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Deutscher Bundestag
Ausschuss für Digitales

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Deutscher Bundestag
Committee on Digital Affairs

List of questions

Public hearing on generative artificial intelligence on Wednesday, 24 May 2023, 14:30 – 16:30 hrs, Reichstag Building, conference room 3 N 001

Last updated: 2 May 2023

1) The regulation of generative AI is currently the subject of negotiations in the context of the European AI Act (AIA). In your view, how can generative AI be effectively incorporated into and regulated by the AIA, and what is your opinion of the proposed distinctions, within generative AI, between “general purpose AI” and “foundation models”?

2) Generative AI offers many potential uses in a wide range of different occupations, and can alleviate pressure on the labour market. What is your view of the potential and the risks of generative AI for the world of work, and in what areas do you believe regulation is needed?

3) To what extent can applications from government or economic systems which do not always share democratic and liberal values have an impact on European society, and how should the EU and Germany deal with this?

4) Some ideas and projects already exist, ranging from watermarking to tools which are intended to mark or detect AI-generated texts – both of these options are criticised as being insufficiently robust or accurate. What could a secure and effective method of marking content produced by generative AI look like? And what supplementary information could be provided to users to ensure they are fully informed?

5) Many proposals are currently circulating on how to appropriately address the regulatory challenges of generative AI applications in the EU proposals for an AI Regulation and an AI Liability Directive. Is a risk-based approach even suitable for the regulation of generative AI, or is a systematic risk analysis needed, for example, similar to the risk analysis and minimisation mechanism contained in the DSA?

6) Should new phenomena and issues be expected in terms of generative AI applications having a negative influence on the democratic opinion-forming process? How can media freedom and diversity of opinion be strengthened in legal and political terms in the age of generative AI, including – but not only – with regard to appropriate remuneration for

journalists, artists and creative professionals? Where do you believe adjustments may be necessary, for example in copyright law?

7) What legal avenues exist in EU law (e.g. the draft AI Act, competition law, the Copyright Directive) and in German national law (e.g. the Act Against Unfair Competition (*Gesetz gegen den unlauteren Wettbewerb*), the Interstate Agreement on Media (*Medienstaatsvertrag*)) to implement an obligation for AI-generated content (such as videos, images or texts) and decisions to be marked as such, ideally in a way which cannot be circumvented – and what technical avenues can be considered to effectively implement and enforce such obligations in digital services?

8) What technical and organisational measures do you believe are suitable to protect minors – both with regard to the inclusion of their personal data in the training and learning environment of generative AI, and with regard to the actual use of applications that generate AI-based texts, videos or images?

9) What AI-driven economic trend do you anticipate in the short, medium and long term for the German and European economies, given their specific individual structures, and do you believe that the trend will be positive or negative – depending on regulation, among other things – in terms of the implications for the real economic output of these economies by international standards?

10) What is your stance on the open letter published by the Future of Life Institute, which has been signed by many renowned AI experts? To what extent do you share the concerns voiced in it, and do you believe the measures it calls for are sensible?

11) According to the German AI Association, 300 million euros in investment is needed to develop a computing infrastructure in Germany for training algorithms. In your opinion, should the state take on the role of pursuing an active industrial policy by (co-)financing this kind of infrastructure, to enable German companies to hold their own in the global market for generative AI?

12) There is a broad consensus that artificial intelligence should be regulated in a way which ensures that its use aligns with certain values. How, in concrete terms, can this be achieved, and where should the line be drawn with regard to the possibility of overregulation, when artificial intelligence risks becoming artificial ideology?

13) Currently, almost three-quarters of all major AI foundation models come from the United States, and a further fifteen per cent from China. Against this backdrop, what measures should policy-makers in Germany and Europe take as a matter of priority with a view to fostering and strengthening the generative AI ecosystem, if we want to avoid becoming completely dependent on non-European foundation models and only being able to act as purchasers of these models at the end of the value chain?

14) In your view, what rules on generative AI are needed in the AI Act, specifically with regard to obligations for developers of foundation models to pass on information within the supply

chain? What are the advantages and disadvantages of such obligations? Above what threshold should the high-risk rules contained in the AI Act apply to applications based on generative AI?

15) What initiatives exist to develop European models, especially large language models (LLMs), and what is your assessment of the opportunities and limits of public-private partnerships in this field?

16) In your opinion, what are the next stages of development for generative AI, after language and video models (AI agents, embodied AI, etc.), and what are the biggest opportunities for our society and economy in this context?

17) To what extent does the distribution of the advantages and disadvantages of general purpose AI vary for different population groups (both within national societies and from a global perspective, in terms of the Global South/North) as a result of the factors listed below:
    - Differences in access to technology (e.g. because of different technical, material, educational or other conditions)
    - Differences in representation in training data (e.g. health data of women versus men, and of white people versus people of colour, African languages versus English, etc.)
    - Differences in the degree to which people are affected by stereotypical associations and discrimination (e.g. on the basis of gender or ethnicity)
    - Differences in the burden imposed by the resource consumption caused by AI systems

    and how could a fairer distribution of the advantages and disadvantages be achieved?

18) Should generative AI, as a multi-purpose AI, generally be classed as a high-risk AI within the meaning of the European AI Regulation, resulting in it having to meet higher standards? How sensible/feasible do you believe the various regulatory options for generative AI are, such as transparency obligations regarding training data and training processes, an obligation for providers of a general purpose AI to perform and publish a risk assessment, visible or imperceptible marking of all or certain AI-generated content, the right to verifiable freedom from discrimination and to access for researchers, and other options under discussion?