A Code of Practice that works for Europe

As representatives of the leading European digital associations representing the digital ecosystem across the continent, we urge the European Commission and Member States to ensure the finalisation of a balanced, effective and pragmatic Code of Practice for General- Purpose AI (GPAI) Models.

GPAI models form a foundational layer powering the AI revolution we have entered. These models are continually developed and modified for a broad range of uses and applications. Their development and diffusion represent an unprecedented opportunity to enhance Europe's competitiveness, drive economic growth, and unlock scientific progress and innovation across all sectors of society. Europe cannot afford to miss out on these benefits.

Recent discussions during the AI Action Summit, building on the findings of the Draghi report, have underscored that Europe stands at a crossroads: the decisions made now on AI governance will determine our continent's ability to reap the benefits of this technology for the years, if not decades to come. With global competition intensifying, and amidst increased international uncertainty, swift and decisive action is essential to ensure that Europe does not fall behind. While an ambitious AI Continent Action Plan is certainly necessary in this context, so is an innovation-friendly legal framework: Getting the implementation of the AI Act right, and in particular the specification of the Code of Practice, is crucial in this context.

The third draft of the Code of Practice represents an encouraging - but still insufficient - step in the right direction towards a pragmatic and proportionate framework that truly works for Europe. Critical improvements, along with further streamlining and simplification remain necessary.

While some flexibility and clarifications have been introduced, the current version of the Code of Practice remains focused on heavy and complicated requirements and reporting obligations that are at odds with the European Commission's much needed agenda of regulatory simplification. In its current form, the Code of Practice risks entangling the intricate and fast-developing AI value chain in an additional layer of complexity, unnecessarily hindering its growth potential in Europe.

The AI Act has established a legal framework aimed at balancing innovation with safeguards, enabling Europe to benefit from trustworthy, cutting-edge technologies. It is critical that the Code of Practice remains aligned with this carefully crafted balance, avoiding unnecessary burdens that could stifle innovation and delay the deployment of transformative AI technologies within the EU. It is critical to get the Code of Practice right for the entire value chain involved in modifying, building on and deploying these models, especially considering the inherent complexities of the different sets of applicable rules. In this context, the legal uncertainty for fine-tuners and modifiers of GPAI models must also be urgently addressed to avoid excessive regulatory burdens on European companies and to preserve European AI innovation.

The urgency is clear: Europe needs to catch up. The rapid evolution of AI demands a regulatory environment that is agile, predictable, and conducive to investment and innovation, ultimately benefiting European citizens and society. Every delay or regulatory overreach risks diminishing Europe's global standing and slowing down the economic and societal benefits AI promises. The success of other commendable efforts to promote AI in Europe, such as the AI Continent Action plan, will dissipate without a proportionate legal framework.

We stand ready to support the European Commission, the AI Office and the Member States in the AI Board in this endeavour, but we call for immediate action to ensure the final GPAI Code of Practice remains proportionate.

Time is of the essence. We have entered the beginning of the AI revolution. Let us work together to ensure that Europe leads in this new age.

Signatories

- Adigital
- AI Chamber
- Allied for startups
- Ametic
- Anitec-Assinform
- Bitkom
- Digital Poland Association
- NLdigital
- Numeum
- ITL (Estonian Association of Information Technology and Telecommunications)
- Sapie (Slovak Alliance for Innovation Economy)
- SP (Confederation of Industry of the Czech Republic)
- Startup Hungary
- TIF (Technology Industries of Finland)
- Technology Ireland