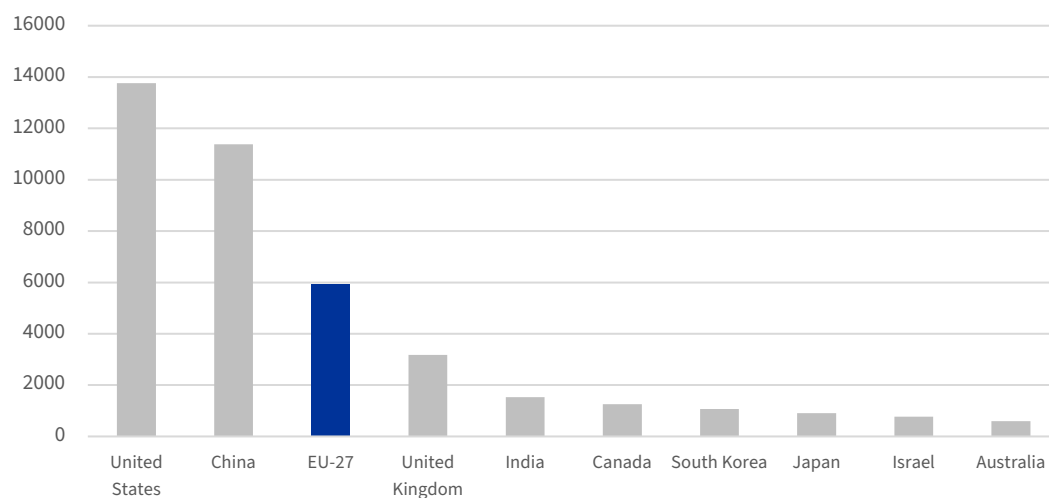
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GDP per capita in EUR	38 150	121 290
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Percentage of companies using AI technology	8%	14.5%
Share of population with advanced digital skills	27.3%	27.9%

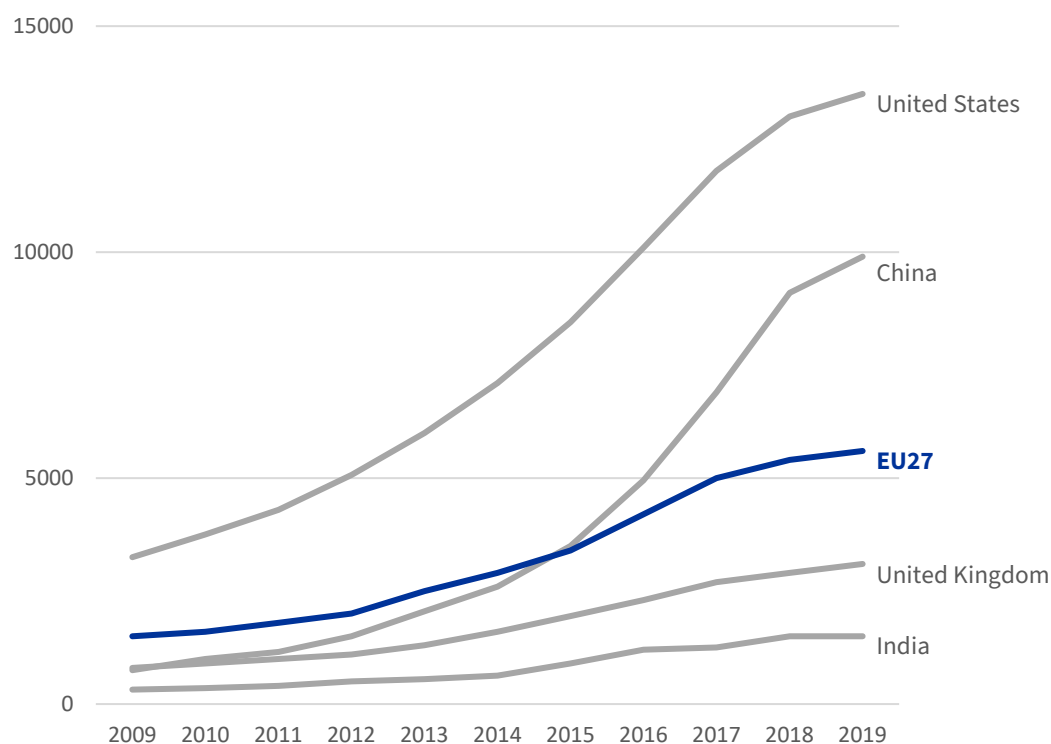


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AI companies by country (2020)



Growth in number of AI companies



Data sources: Eurostat, Joint Research Centre

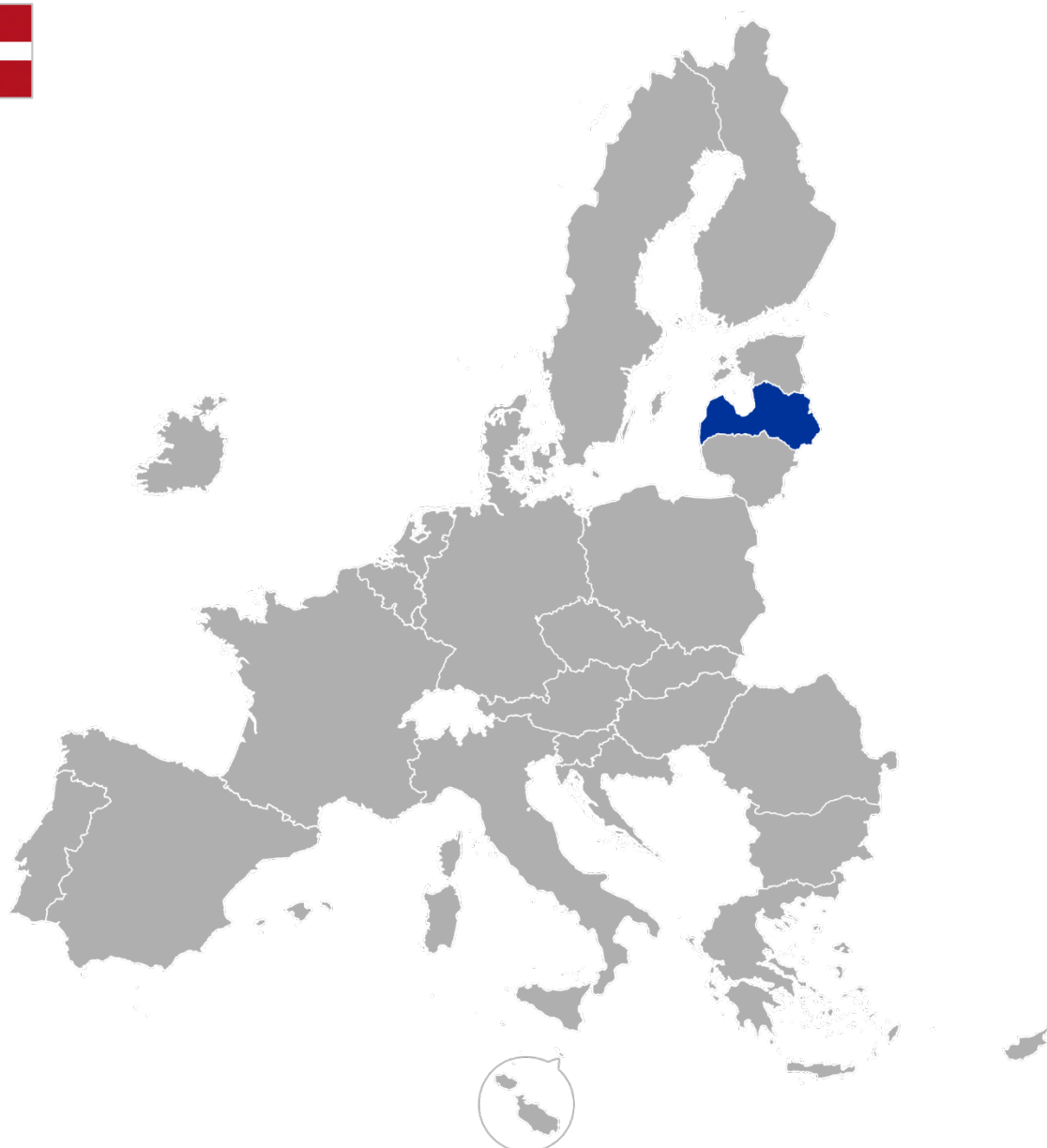
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LATVIA



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Role profiles | **Standard version** | EN



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REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on a legal framework for the use of artificial intelligence

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AI systems classification & risk management

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Article 2

Scope of application

The provision set out in Article 1 shall apply to all AI systems, **except when developed for military or defence purposes**.



LATVIA

Agenda

On the Council's agenda today is the Commission's proposal for a legal framework for the use of artificial intelligence. You will discuss the draft with the representatives of the other member states, aiming to reach a compromise.

Your primary objective

A common position of the Council that reflects your interests. You can also consider supporting a compromise option that partly reflects your interests.

Your task

1. Carefully **read your group information**, which sets out your interests and positions.
2. You **share some of the arguments with countries such as Czechia, Estonia, Hungary and Lithuania**. Talk to them to see whether you can cooperate to advance your common interests, if you can identify any.
3. Prepare an **opening statement** (maximum 1 minute) for the first round of official negotiations. State your position on Articles 1 and 2. The script in the text box might help you.
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Madam/Mr Chair, Commissioner, colleagues,

I would first of all like to thank the Commission for its proposal and the presidency for including this issue on today's agenda.

In advance of today's meeting, we had fruitful discussions with _____ .

We think it is necessary to adopt a capability-/purpose-based risk classification, because _____ .

With regard to Article 2, certain exceptions will/will not apply, because we are in favour of _____ .

We are confident that we will find a workable compromise during today's meeting.

Thank you.

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Article 1

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... **capability-based risk classification: risk is determined by the system's technical abilities.**



... purpose-based risk classification: risk is based on the intended use of the AI in sensitive sectors.

Based on this risk classification, 'high risk' AI systems must undergo rigorous testing before being launched.

Your arguments

- You are committed to ensuring the implementation of digital solutions in Latvia. This creates new demands for the protection of sensitive information and digital infrastructure, which are essential for maintaining vital societal functions.
- When it comes to classifying 'high risk' AI models, the capability-based approach is better suited than the purpose-based approach. If the same AI system is considered low risk in one context and high risk in another, it may create confusion and legal uncertainty for users, developers and investors.
- In order to attract the necessary investment in AI, it is crucial to have established the correct framework. For you, this is one which carefully protects fundamental rights while at the same time allowing for free and flexible innovation processes. If the EU wants to compete with AI powerhouses such as the US and China, it needs to demonstrate excellence. Such excellence cannot flourish under overly restrictive rules that limit experimentation and development. For these reasons, you would like to propose certain derogations from the list of requirements for high risk AI systems (see Annex II). You think **it would be best to remove 'post market monitoring' as a mandatory requirement**, as it is unclear what precisely this obligation entails.
- Your notes:

Article 2

Scope of application

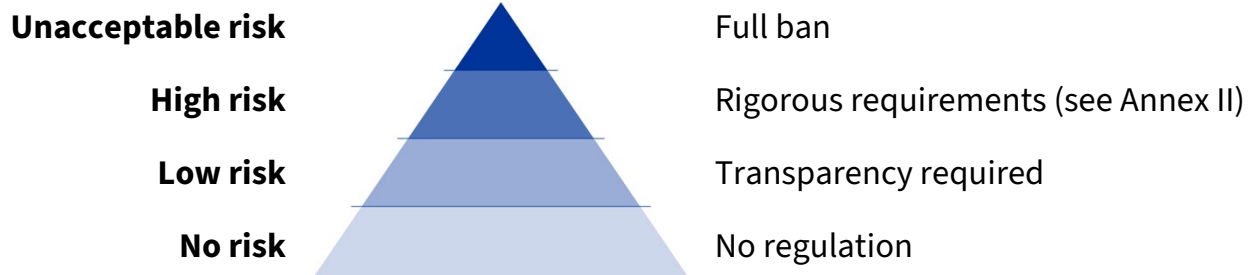
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-  without exception
-  without exception, unless the system is developed as open-source
-  except when developed by small companies and startups (and)
-  **except when developed for military or defence purposes (and)**
-  except when developed for national security, migration or border control

Your arguments

- In general, you agree with those countries that advocate for no exemptions, including your neighbour and strong ally, Lithuania. You think it makes sense to support a joint European framework on AI regulation without any unnecessary carve-outs.
- However, since the Russian invasion of Ukraine, you and the other Baltic states have been on high alert for a potential Russian attack on the European Union. You even share a border with Russia, which you work to protect every day alongside NATO forces.
- Therefore, you are open to discussing limited derogations for military and defence purposes – but not for national security in the broader sense. While national security is a Member State competence, leaving it entirely outside the EU framework risks creating loopholes and regulatory fragmentation. A minimal, baseline EU approach can promote consistency (and clarity for developers), and signal a coherent stance on national security-related AI across the Union.
- Your notes:

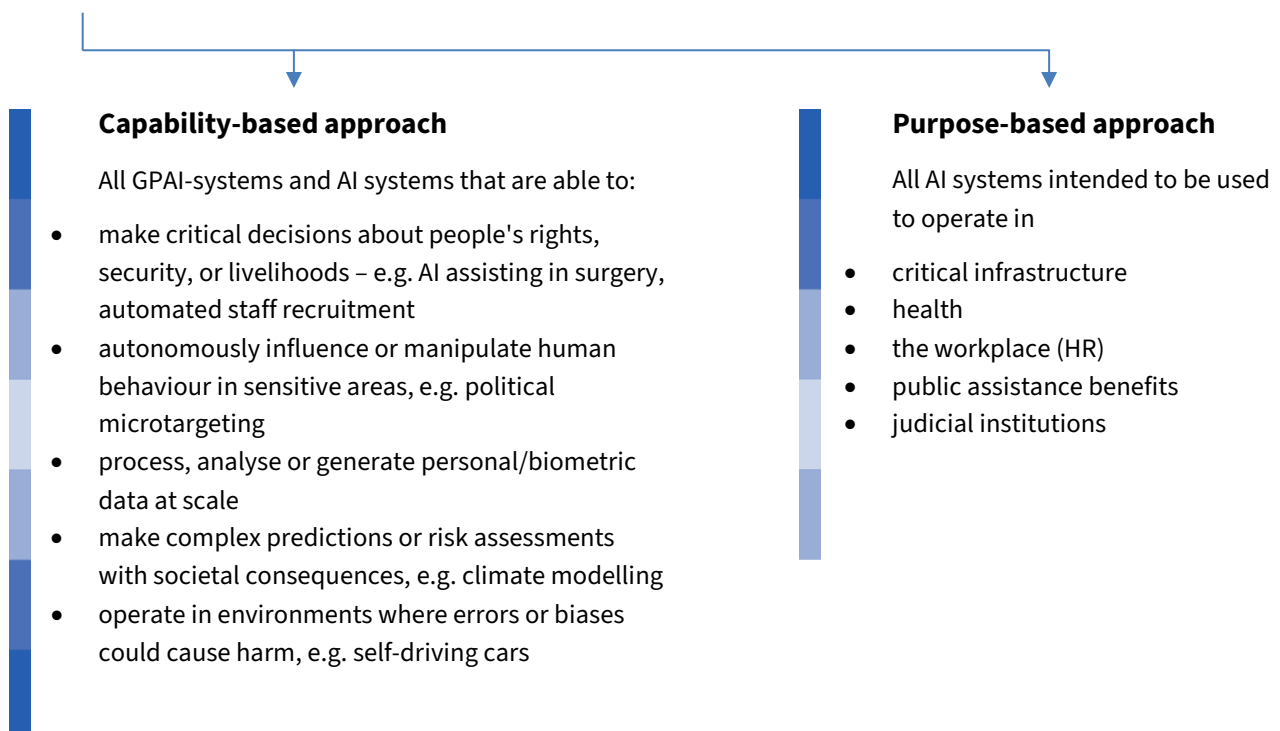
Annex I: Risk classification



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High risk



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No risk

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Annex II: Requirements for 'high risk' AI systems

Emphasis on legal and ethical standards:

- Risk assessment before deployment, identifying foreseeable risks and potential misuse.
- Human oversight ensured to prevent full automation in decision-making.
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Bulgaria				
Croatia				
Cyprus				
Czechia				
Denmark				
Estonia				
Finland				
France				
Germany				
Greece				
Hungary				
Ireland				

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	Article 1: classification	Other suggestions/notes	Article 2: scope	Other suggestions/notes
Italy				
Latvia	capability-based	Remove post-market monitoring	military/defence	
Lithuania				
Luxembourg				
Malta				
The Netherlands				
Poland				
Portugal				
Romania				
Slovakia				
Slovenia				
Spain				
Sweden				
Commission	purpose-based		military/defence	

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Definitions

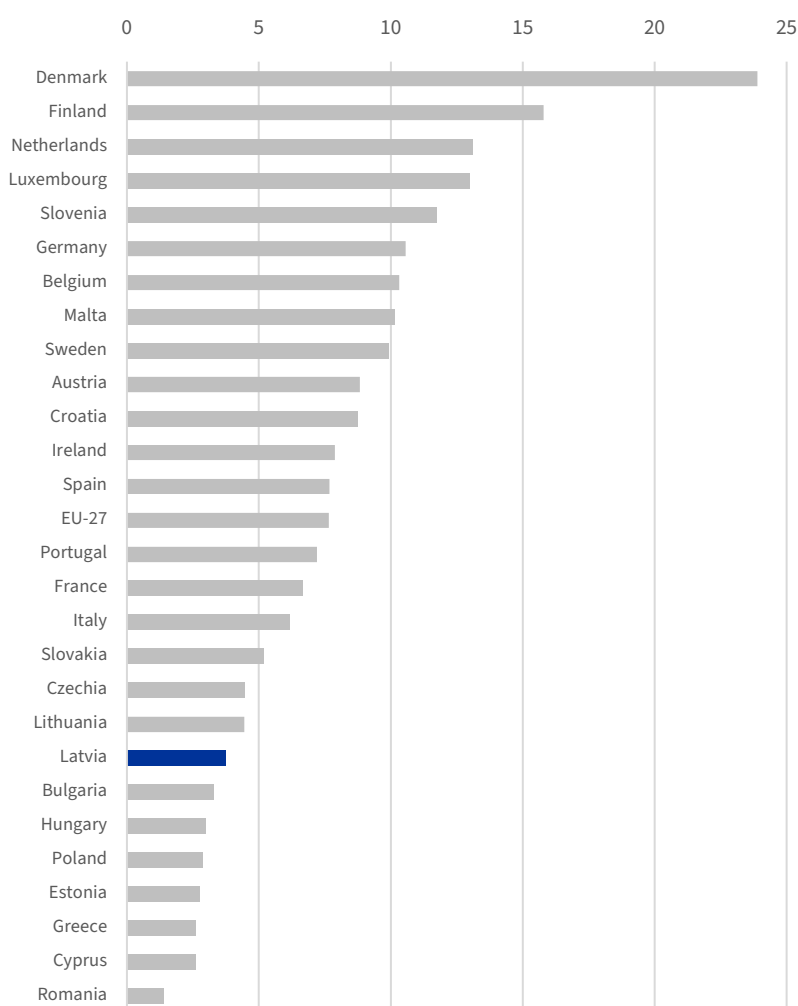
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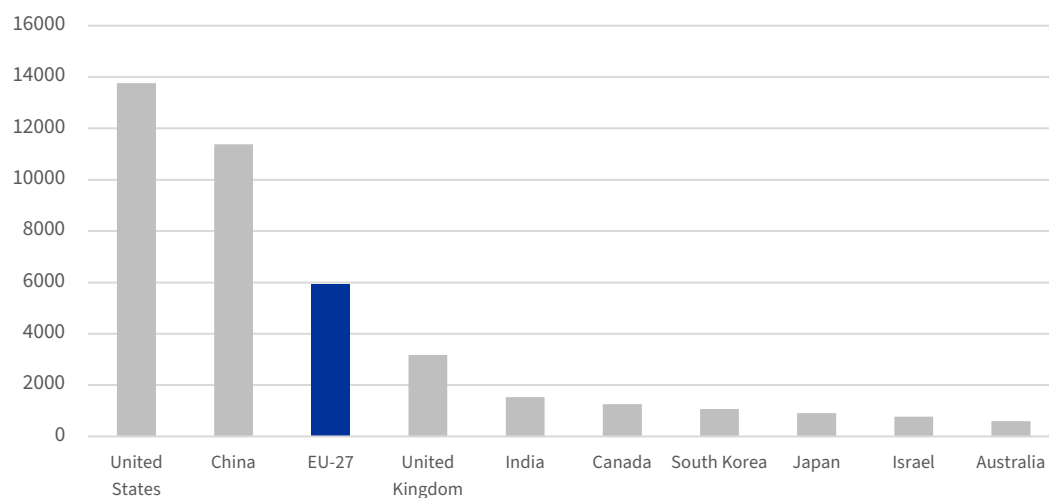
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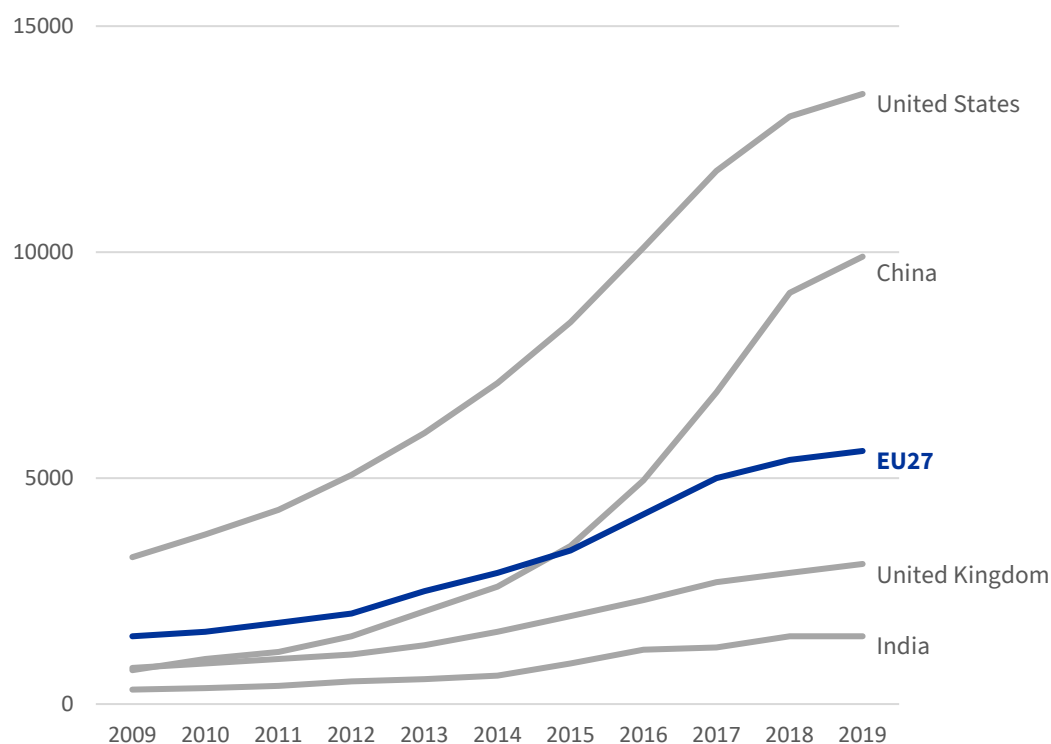


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MALTA



MINISTER FOR A DAY: NEGOTIATING AT 27

■ Introducing an AI framework

Role profiles | **Standard version** | EN

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on a legal framework for the use of artificial intelligence

CONTEXT OF THE PROPOSAL

The European Union is at a critical juncture in shaping its digital future. As part of the Digital Decade strategy, the EU aims to lead in artificial intelligence (AI) while safeguarding fundamental rights, consumer protection, market competitiveness, innovation and technological leadership. At the heart of these discussions is a legislative proposal by the European Commission which aims to regulate AI development in the EU. After several rounds of negotiations, the following questions have yet to be addressed.

Article 1

AI systems classification & risk management

The EU is adopting a common standard for risk management in the development, marketing, import and use of AI systems. These systems are classified as no risk, low risk, high risk or unacceptable risk (see Annex I). To define 'high risk' AI systems, the EU will adopt a **purpose-based risk classification: risk is based on the intended use of the AI in sensitive sectors**. Based on this risk classification, 'high risk' AI systems must undergo rigorous testing before being launched.

Article 2

Scope of application

The provision set out in Article 1 shall apply to all AI systems, **except when developed for military or defence purposes**.



Agenda

On the Council's agenda today is the Commission's proposal for a legal framework for the use of artificial intelligence. You will discuss the draft with the representatives of the other member states, aiming to reach a compromise.

Your primary objective

A common position of the Council that reflects your interests. You can also consider supporting a compromise option that partly reflects your interests.

Your task

1. Carefully **read your group information**, which sets out your interests and positions.
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Madam/Mr Chair, Commissioner, colleagues,

I would first of all like to thank the Commission for its proposal and the presidency for including this issue on today's agenda.

In advance of today's meeting, we had fruitful discussions with _____ .

We think it is necessary to adopt a capability-/purpose-based risk classification, because _____ .

With regard to Article 2, certain exceptions will/will not apply, because we are in favour of _____ .

We are confident that we will find a workable compromise during today's meeting.

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... capability-based risk classification: risk is determined by the system's technical abilities.



... **purpose-based risk classification: risk is based on the intended use of the AI in sensitive sectors.**

Based on this risk classification, 'high risk' AI systems must undergo rigorous testing before being launched.

Your arguments

- As one of the EU's smallest members with just 550 000 inhabitants, and being an island nation, your country is strongly committed to sustainable economic growth. You aim to attract foreign investment and skilled talent to develop a robust AI sector, with a focus on medicine and critical infrastructure – areas expected to yield high returns.
- You support the Commission's proposal for a horizontal AI framework, and especially its purpose-based risk management approach, which you find logical and appropriate because it is easier for regulators to assess specific applications than to evaluate the abstract capabilities of a model.
- Today, it is vital to stress that technological creativity needs freedom – innovation should be embraced, not stifled. To support this, it is important to promote the real-world testing of new AI models, since sandbox environments, while useful, often fall short of fully replicating real-world conditions. Therefore, **you advocate for promoting real-world testing** over sandbox testing in the requirements.
- Your notes:

Article 2

Scope of application

The provision set out in Article 1 shall apply to all AI systems,



without exception



without exception, unless the system is developed as open-source



except when developed by small companies and startups (and)



except when developed for military or defence purposes (and)

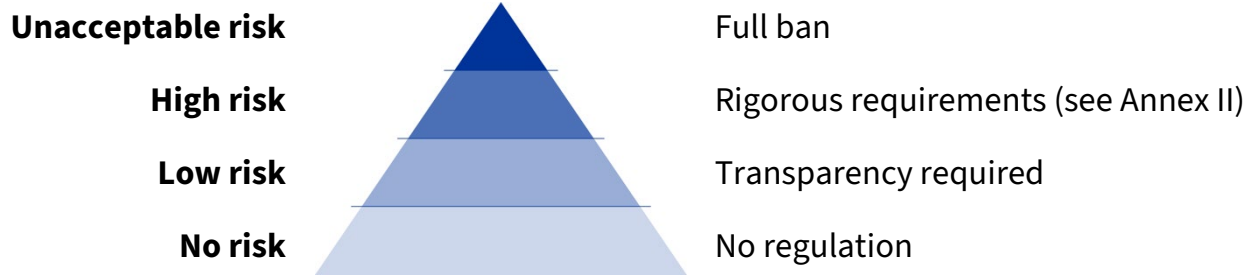


except when developed for national security, migration or border control

Your arguments

- It remains essential for you that matters relating to national security, military or defence remain outside the scope of AI regulation. National security in particular is not an EU competency. This is stated in Article 4(2) of the Treaty on European Union (TEU): 'National security remains the sole responsibility of each Member State'. In the light of this, it does not make sense to restrict member states in terms of how they regulate AI in national security applications.
- On the other hand, you do not see any reason for excluding startups from the regulation. Just because a company is small does not mean its tech cannot do damage. Plus, if they are exempt, big companies might just shift risky projects on to them in order to avoid the testing requirements. That is a loophole waiting to be exploited, and the EU should ensure that this does not happen.
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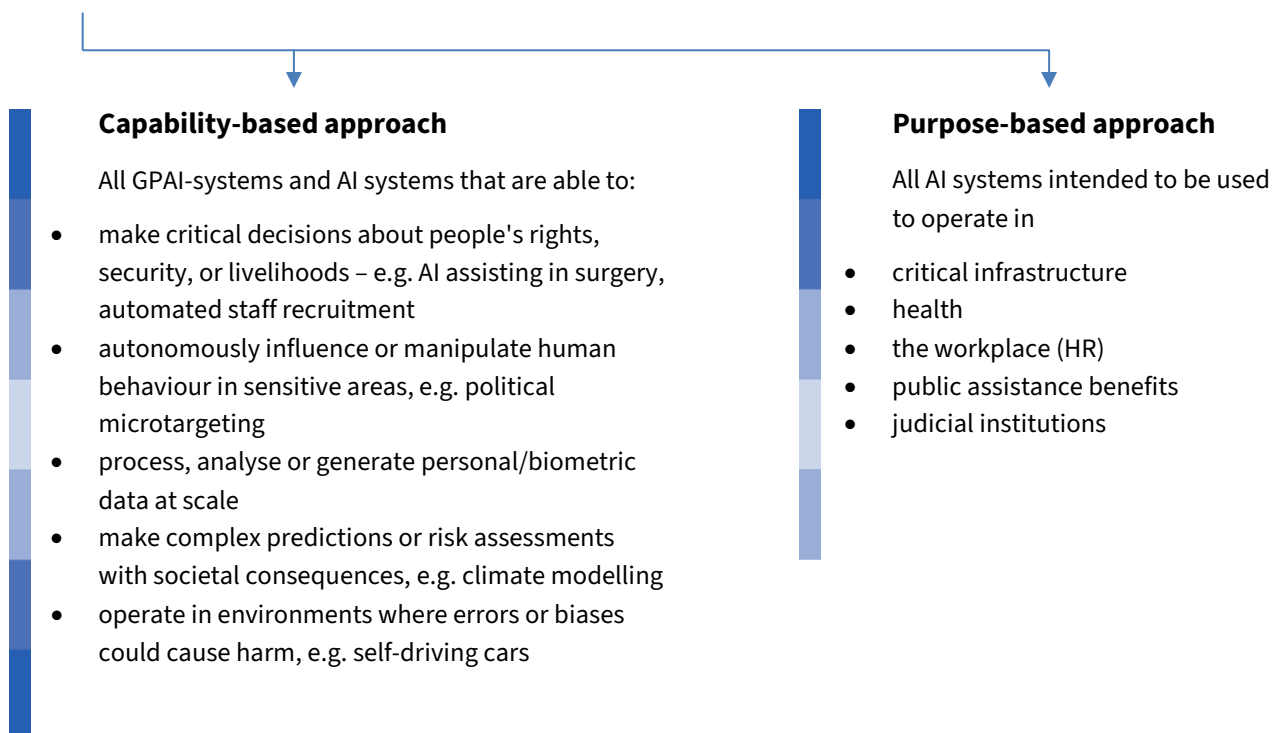
Annex I: Risk classification



Unacceptable risk:

- **Social scoring AI** – ranking citizens based on their behaviour
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High risk



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Low risk

- **AI systems not classified as 'high risk'**
- **Chatbots & virtual assistants** (as long as users know they are talking to AI)
- **Recommendation algorithms** – AI-powered suggestions on social media
- **AI for business automation** – AI that automates basic administrative tasks

No risk

- AI-powered image, music or art generators/editors
- AI in scientific research
- AI in toy & entertainment robots – AI-powered toys with no real-world risks



Annex II: Requirements for 'high risk' AI systems

Emphasis on legal and ethical standards:

- Risk assessment before deployment, identifying foreseeable risks and potential misuse.
- Human oversight ensured to prevent full automation in decision-making.
- Data governance to ensure unbiased training datasets.
- External audits mandatory, including sandbox testing with human supervision.
- Disclosure of test results to EU regulators.
- Post-market monitoring to track performance.

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Belgium				
Bulgaria				
Croatia				
Cyprus				
Czechia				
Denmark				
Estonia				
Finland				
France				
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Greece				
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Latvia				
Lithuania				
Luxembourg				
Malta	purpose-based	Real-world testing	national security	
The Netherlands				
Poland				
Portugal				
Romania				
Slovakia				
Slovenia				
Spain				
Sweden				
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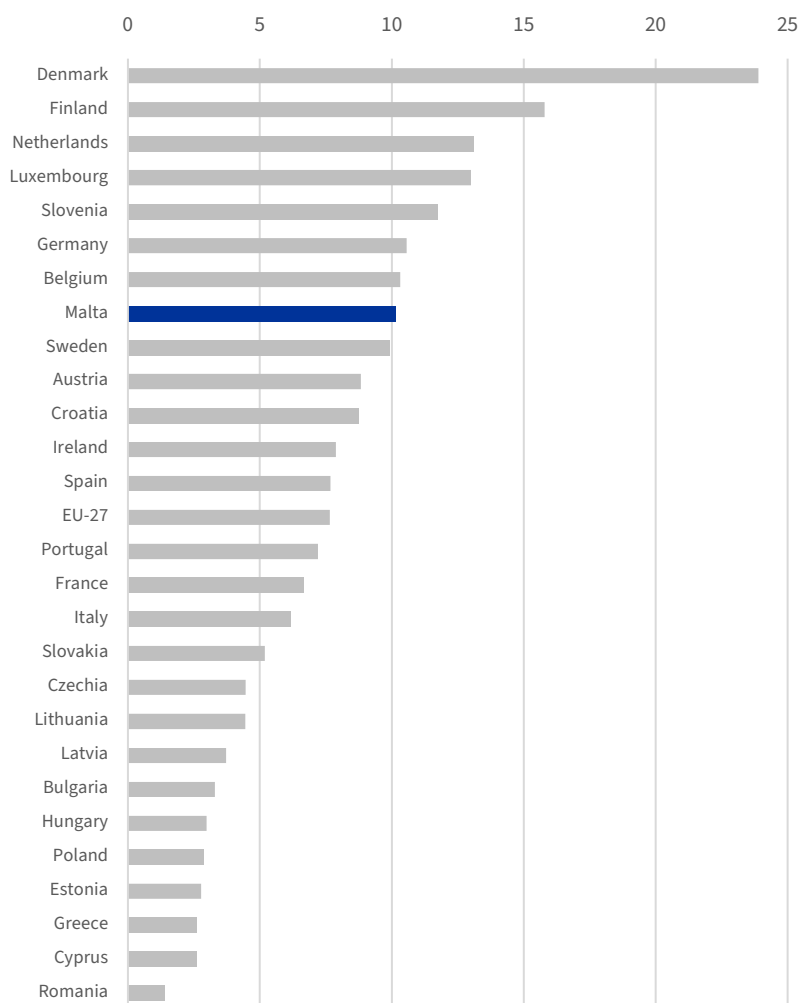
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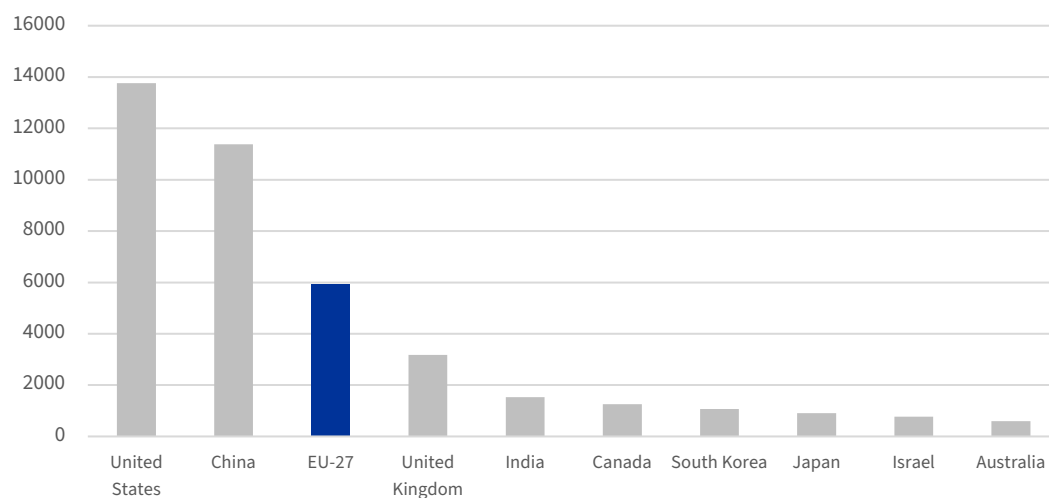
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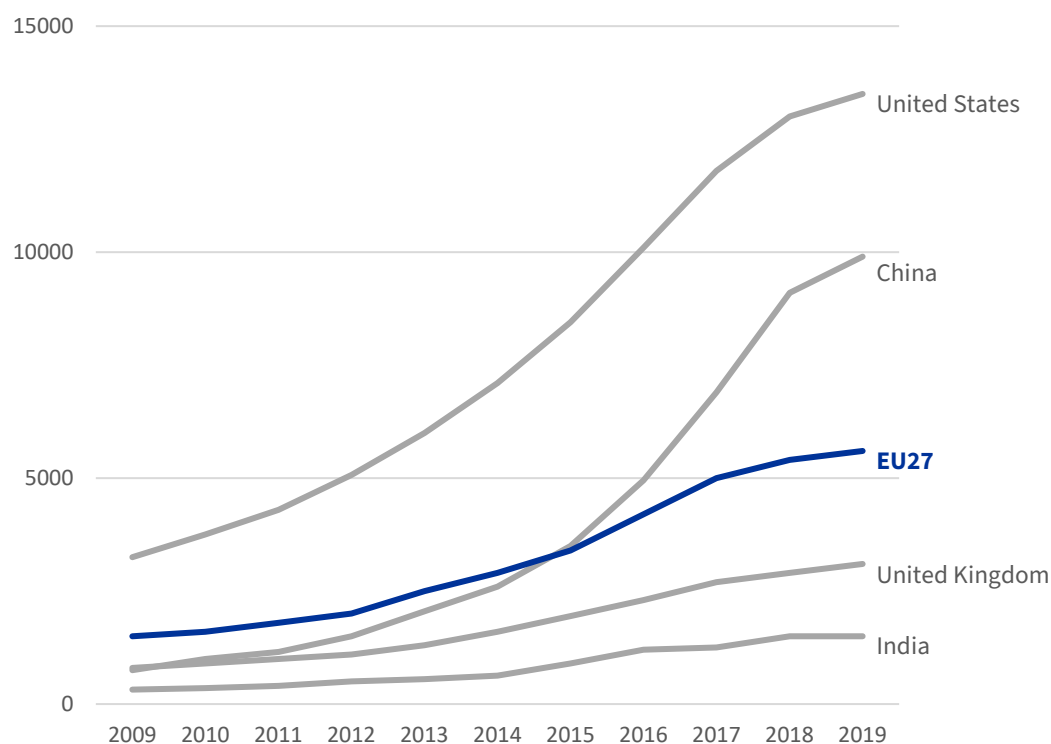


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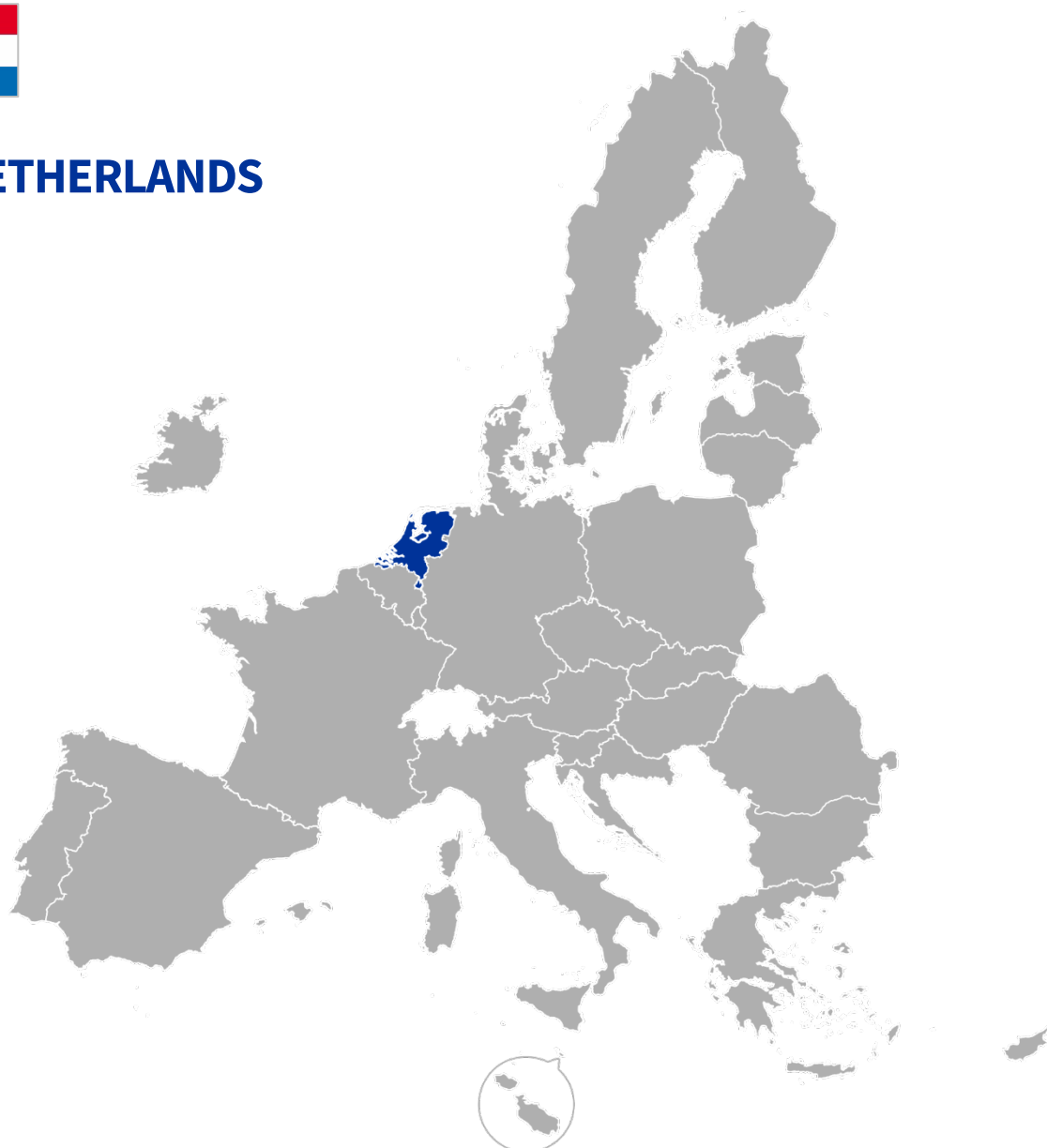
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THE NETHERLANDS



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Role profiles | **Standard version** | EN



Council of the
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Proposal for a

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Article 2

Scope of application

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THE NETHERLANDS

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Your arguments

- Preserving national values and economic prosperity is a top priority for your government. According to the IMF, up to 60% of jobs may be affected by AI, leading to job cuts and a growing need for AI-skilled workers. Uncontrolled unemployment would severely threaten the Netherlands' economy. Therefore you welcome the proposal by the Commission to impose a mandatory testing framework for high risk technologies.
- You also advocate for greater AI literacy across the Netherlands' society, so people can recognise bias or manipulation and avoid blindly trusting automated systems. The capability-based approach is better suited to this goal, as it focuses on the actual risks of misuse and manipulation: Certain capabilities – such as facial recognition – are inherently prone to abuse or failure, regardless of context.
- A capability-based system avoids under-regulating such technologies simply because they are used in 'low risk' sectors. For instance, a retail AI system that tracks customer movement, predicts behaviour and uses facial recognition to tailor promotions or flag 'high-value' customers might bypass scrutiny under a sector-based model. However, the underlying capabilities raise serious concerns about privacy, profiling and discrimination.
- Your notes:

Article 2

Scope of application

The provision set out in Article 1 shall apply to all AI systems,



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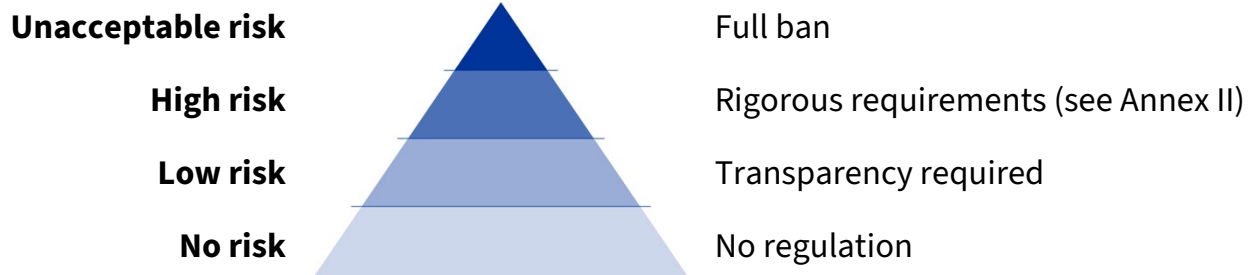


except when developed for national security, migration or border control

Your arguments

- You favour exceptions for national security purposes. National security is not an EU competency. This is stated in Article 4(2) of the Treaty on European Union (TEU): 'National security remains the sole responsibility of each Member State'. In the light of this, it does not make sense to restrict member states in terms of how they regulate AI in national security applications.
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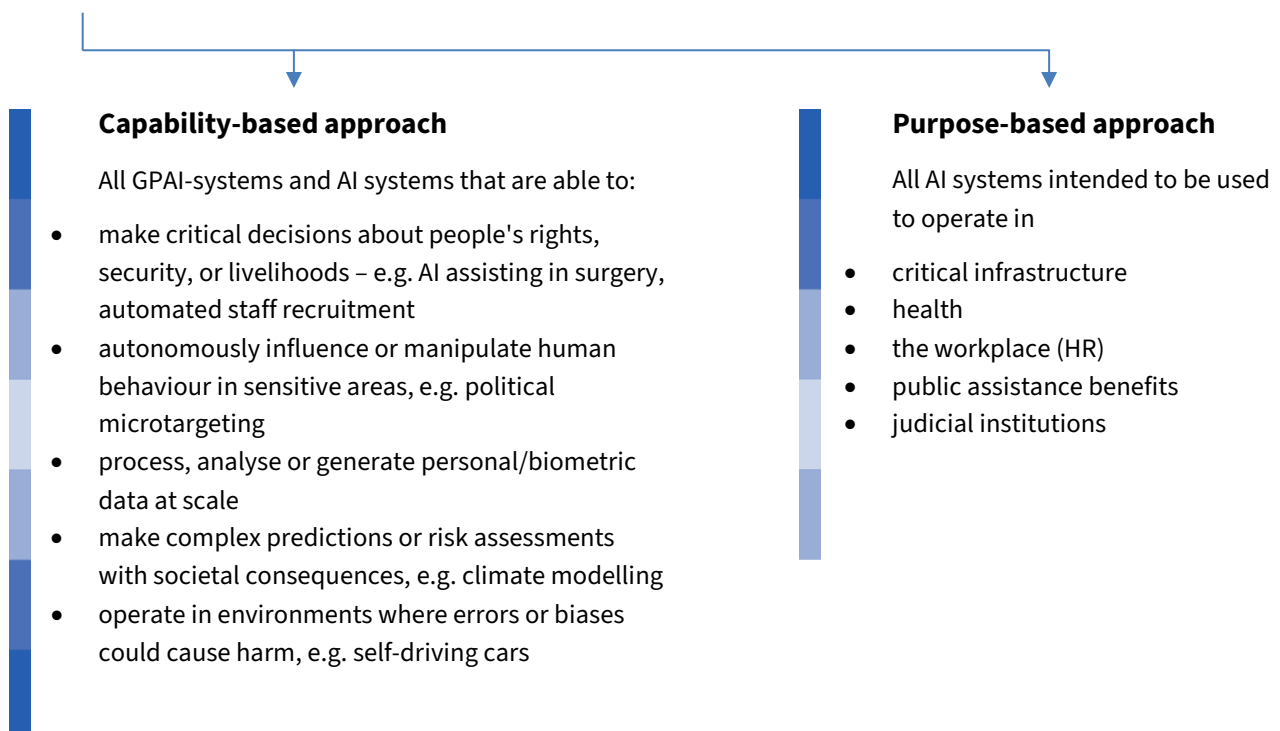
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Malta				
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Poland				
Portugal				
Romania				
Slovakia				
Slovenia				
Spain				
Sweden				
Commission	purpose-based		military/defence	

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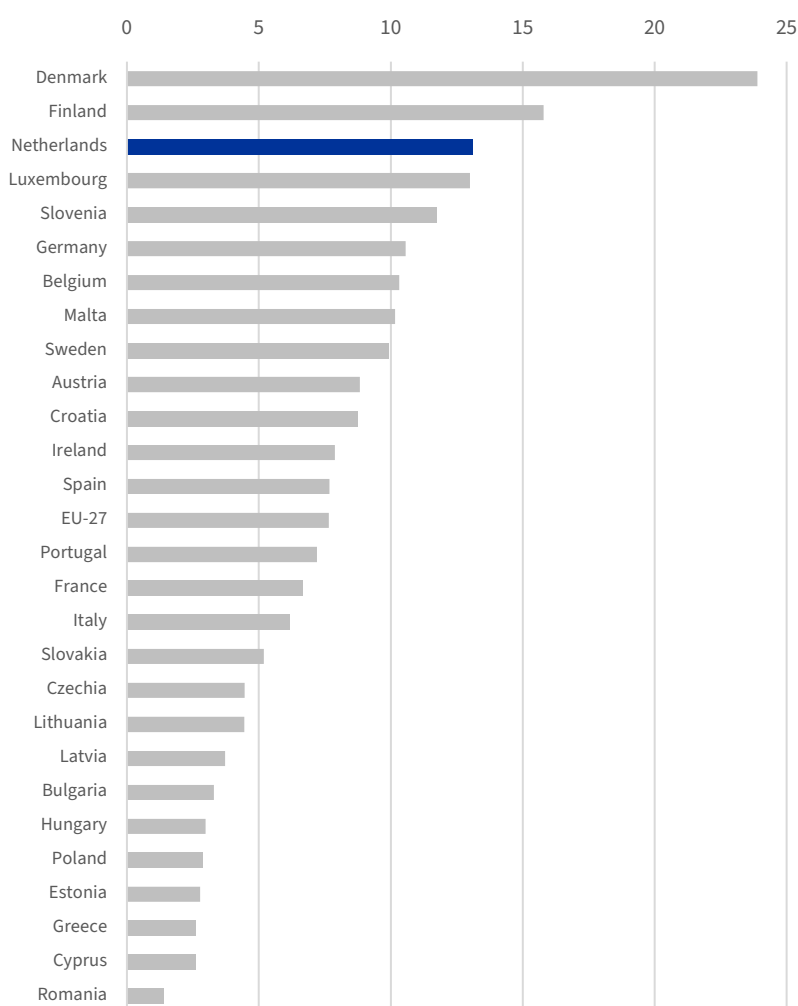
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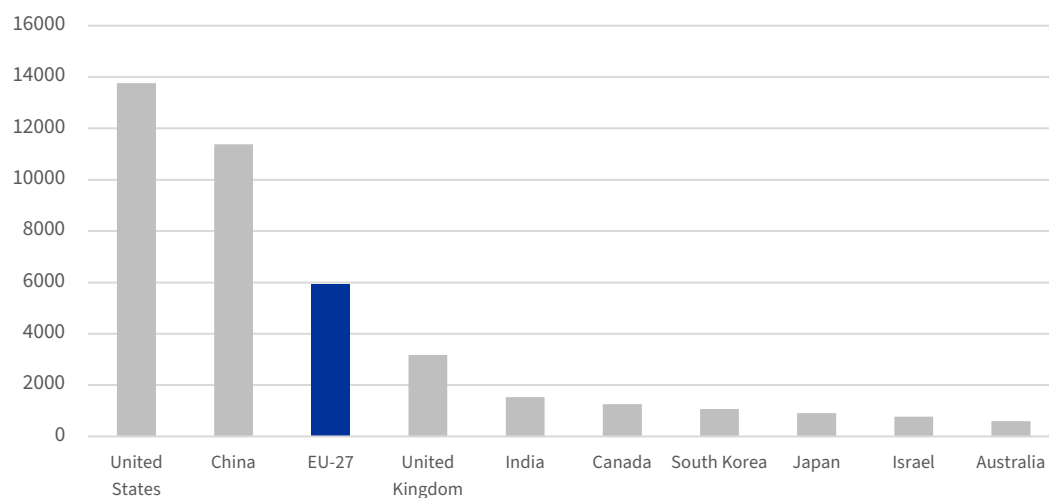
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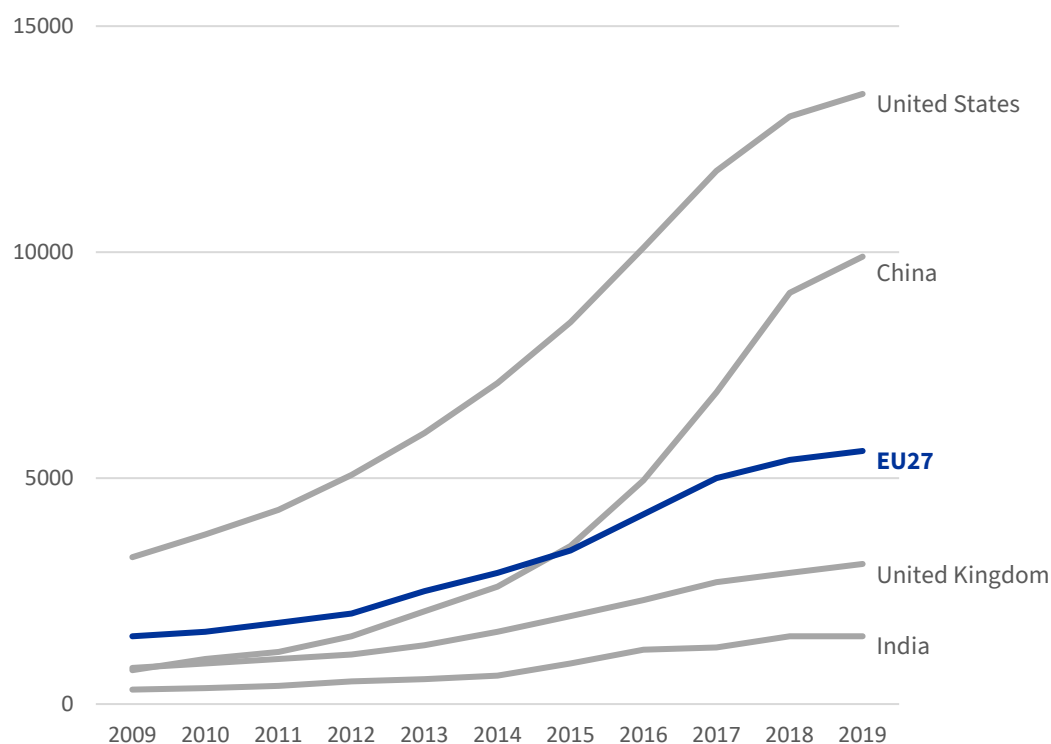


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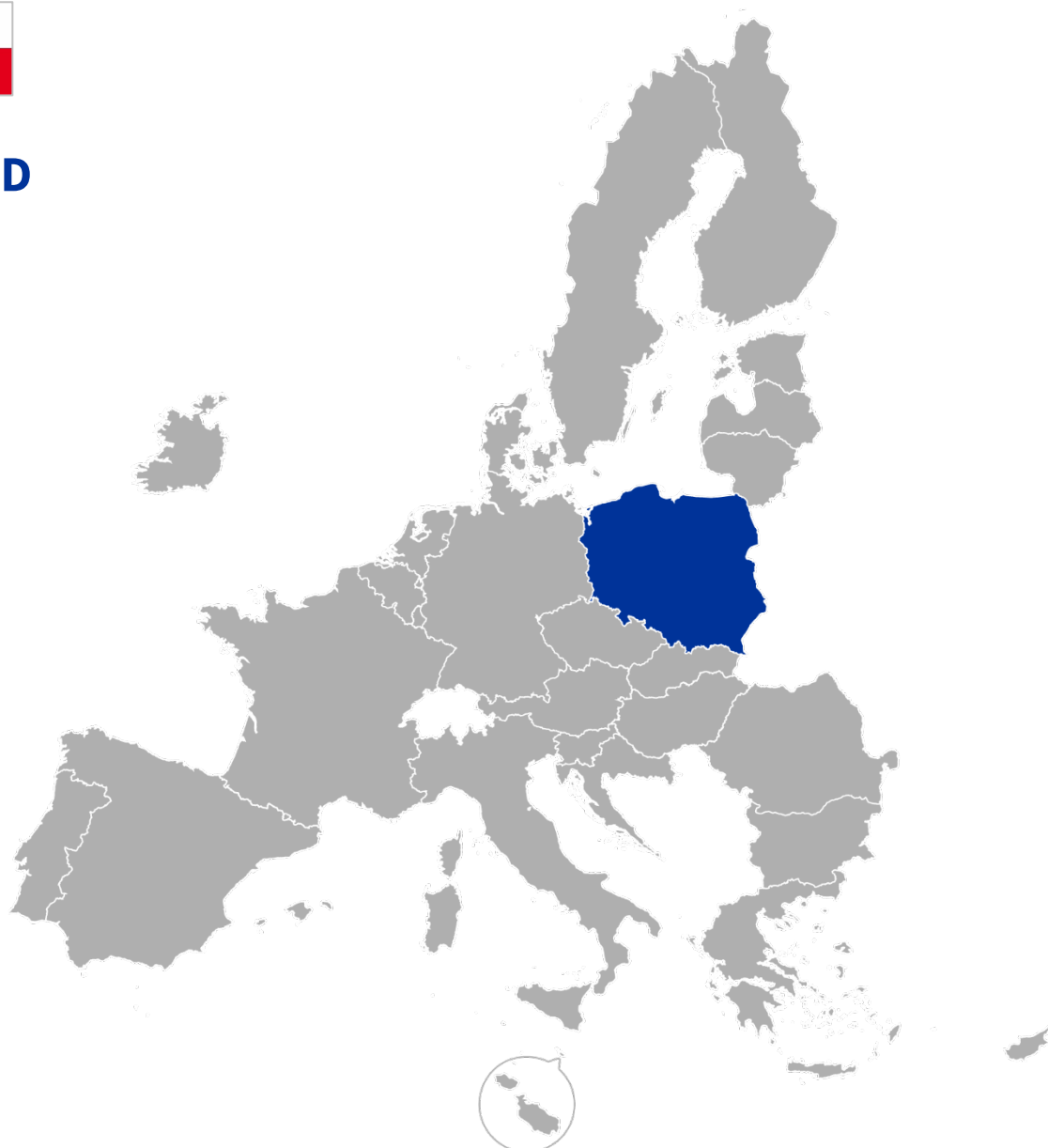
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POLAND



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Madam/Mr Chair, Commissioner, colleagues,
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In advance of today's meeting, we had fruitful discussions with _____ .

We think it is necessary to adopt a capability- /purpose-based risk classification, because _____ .

With regard to Article 2, certain exceptions will/will not apply, because we are in favour of _____ .

We are confident that we will find a workable compromise during today's meeting.

Thank you.

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Article 1

AI systems classification & risk management

The EU is adopting a common standard for risk management in the development, marketing, import and use of AI systems. These systems are classified as no risk, low risk, high risk or unacceptable risk (see Annex I). To define 'high risk' AI systems, the EU will adopt a



... capability-based risk classification: risk is determined by the system's technical abilities.



... purpose-based risk classification: risk is based on the intended use of the AI in sensitive sectors.

Based on this risk classification, 'high risk' AI systems must undergo rigorous testing before being launched.

Your arguments

- Poland currently has few global tech giants, making AI a major opportunity for small and medium enterprises to grow. Your economy – built on energy, industry, agriculture and logistics – is well-positioned to benefit from the adoption of AI.
- You recognise that AI can lead to bias, discrimination and privacy risks, as no dataset is fully neutral. It is therefore just coherent to impose strict regulations on high risk AI systems where harm is most likely, helping to prevent any serious impact and protect fundamental rights.
- You support the purpose-based approach, which creates clear incentives: low risk sectors gain in terms of flexibility for innovation, while high risk sectors are held to strong standards. This will strengthen trust in European-made AI, known globally for its quality and safety.
- Your notes:

Article 2

Scope of application

The provision set out in Article 1 shall apply to all AI systems,



without exception



without exception, unless the system is developed as open-source



except when developed by small companies and startups (and)



except when developed for military or defence purposes (and)

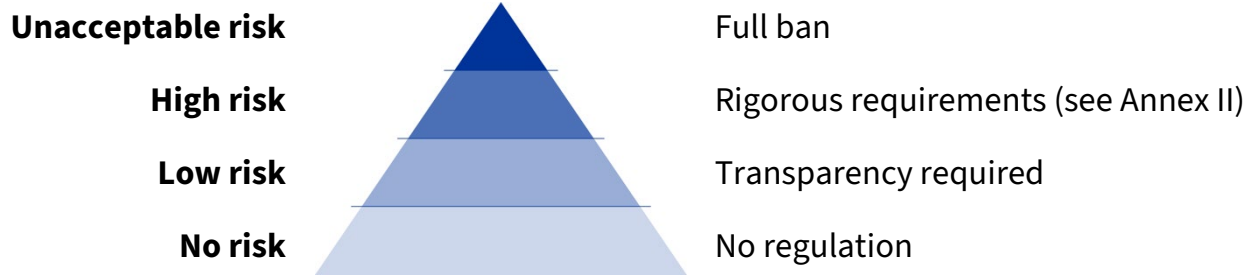


except when developed for national security, migration or border control

Your arguments

- You advocate for the exclusion of military and defence-related applications from AI regulation, emphasising that overregulation in this area could hinder the rapid deployment of AI technologies in conflict zones or during crisis response. In the context of ongoing regional instability, flexibility in the use of such technologies is crucial.
- As a country sharing a border with Russia, Ukraine and Belarus, Poland is deeply concerned about national security and the safety of its citizens. Additionally, along its border with Belarus, Poland faces significant challenges in terms of managing increased refugee movements.
- In the light of these pressures, Poland seeks greater understanding and support from fellow EU member states as regards its unique geopolitical and security challenges.
- Your notes:

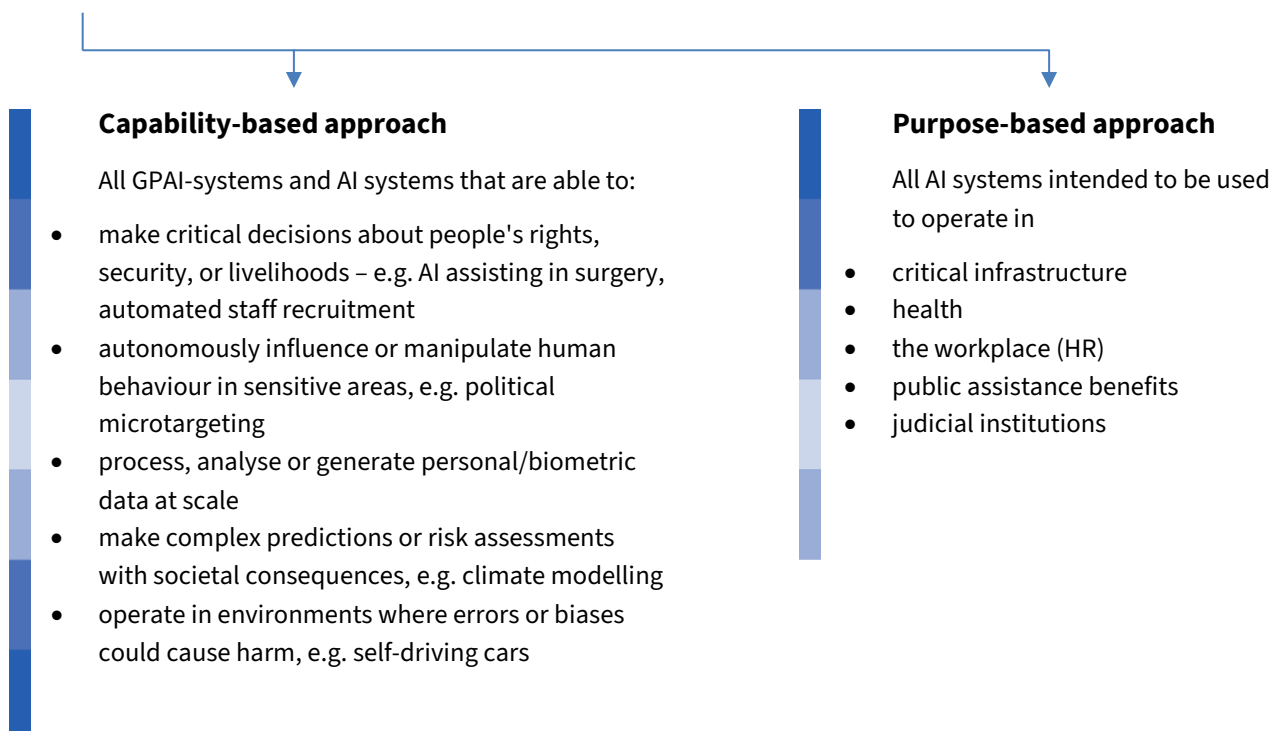
Annex I: Risk classification



Unacceptable risk:

- **Social scoring AI** – ranking citizens based on their behaviour
- **AI-powered mass surveillance** – biometric tracking without consent
- **Emotion recognition in workplaces/schools** to influence work performance
- **Autonomous lethal weapons** – that can kill without human intervention
- **Subliminal manipulation AI** – influencing people's decisions without transparency

High risk



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Low risk

- **AI systems not classified as 'high risk'**
- **Chatbots & virtual assistants** (as long as users know they are talking to AI)
- **Recommendation algorithms** – AI-powered suggestions on social media
- **AI for business automation** – AI that automates basic administrative tasks

No risk

- AI-powered image, music or art generators/editors
- AI in scientific research
- AI in toy & entertainment robots – AI-powered toys with no real-world risks



Annex II: Requirements for 'high risk' AI systems

Emphasis on legal and ethical standards:

- Risk assessment before deployment, identifying foreseeable risks and potential misuse.
- Human oversight ensured to prevent full automation in decision-making.
- Data governance to ensure unbiased training datasets.
- External audits mandatory, including sandbox testing with human supervision.
- Disclosure of test results to EU regulators.
- Post-market monitoring to track performance.

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	Article 1: classification	Other suggestions/notes	Article 2: scope	Other suggestions/notes
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Belgium				
Bulgaria				
Croatia				
Cyprus				
Czechia				
Denmark				
Estonia				
Finland				
France				
Germany				
Greece				
Hungary				
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	Article 1: classification	Other suggestions/notes	Article 2: scope	Other suggestions/notes
Italy				
Latvia				
Lithuania				
Luxembourg				
Malta				
The Netherlands				
Poland	purpose-based		military/defence	
Portugal				
Romania				
Slovakia				
Slovenia				
Spain				
Sweden				
Commission	purpose-based		military/defence	

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Definitions

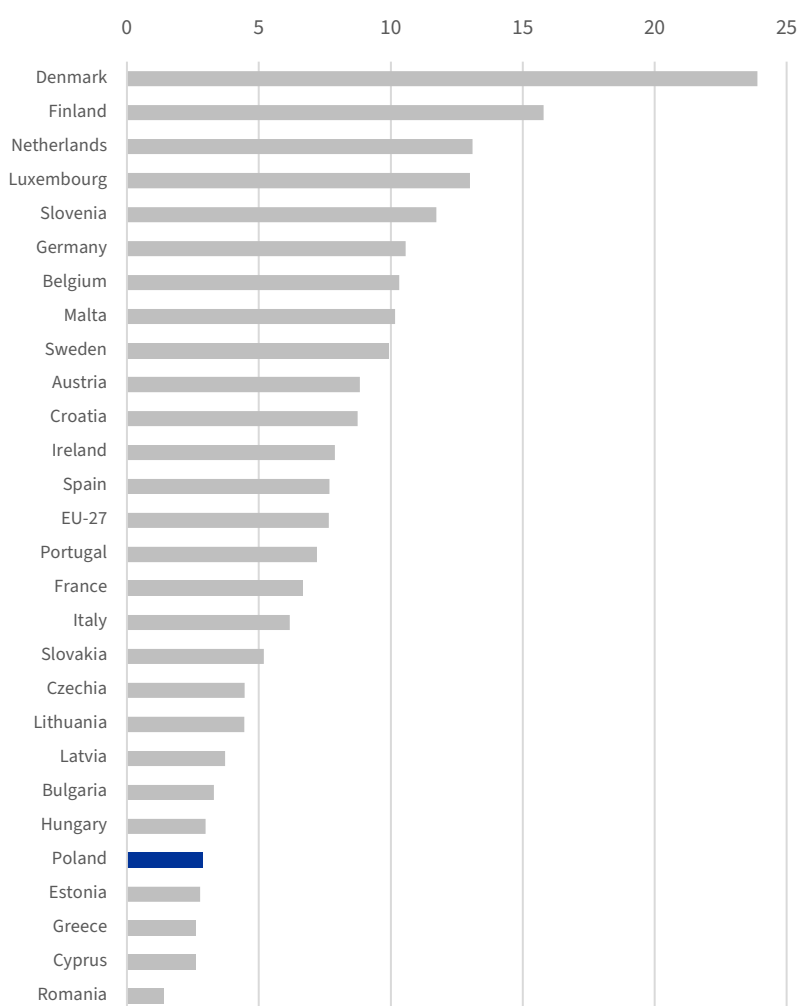
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- **Artificial intelligence systems** (AI systems) – computer-based systems that use AI to perform tasks typically requiring human intelligence, e.g. learning, reasoning, problem-solving, decision-making, perception and language understanding
- **Brain drain** – when skilled workers leave their country to work abroad
- **Business migration** – when a company moves its operations to another country, often for better conditions or lower costs
- **Deep learning AI** – a system that learns from large amounts of data using neural networks, such as how the human brain works. It recognises patterns and improves over time without needing explicit programming
- **General purpose artificial intelligence (GPAI)** – AI that can perform more than one task, e.g. ChatGPT, Google Gemini
- **Open-source** – software whose code is freely available for anyone to view, use and modify
- **Rule-based AI** – an AI system that makes decisions based on predefined rules and logic. For example, 'If X happens, then do Y'
- **Sandbox testing** - testing in an isolated environment, e.g. a self-driving AI is tested in a simulated city before driving on real roads

Background information

Please note: **the negotiations are taking place in 2023!**

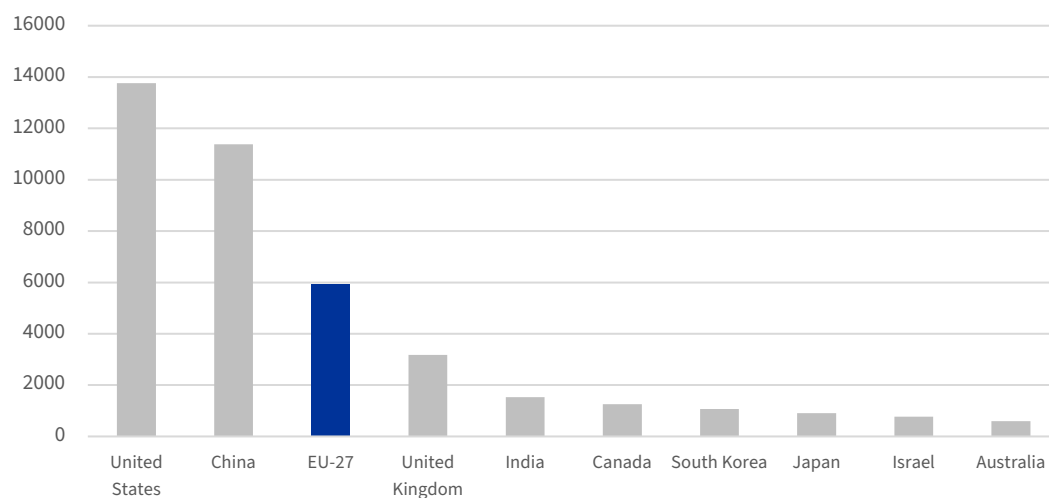
	European Union	Poland
Population	447 695 350	36 753 736
GDP per capita in EUR	38 150	19 980
Unemployment rate	6.1%	2.8%
Percentage of companies using AI technology	8%	3.7%
Share of population with advanced digital skills	27.3%	20.1%

Percentage of companies with over 10 employees
using at least one AI system (2021)

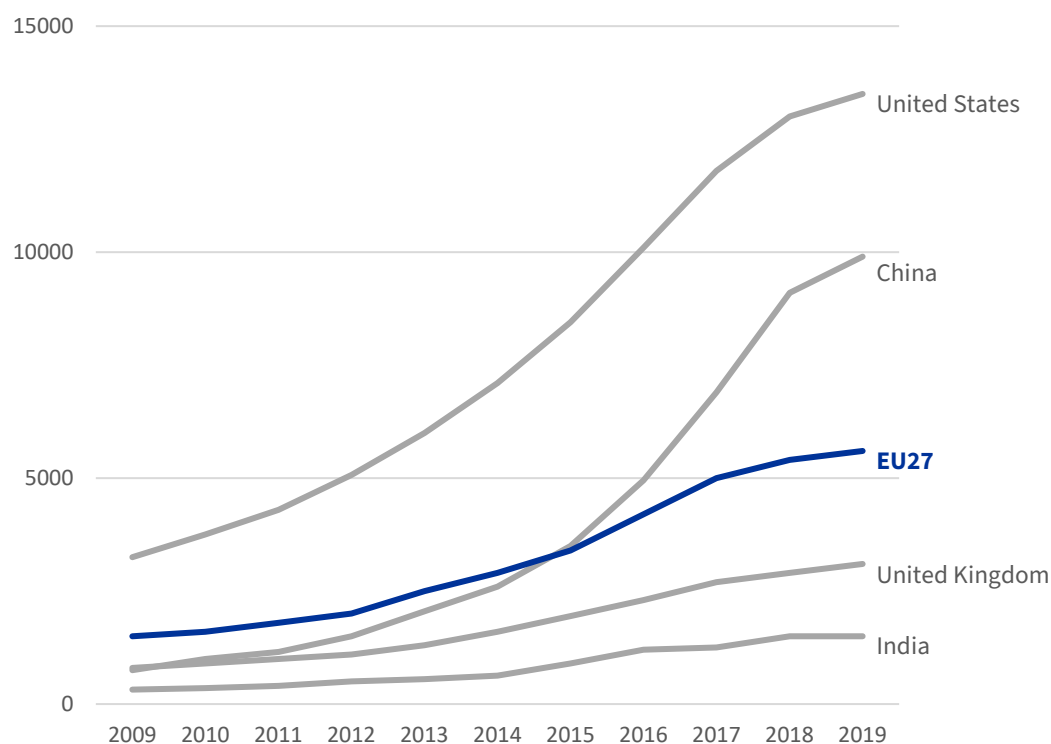


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AI companies by country (2020)



Growth in number of AI companies



Data sources: Eurostat, Joint Research Centre

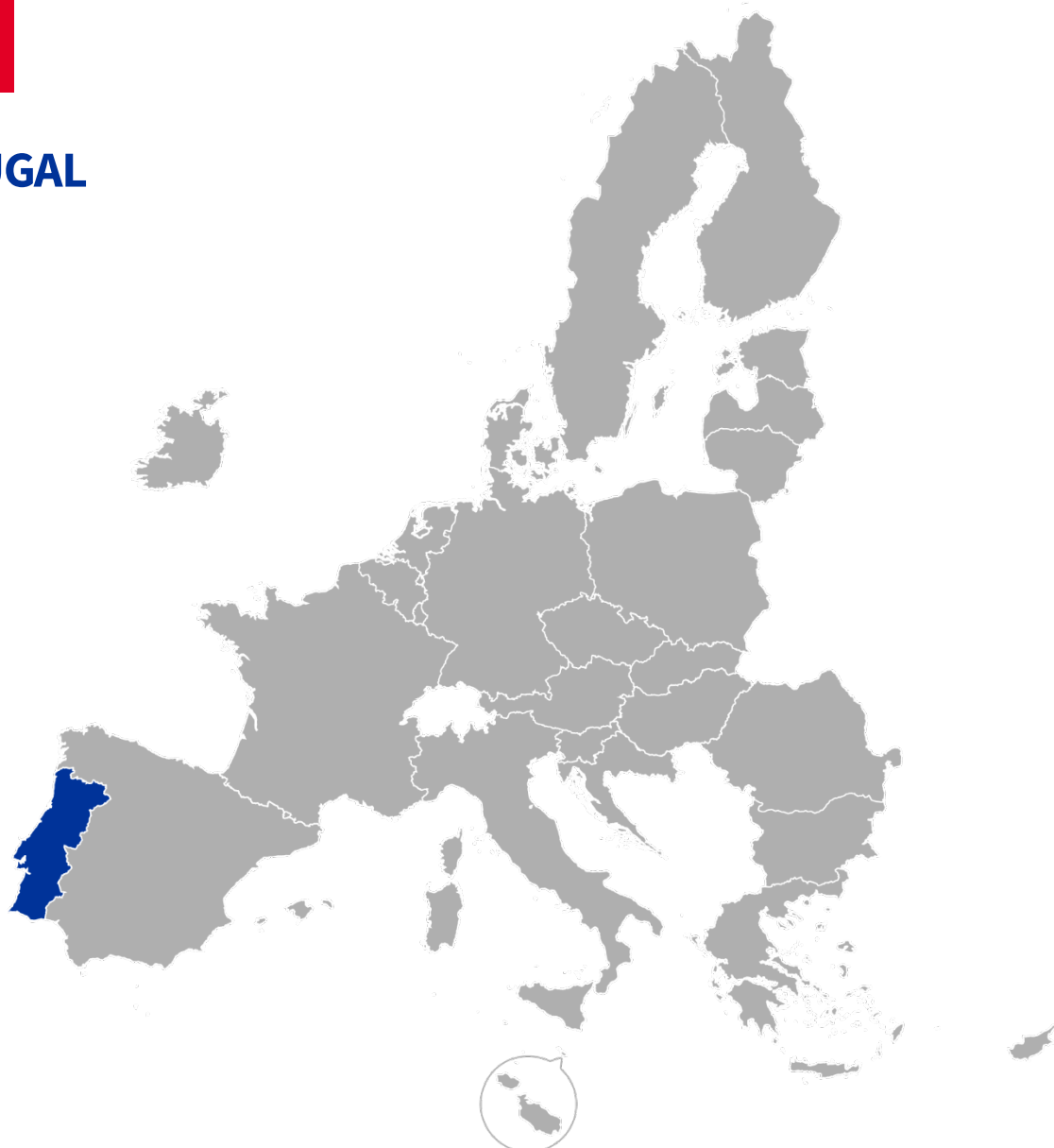
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PORTUGAL



MINISTER FOR A DAY: NEGOTIATING AT 27

■ **Introducing an AI framework**

Role profiles | **Standard version** | EN



Council of the
European Union

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on a legal framework for the use of artificial intelligence

CONTEXT OF THE PROPOSAL

The European Union is at a critical juncture in shaping its digital future. As part of the Digital Decade strategy, the EU aims to lead in artificial intelligence (AI) while safeguarding fundamental rights, consumer protection, market competitiveness, innovation and technological leadership. At the heart of these discussions is a legislative proposal by the European Commission which aims to regulate AI development in the EU. After several rounds of negotiations, the following questions have yet to be addressed.

Article 1

AI systems classification & risk management

The EU is adopting a common standard for risk management in the development, marketing, import and use of AI systems. These systems are classified as no risk, low risk, high risk or unacceptable risk (see Annex I). To define 'high risk' AI systems, the EU will adopt a **purpose-based risk classification: risk is based on the intended use of the AI in sensitive sectors**. Based on this risk classification, 'high risk' AI systems must undergo rigorous testing before being launched.

Article 2

Scope of application

The provision set out in Article 1 shall apply to all AI systems, **except when developed for military or defence purposes**.



PORTUGAL

Agenda

On the Council's agenda today is the Commission's proposal for a legal framework for the use of artificial intelligence. You will discuss the draft with the representatives of the other member states, aiming to reach a compromise.

Your primary objective

A common position of the Council that reflects your interests. You can also consider supporting a compromise option that partly reflects your interests.

Your task

1. Carefully **read your group information**, which sets out your interests and positions.
2. You **share some of the arguments with countries such as Finland, Ireland and Sweden**. Talk to them to see whether you can cooperate to advance your common interests, if you can identify any.
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In advance of today's meeting, we had fruitful discussions with _____ .

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/purpose-based risk classification, because _____
_____ .*

*With regard to Article 2, certain exceptions will/will
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*We are confident that we will find a workable
compromise during today's meeting.*

Thank you.

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... **purpose-based risk classification: risk is based on the intended use of the AI in sensitive sectors.**

Based on this risk classification, 'high risk' AI systems must undergo rigorous testing before being launched.

Your arguments

- Portugal is a very attractive destination for international high-tech companies because of the technical skills of its workers. One example is Tekever, a company developing AI models for autonomous drone surveillance in both commercial and military contexts. Commercially, those drones are used to monitor pipelines for leaks or acts of sabotage, thereby protecting critical infrastructure. The EU Maritime Safety Agency (EMSA) also uses Tekever systems to support coastguard operations and environmental protection efforts.
- You favour the purpose-based approach, but you are afraid that unclear sector descriptions would make the EU AI Act look weak and confusing. You would like to ensure more precise descriptions for 'critical infrastructure', such as making it clear that this covers electricity generation, telecommunications, water supply, agriculture, heating and transportation.
- While you hope to agree on the final text of the EU AI Act today as a guiding light for trustworthy AI development in Europe, you strongly oppose a built-in review in a few years' time, as this would undermine investor confidence. If uncertainty remains, **it would be more responsible to postpone the vote** than to pre-emptively plan to rewrite the rules.
- Your notes:

Article 2

Scope of application

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without exception



without exception, unless the system is developed as open-source



except when developed by small companies and startups (and)



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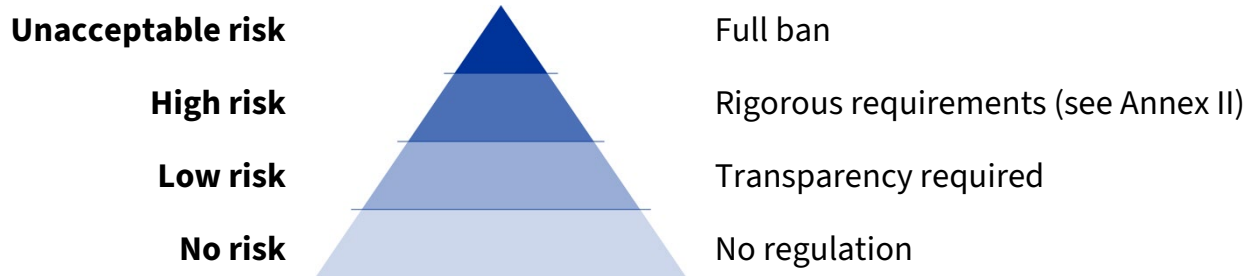


except when developed for national security, migration or border control

Your arguments

- You believe that clear rules should apply to all sectors – including national security and intelligence. Exempting them creates loopholes and increases the risk of unethical or harmful AI going unchecked.
- This is not about blocking AI in national security – it is about ensuring that it is designed responsibly in order to avoid any bias or discrimination.
- The only exemption on which you are willing to agree is open-source models: such models are swift drivers for innovation, because they are developed transparently. Developers experiment and educate themselves together, sharing knowledge to improve tools. Open-source AI is often more inspectable and auditable than proprietary models, which aligns with the goals of the Act.
- Your notes:

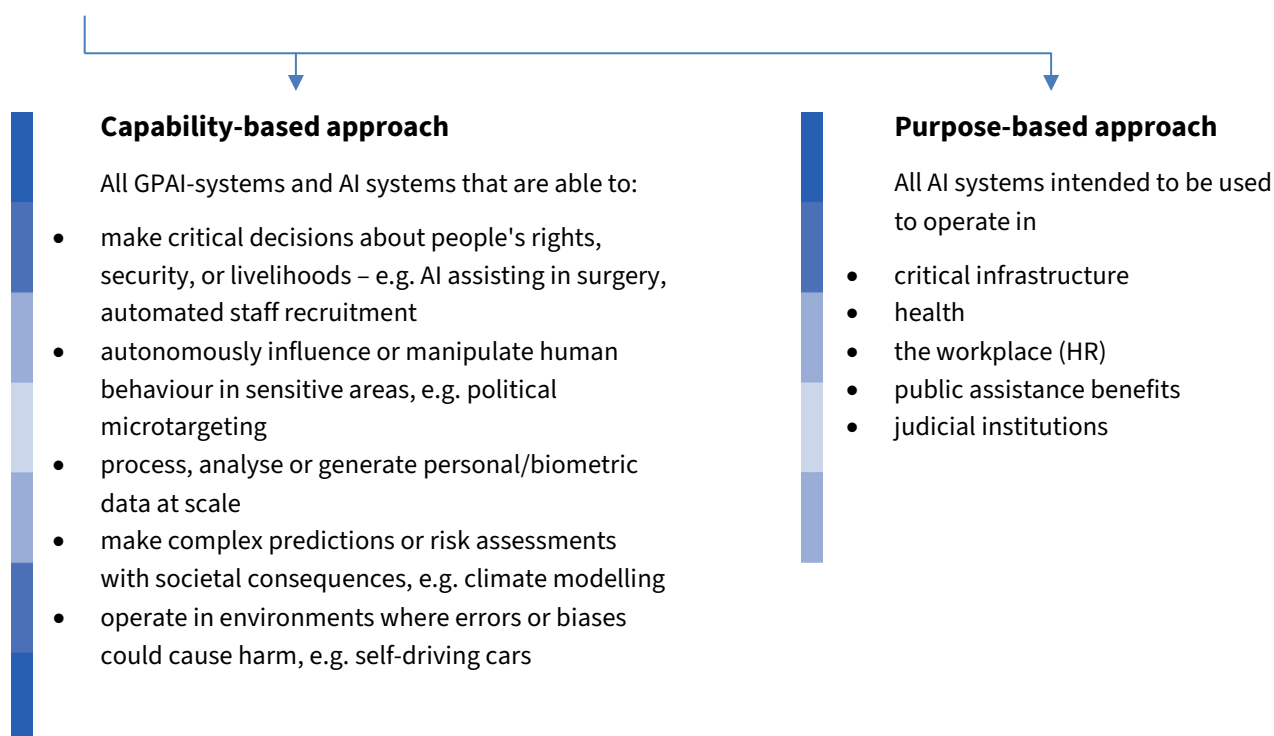
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High risk



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Annex II: Requirements for 'high risk' AI systems

Emphasis on legal and ethical standards:

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Lithuania				
Luxembourg				
Malta				
The Netherlands				
Poland				
Portugal	purpose-based	Postpone the vote	open-source	
Romania				
Slovakia				
Slovenia				
Spain				
Sweden				
Commission	purpose-based		military/defence	

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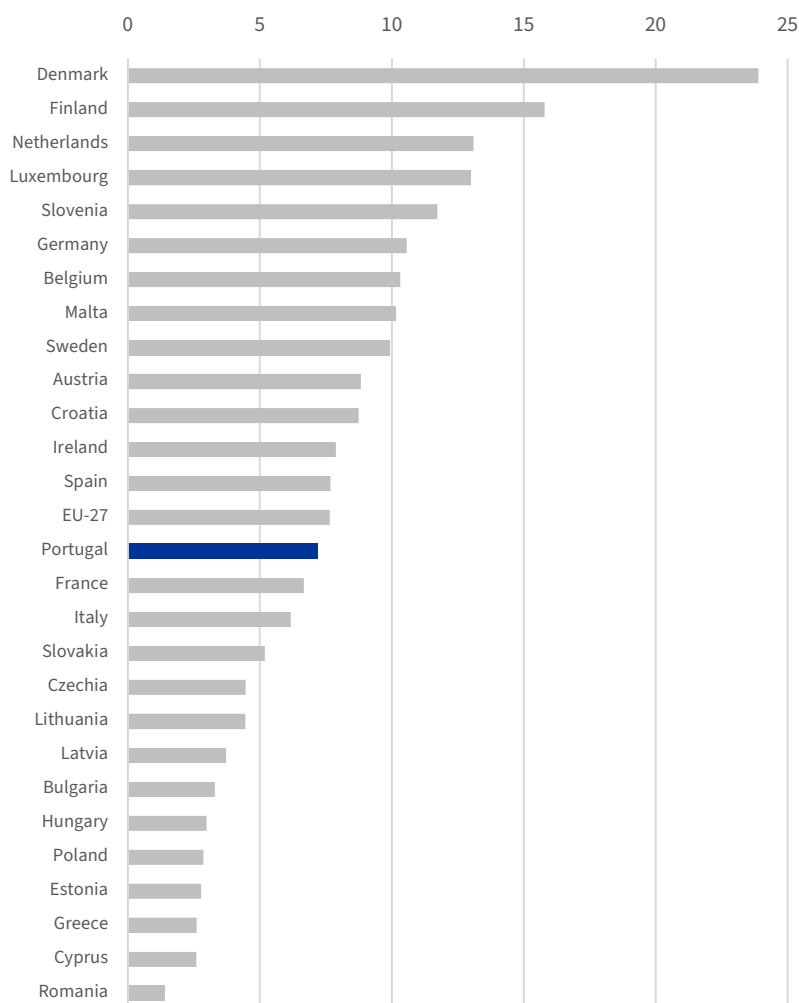
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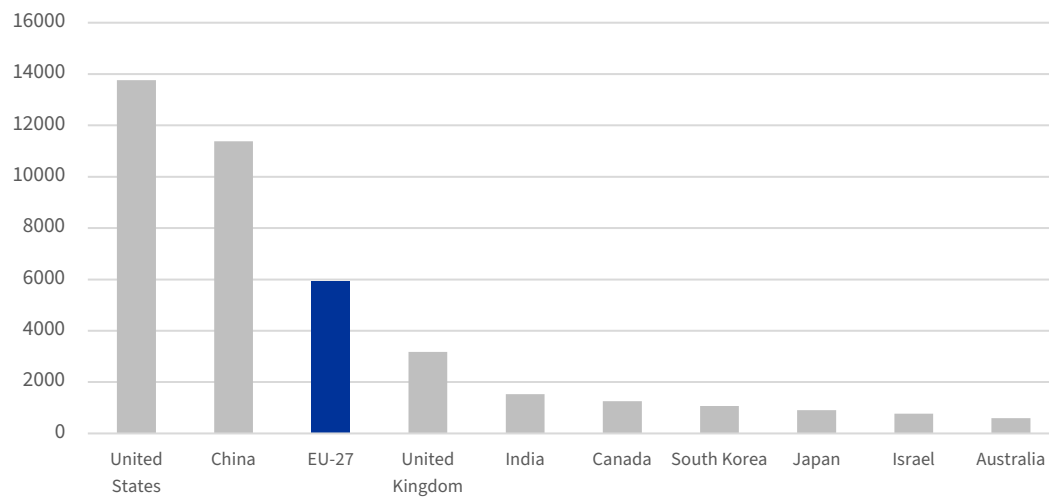
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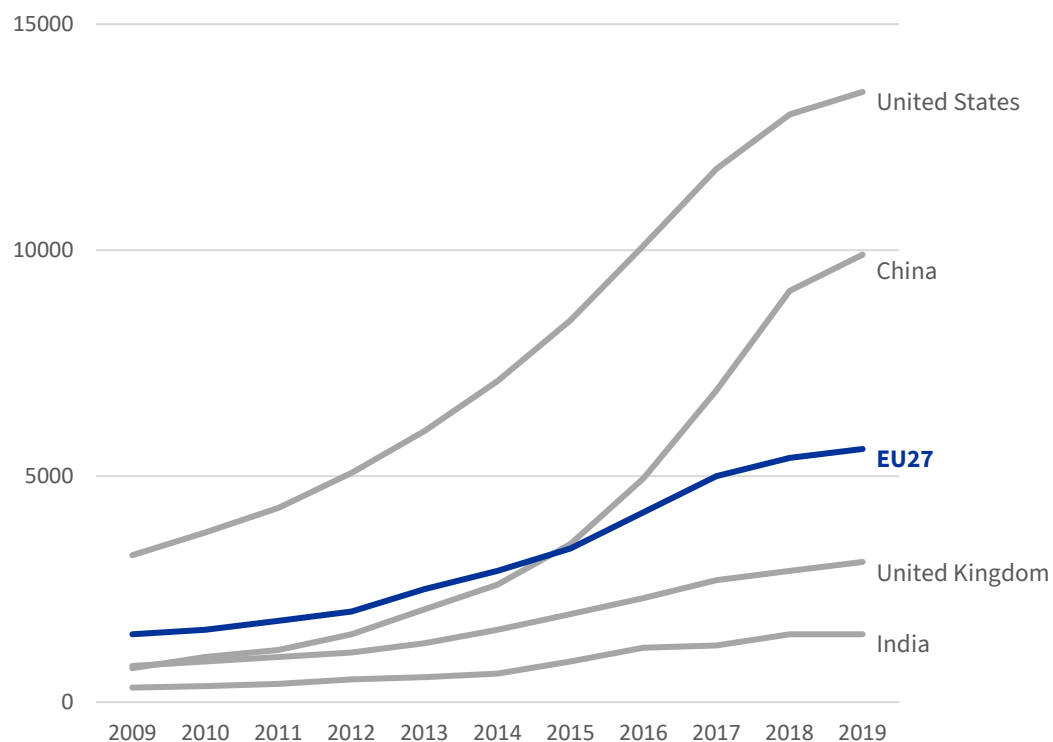


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AI companies by country (2020)



Growth in number of AI companies



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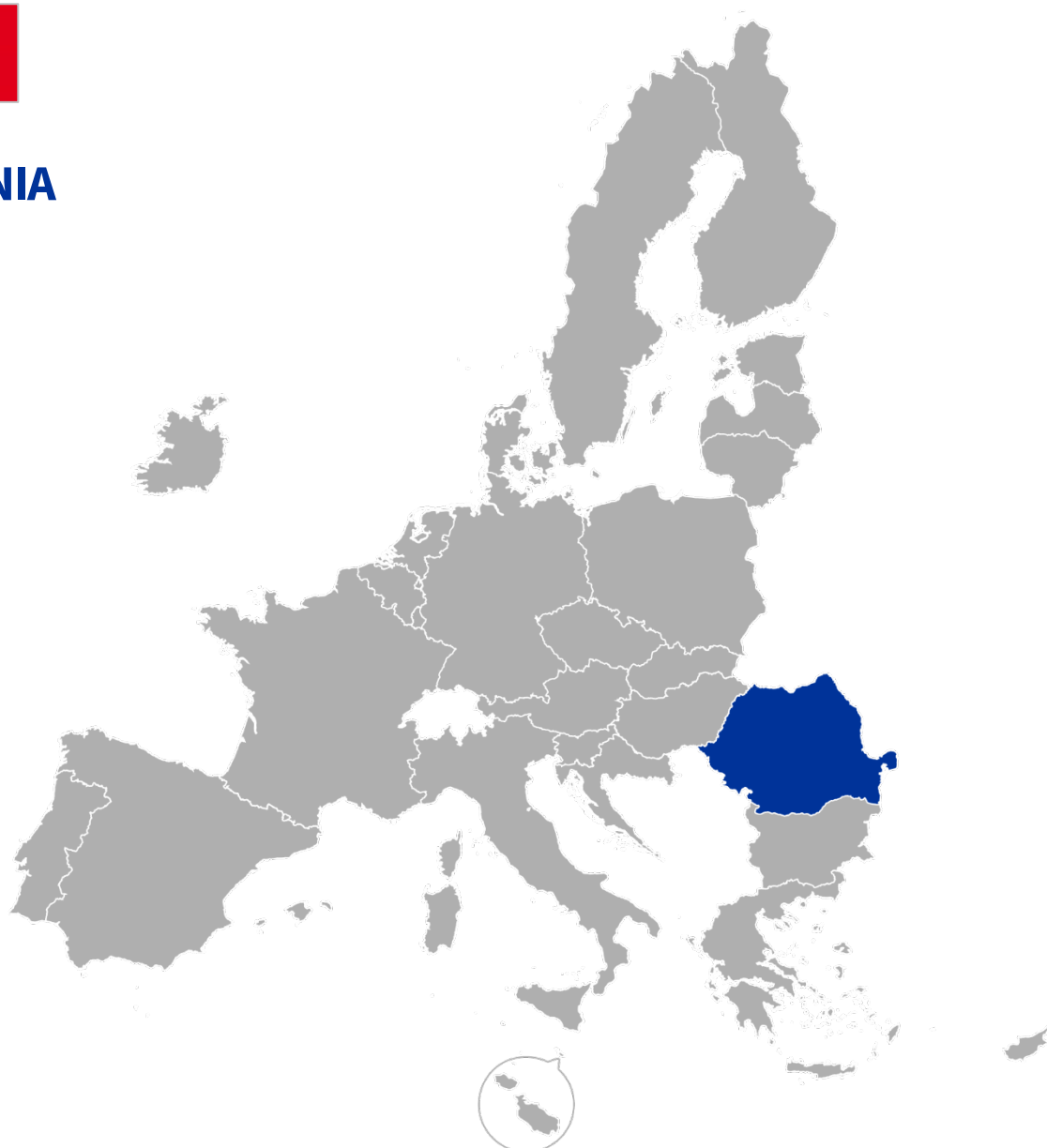
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ROMANIA



MINISTER FOR A DAY: NEGOTIATING AT 27

■ Introducing an AI framework

Role profiles | **Standard version** | EN



Council of the
European Union

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on a legal framework for the use of artificial intelligence

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Article 2

Scope of application

The provision set out in Article 1 shall apply to all AI systems, **except when developed for military or defence purposes**.



Agenda

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Your primary objective

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In advance of today's meeting, we had fruitful discussions with _____.

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Thank you.

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... purpose-based risk classification: risk is based on the intended use of the AI in sensitive sectors.

Based on this risk classification, 'high risk' AI systems must undergo rigorous testing before being launched.

Your arguments

- Your goal is to enhance the lives of Romanian citizens and ensure that AI development has a maximum positive impact on society.
- In principle, you favour a purpose-based approach, as it seems logical and proportionate to define risk based on the sectors in which an AI model is used. However, you believe the list of sectors could be reduced. You fail to see the necessity of applying the same rules to AI models used in critical infrastructure and in hiring and promotion processes in workplaces.
- Instead, you would like to specify which areas are covered under 'critical infrastructure'. To you, this could be interpreted as if agriculture and other economic sectors also fall under this category. While agriculture is important for your economy and for the food supply, you do not see a strong necessity to heavily regulate this sector. High risk sectors should be those that involve immediate, life-and-death decisions.
- You stress the importance of an AI framework that supports all EU member states, not just wealthy countries. If a compromise appears out of reach today, you are prepared to accept a capability-based approach. However, in this case, you advocate for defining agriculture as a low risk sector.
- Your notes:

Article 2

Scope of application

The provision set out in Article 1 shall apply to all AI systems,



without exception



without exception, unless the system is developed as open-source



except when developed by small companies and startups (and)



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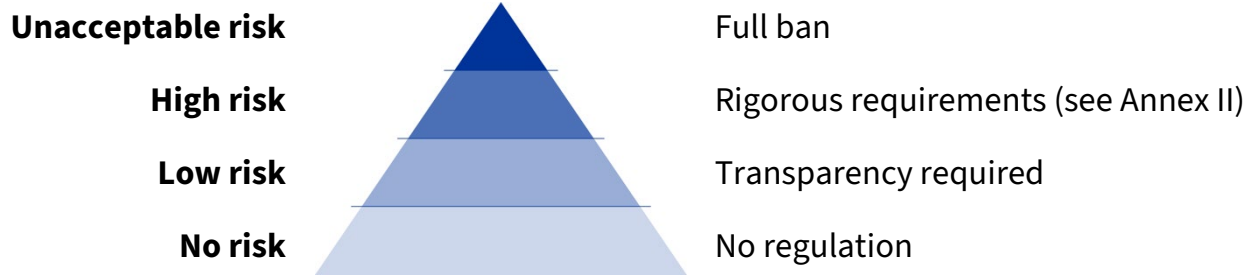


except when developed for national security, migration or border control

Your arguments

- While agriculture is a sector where you expect the most benefits from AI, you also anticipate that AI will yield significant advantages in the field of law enforcement. However, you are concerned that subjecting law enforcement agencies to testing requirements – however minimal – could risk exposing sensitive algorithms or operational details to regulators. This, in turn, could lead to potential leaks and compromise ongoing investigations.
- Therefore, you advocate for the exclusion of national security applications from the regulation, emphasising that police and national security agencies must be able to act swiftly and flexibly in their efforts to combat crime and terrorism.
- If your request cannot be fully accommodated in today's discussion, you are open to a compromise in which the regulation could be reviewed and potentially revised in two years' time.
- Your notes:

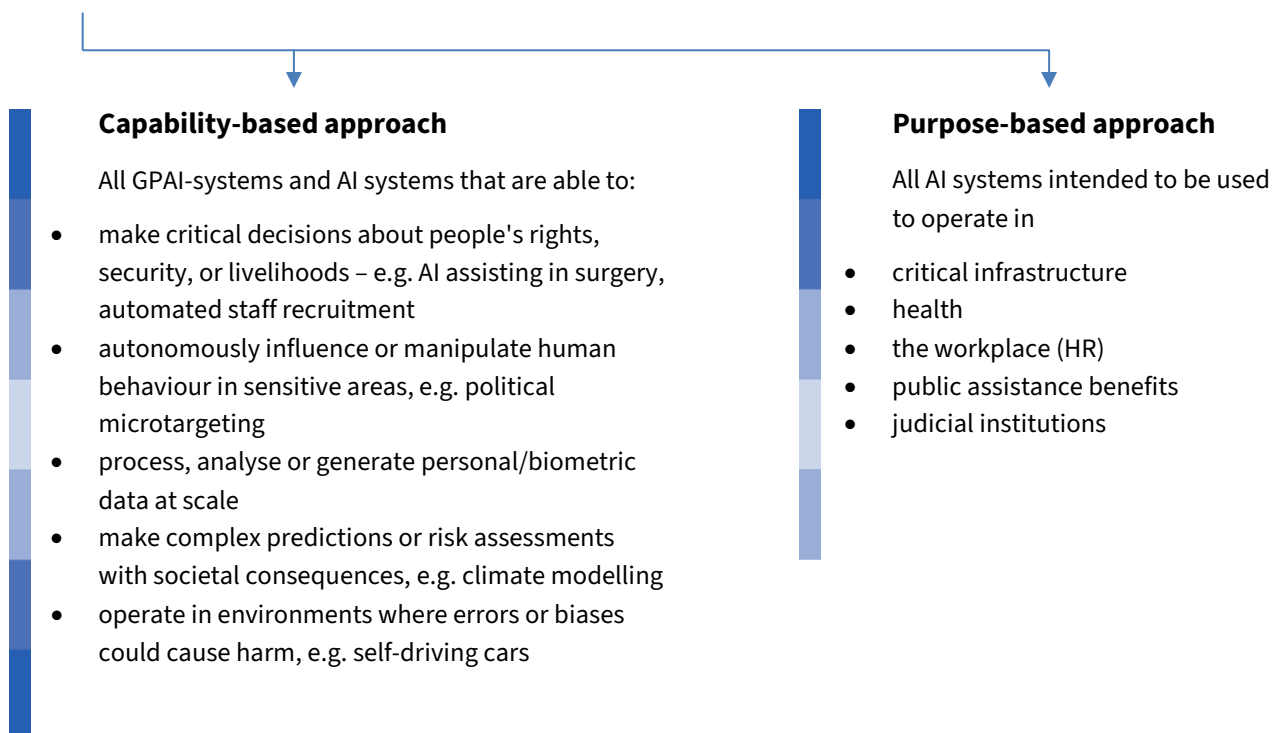
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No risk

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Annex II: Requirements for 'high risk' AI systems

Emphasis on legal and ethical standards:

- Risk assessment before deployment, identifying foreseeable risks and potential misuse.
- Human oversight ensured to prevent full automation in decision-making.
- Data governance to ensure unbiased training datasets.
- External audits mandatory, including sandbox testing with human supervision.
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Bulgaria				
Croatia				
Cyprus				
Czechia				
Denmark				
Estonia				
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Latvia				
Lithuania				
Luxembourg				
Malta				
The Netherlands				
Poland				
Portugal				
Romania	purpose-based		national security	
Slovakia				
Slovenia				
Spain				
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Commission	purpose-based		military/defence	

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Definitions

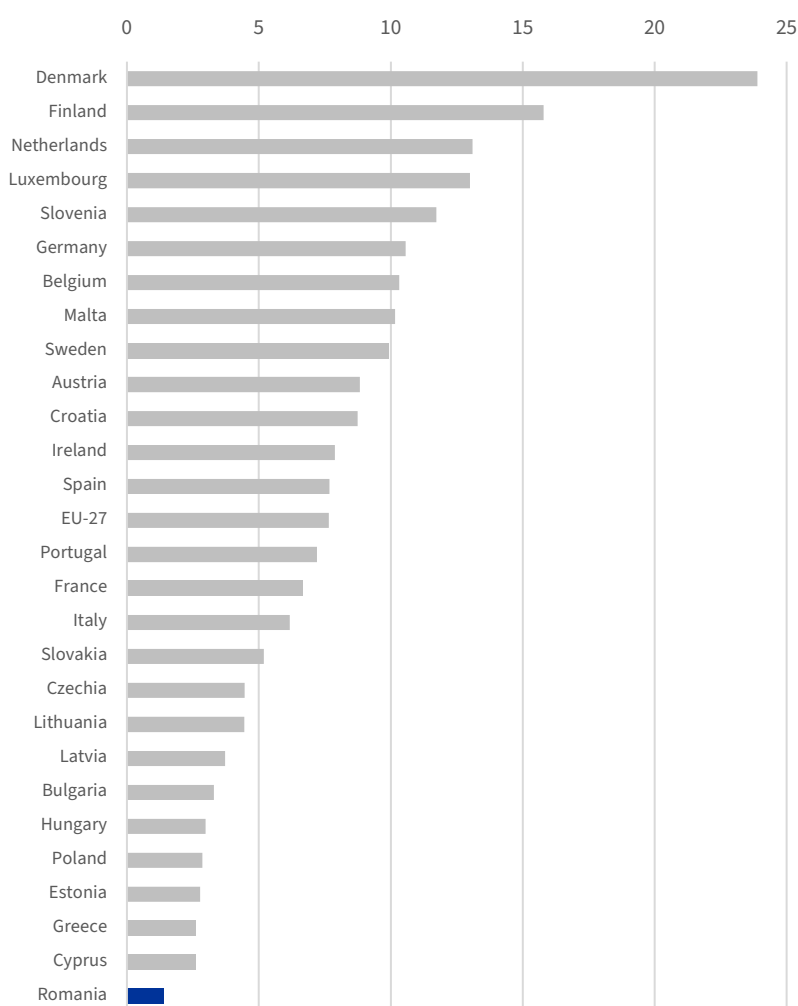
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Background information

Please note: **the negotiations are taking place in 2023!**

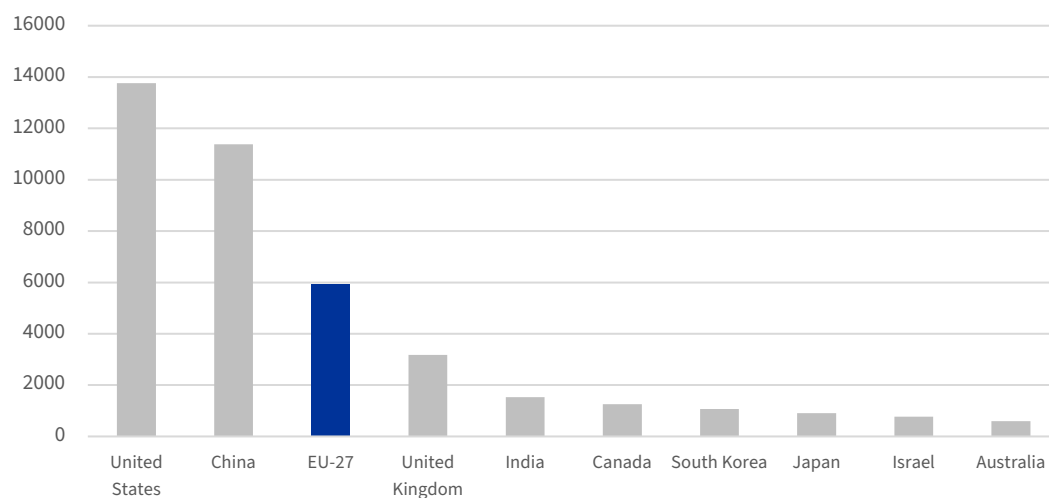
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Percentage of companies with over 10 employees
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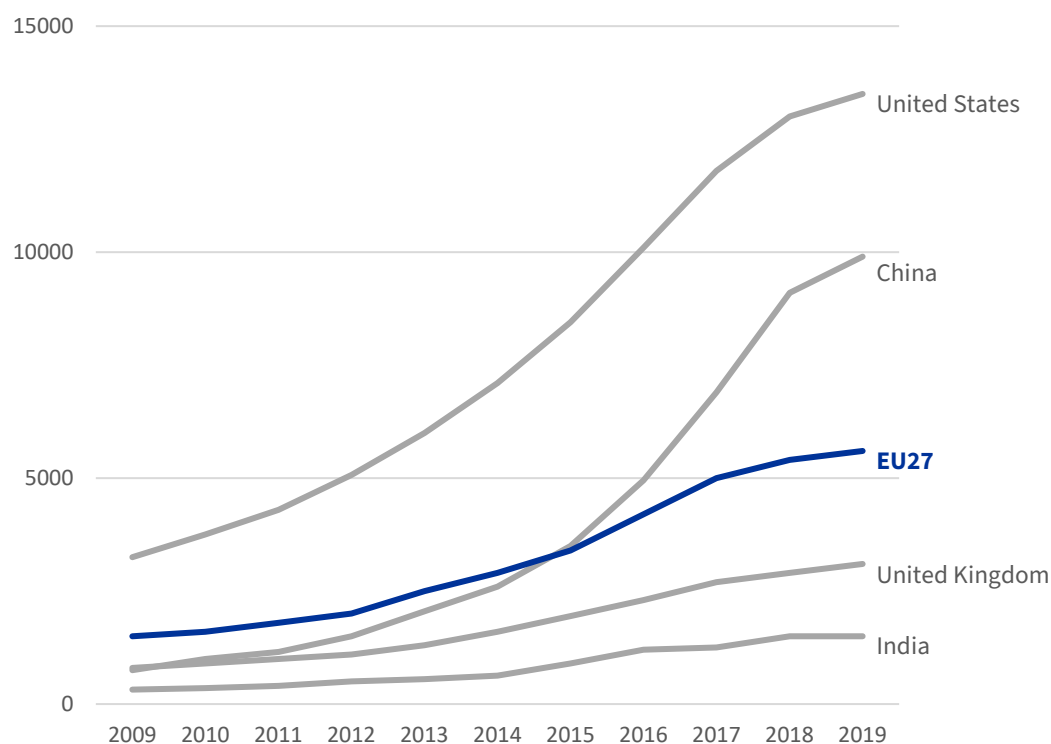


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Growth in number of AI companies



Data sources: Eurostat, Joint Research Centre

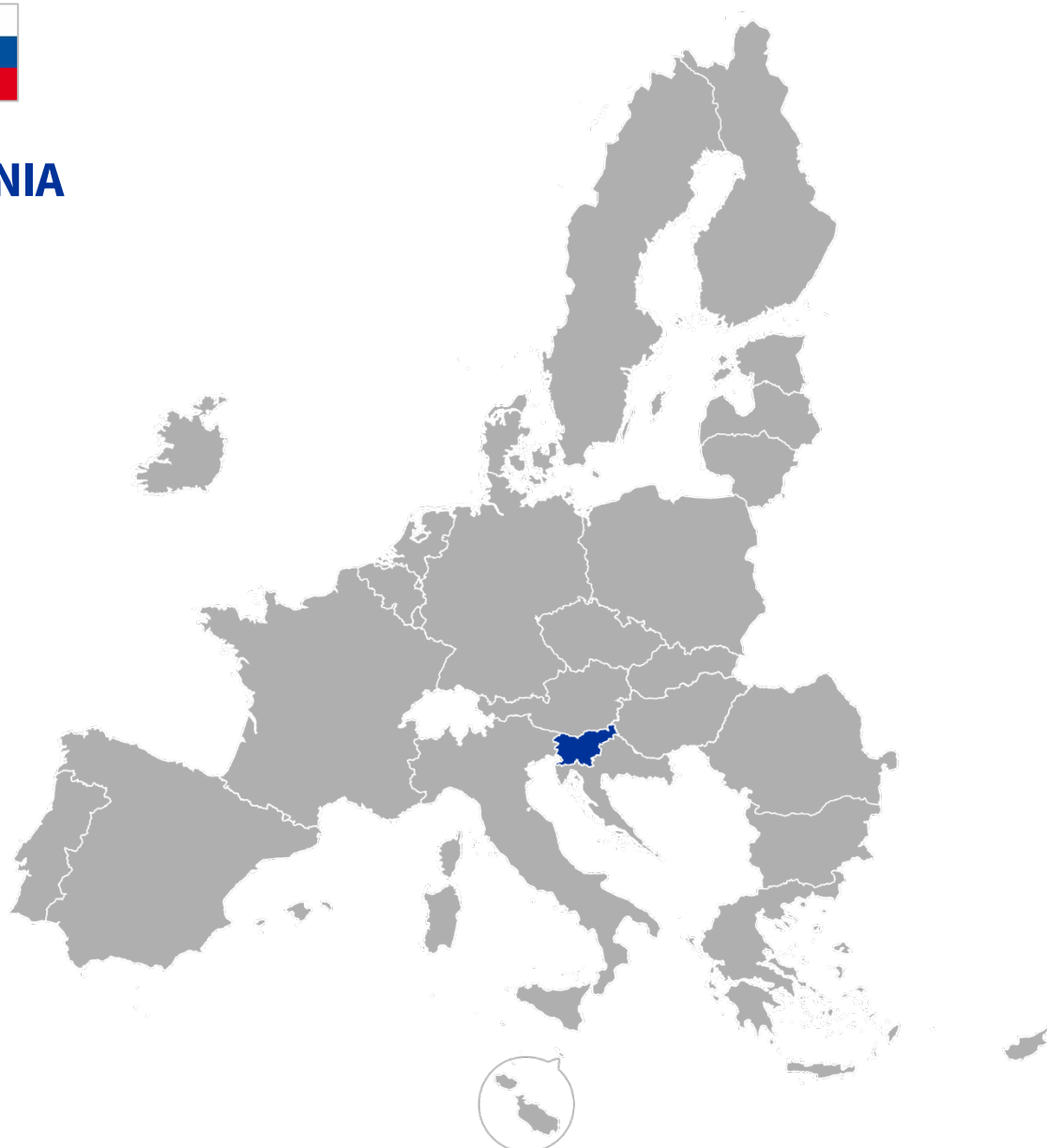
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SLOVENIA



MINISTER FOR A DAY: NEGOTIATING AT 27

■ Introducing an AI framework

Role profiles | **Standard version** | EN



Council of the
European Union

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on a legal framework for the use of artificial intelligence

CONTEXT OF THE PROPOSAL

The European Union is at a critical juncture in shaping its digital future. As part of the Digital Decade strategy, the EU aims to lead in artificial intelligence (AI) while safeguarding fundamental rights, consumer protection, market competitiveness, innovation and technological leadership. At the heart of these discussions is a legislative proposal by the European Commission which aims to regulate AI development in the EU. After several rounds of negotiations, the following questions have yet to be addressed.

Article 1

AI systems classification & risk management

The EU is adopting a common standard for risk management in the development, marketing, import and use of AI systems. These systems are classified as no risk, low risk, high risk or unacceptable risk (see Annex I). To define 'high risk' AI systems, the EU will adopt a **purpose-based risk classification: risk is based on the intended use of the AI in sensitive sectors**. Based on this risk classification, 'high risk' AI systems must undergo rigorous testing before being launched.

Article 2

Scope of application

The provision set out in Article 1 shall apply to all AI systems, **except when developed for military or defence purposes**.



SLOVENIA

Agenda

On the Council's agenda today is the Commission's proposal for a legal framework for the use of artificial intelligence. You will discuss the draft with the representatives of the other member states, aiming to reach a compromise.

Your primary objective

A common position of the Council that reflects your interests. You can also consider supporting a compromise option that partly reflects your interests.

Your task

1. Carefully **read your group information**, which sets out your interests and positions.
2. You **share some of the arguments with countries such as Croatia, Italy and the Netherlands**. Talk to them to see whether you can cooperate to advance your common interests, if you can identify any.
3. Prepare an **opening statement** (maximum 1 minute) for the first round of official negotiations. State your position on Articles 1 and 2. The script in the text box might help you.
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6. During the official negotiations, **present your positions and arguments**. Where you share arguments with other countries, it can be useful to present your arguments together in order to give them further weight.
7. Of course, **it is your decision as to how to vote in the end**. Be aware that when it comes to the final vote on a compromise proposal, you need to decide whether you prefer a compromise with which you may not be 100% satisfied or no result at all.



Madam/Mr Chair, Commissioner, colleagues,

I would first of all like to thank the Commission for its proposal and the presidency for including this issue on today's agenda.

In advance of today's meeting, we had fruitful discussions with _____.

We think it is necessary to adopt a capability-/purpose-based risk classification, because _____.

With regard to Article 2, certain exceptions will/will not apply, because we are in favour of _____.

We are confident that we will find a workable compromise during today's meeting.

Thank you.

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... **capability-based risk classification: risk is determined by the system's technical abilities.**



... purpose-based risk classification: risk is based on the intended use of the AI in sensitive sectors.

Based on this risk classification, 'high risk' AI systems must undergo rigorous testing before being launched.

Your arguments

- Your country is committed to a comprehensive and efficient digital transformation, rooted in lifelong learning, intergenerational cooperation and the growth of Slovenian digital talent. You view AI as a tool meant to serve humanity.
- You support the capability-based approach because it better reflects actual risks, especially as regards privacy. You find it very reasonable to classify all AIs capable of 'processing, analysing and generating personal data' as 'high risk', as suggested in the capability-based approach.
- During today's discussion you want to highlight potential risks to human rights, justice and human activities. AI becomes significantly riskier when people are not educated about how it works, what it can do and what its limitations are. Without basic AI literacy, individuals may blindly trust automated systems, fail to recognise bias or manipulation and be unable to hold developers or institutions accountable. Such a lack of understanding also increases vulnerability to misinformation, deepens social inequalities and can lead to either irrational fear or uncritical acceptance of AI technologies. To ensure that AI is used safely and fairly, widespread public education is essential.
- Your notes:

Article 2

Scope of application

The provision set out in Article 1 shall apply to all AI systems,



without exception



without exception, unless the system is developed as open-source



except when developed by small companies and startups (and)



except when developed for military or defence purposes (and)

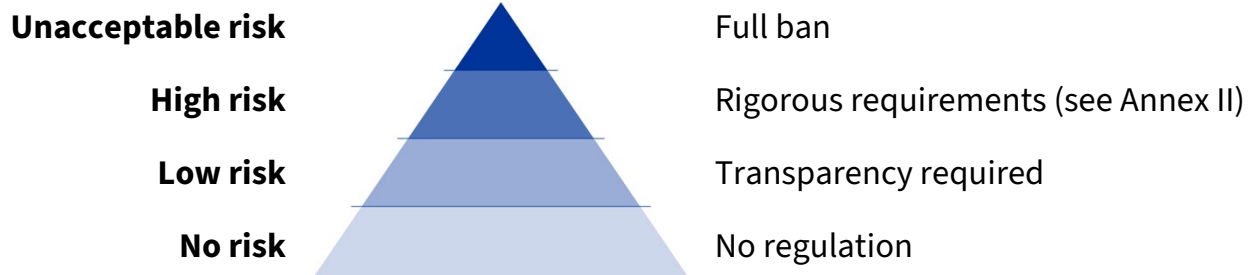


except when developed for national security, migration or border control

Your arguments

- In your view, the EU AI Act should serve as a catalyst for AI development across all EU member states. Some capital-rich countries have powerful AI companies, while others are still trying to build up their ecosystems with startups. The whole idea behind startups is to create something disruptive in a short period of time and with limited access to capital. That is nearly impossible if there is a significant administrative burden.
- For this reason, you propose exempting startups with fewer than 20 employees and under €4 million in turnover from the requirements for high risk AI models. Instead, they should comply with the requirements for low risk AI models. You see this as a balanced compromise and aim to lead the conversation on it.
- Your notes:

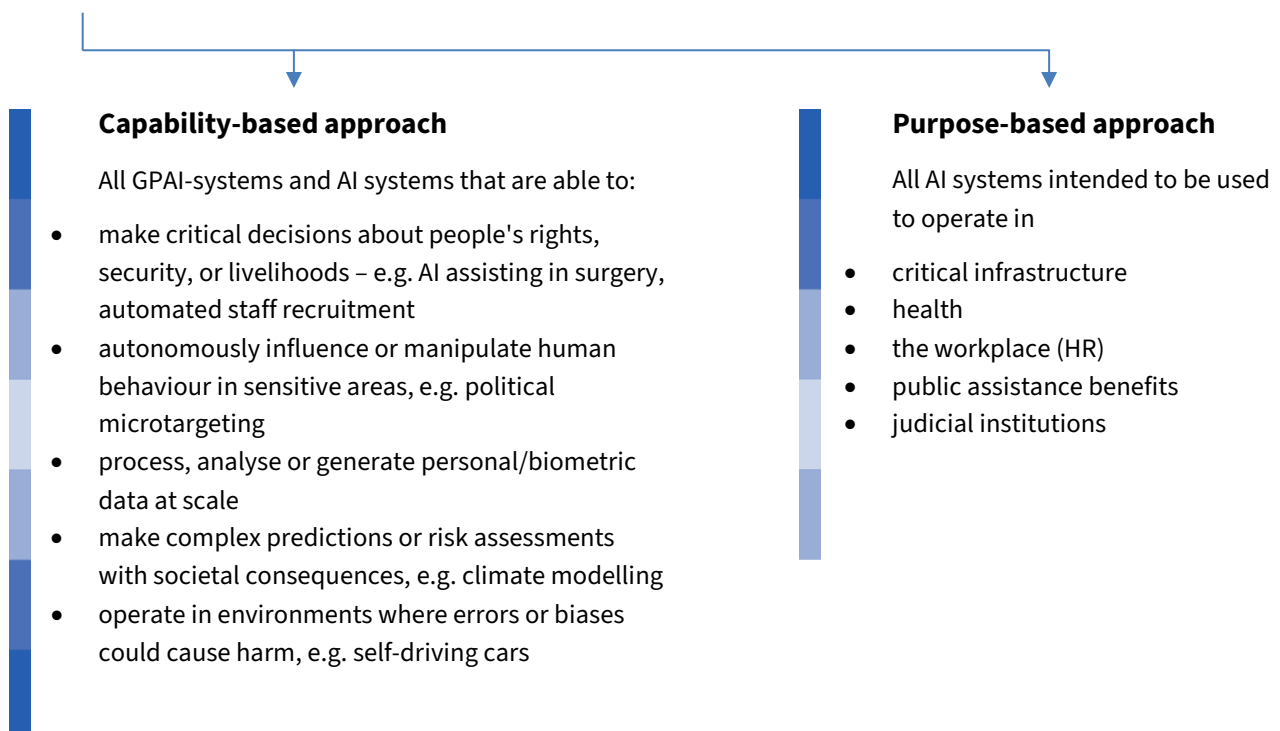
Annex I: Risk classification



Unacceptable risk:

- **Social scoring AI** – ranking citizens based on their behaviour
- **AI-powered mass surveillance** – biometric tracking without consent
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- **Autonomous lethal weapons** – that can kill without human intervention
- **Subliminal manipulation AI** – influencing people's decisions without transparency

High risk



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Low risk

- **AI systems not classified as 'high risk'**
- **Chatbots & virtual assistants** (as long as users know they are talking to AI)
- **Recommendation algorithms** – AI-powered suggestions on social media
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No risk

- AI-powered image, music or art generators/editors
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Annex II: Requirements for 'high risk' AI systems

Emphasis on legal and ethical standards:

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Portugal				
Romania				
Slovakia				
Slovenia	capability-based		startups	
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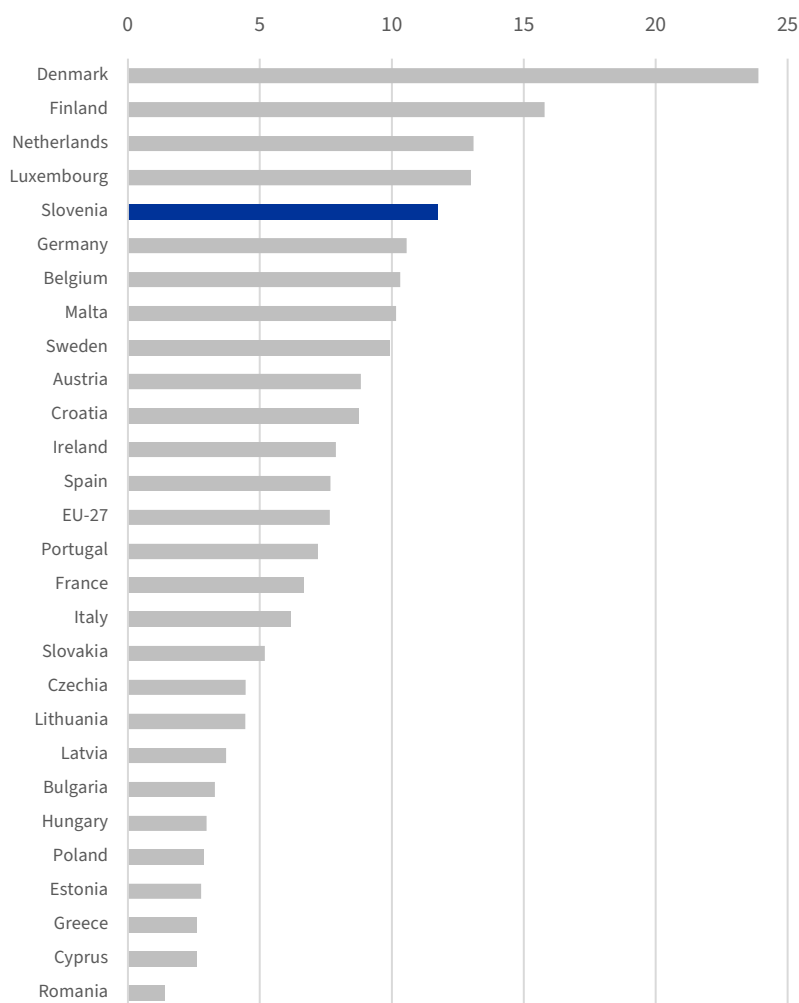
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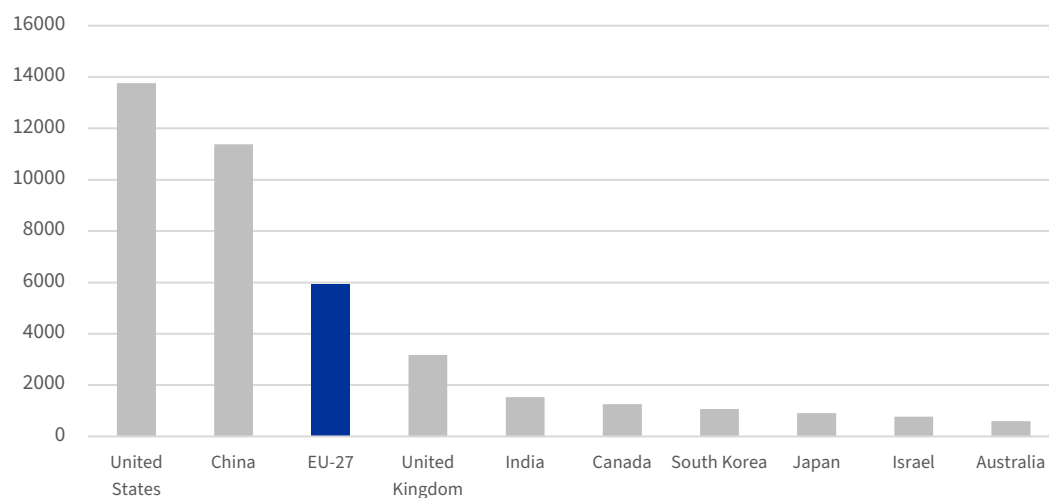
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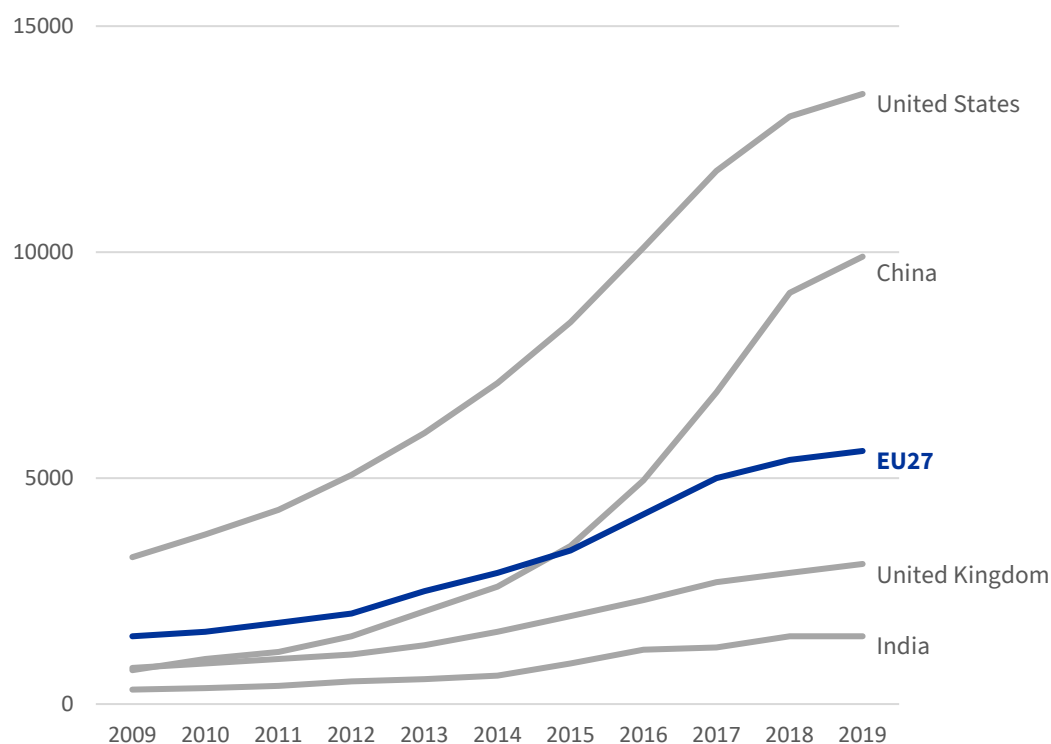


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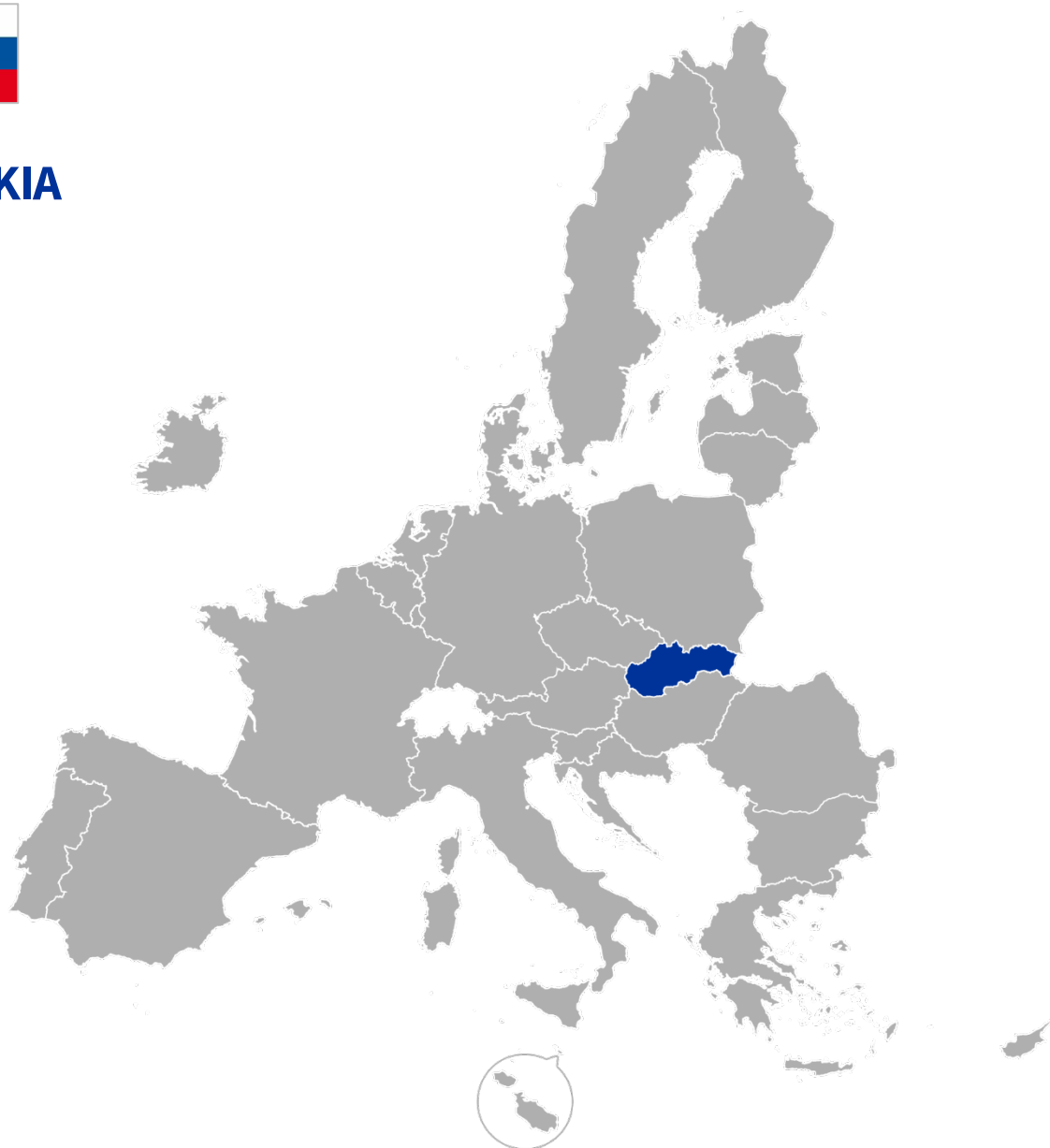
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Article 2

Scope of application

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SLOVAKIA

Agenda

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Your arguments

- Slovakia is eager to understand how best to benefit from the EU AI Act. So far, no public funds have been allocated to national AI research. Consequently, your government relies on private investment or support from other EU members.
- You support the purpose-based approach because this is usually how the EU regulates technologies and products, e.g. medical devices or chemical products. However, you believe that the current list of high risk sectors should be narrowed down to critical infrastructure and health, together with law enforcement, as these are sectors which directly affect life and freedoms. Other sectors, such as education and public assistance benefits, while important, can be reconsidered later on. You are open to revisiting the list in three years' time, in consultation with civil society and industry.
- In addition, you believe that classifying the other sectors as high risk could trigger a brain drain of scientists developing models precisely for those sectors, pushing European AI talent toward more flexible environments such as the US.
- Should today's discussions come to a standstill and a compromise appear out of reach, **you suggest that the EU offer financial support to less affluent EU member states** – to help cover the increased development costs.
- Your notes:

Article 2

Scope of application

The provision set out in Article 1 shall apply to all AI systems,



without exception



without exception, unless the system is developed as open-source



except when developed by small companies and startups (and)



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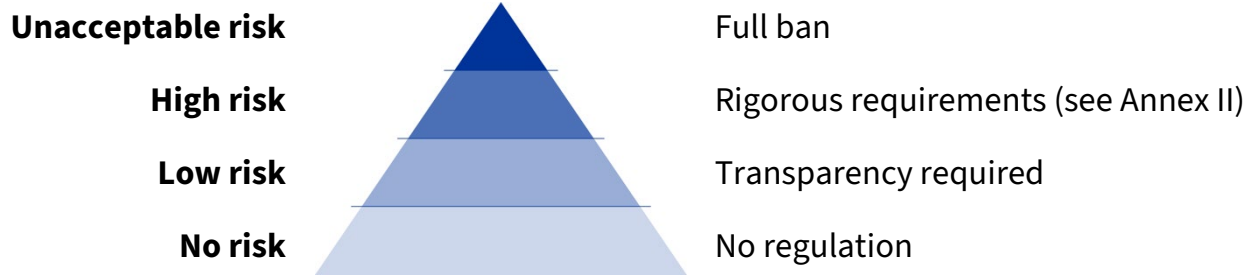


except when developed for national security, migration or border control

Your arguments

- You are aware that the EU AI Act places financial and administrative burdens on EU AI companies. At the same time, the EU has so far lagged behind in global AI development.
- Exempting startups from strict regulations could foster a more dynamic ecosystem and give EU startups a better chance to compete with those in the US, China and elsewhere.
- Article 2 matters more to you than Article 1. If you cannot get others on board with your points concerning Article 1, you will focus on ensuring that your key requests for Article 2 are taken seriously.
- Your notes:

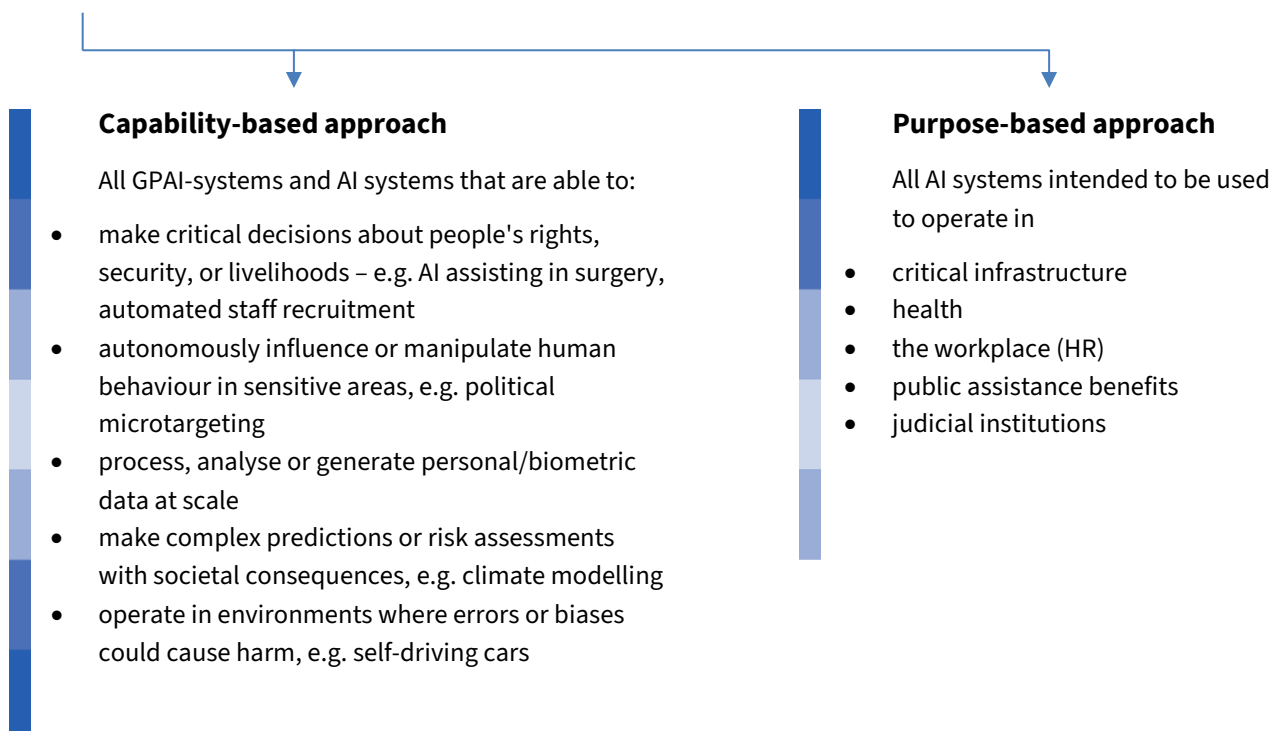
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Portugal				
Romania				
Slovakia	purpose-based	Financial support	startups	
Slovenia				
Spain				
Sweden				
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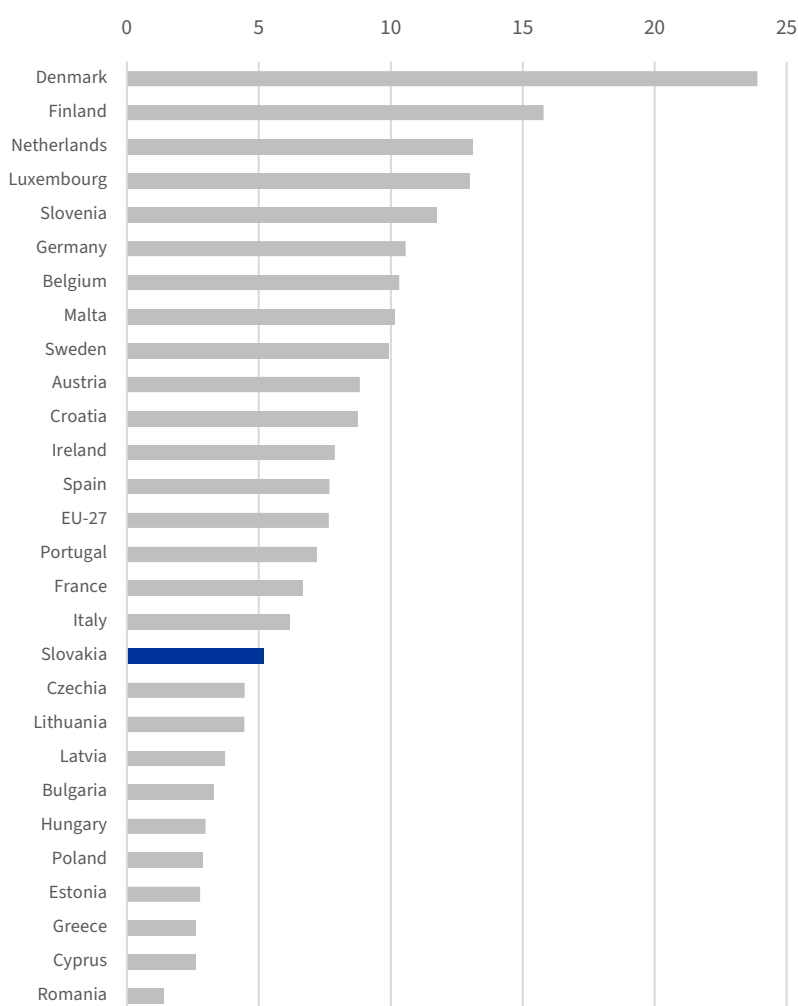
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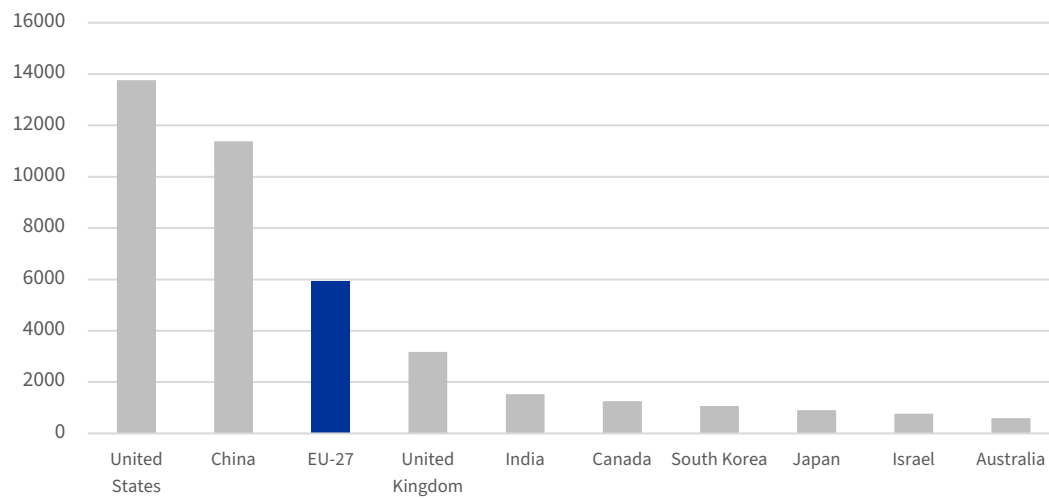
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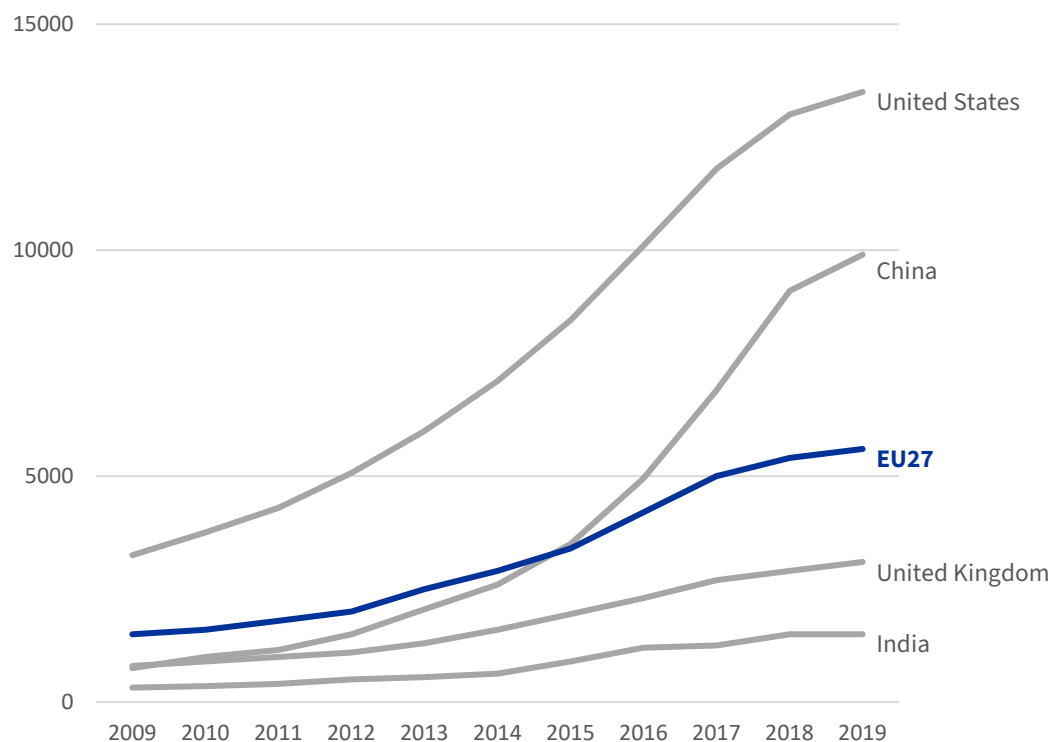


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AI companies by country (2020)



Growth in number of AI companies



Data sources: Eurostat, Joint Research Centre

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