



SUPERVISION OF AI

AI DESERVES
SECTORAL
SUPERVISION
COORDINATED BY
A NL AI COUNCIL



BROAD INTEREST AI - ARTIFICIAL INTELLIGENCE

Like the computer, the application of AI, artificial intelligence, is not limited to one specific domain. AI is a technology that can be used throughout the economy and society for all kinds of purposes in all kinds of domains. AI has a major impact, both in terms of opportunities and risks. Just like electricity or the computer.¹

AI is applied in almost all domains. For instance, supporting diagnostics in hospitals, making purchasing and sales processes 'smart' and making transport flows in city centers 'smart'.

The manner in which the Supervision of AI is going to be set up will determine whether we can (or cannot) meet our ambitions on AI in the Netherlands.²



SECTORAL SUPERVISION OF AI

VNO-NCW and MKB-Nederland advocate for sectoral supervision of AI.³ In addition to technical knowledge of AI systems and AI-driven products, proper supervision requires thorough knowledge of the various domains in which AI is applied, such as the medical or financial sector, retail, energy sector, transport, and telecoms. This can be compared to the supervision of cyber security, which is also sector-based. The (sectoral) context in which the AI system is applied is an essential factor to be considered. Research by the Scientific Council for Government Policy (WRR) has also shown that currently existing supervisory authorities have sufficient competences to supervise AI effectively.⁴

Placing the supervision of AI in the hands of one specific supervisory authority is therefore neither necessary nor desirable.

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4 (p. 108, 2nd par)



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WANT TO KNOW MORE?

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LEARNING APPROACH

Developments in the field of AI are moving fast. To be able to adapt to the rapid technological developments in time, everyone, varying from supervisory authorities to judicial authorities, private and public parties, and citizens/consumers, must continuously learn and adapt to new developments. This learning approach requires supervisory authorities that continuously gain, and share, insights into current developments in the field of AI and the operation and effects of applying AI in the various contexts. Authorities must have an 'open door policy', based on continuous dialogue with stakeholders and a focus on providing guidance: mainly preventive by providing information, tools and proposing corrective measures.

A learning approach is essential to address the risks of AI in a responsible and balanced manner and to seize the opportunities that AI offers society.



SUPERVISORY COOPERATION

Due to the cross-domain nature of AI, good cooperation is required between the many supervisory authorities (data, consumer rights, competition, telecoms, medical sector, financial sector, product safety, etc.) with their different competences, mandates, and work methods.

Enforceable binding agreements are necessary to ensure that supervisory cooperation runs smoothly and efficiently.



COORDINATION AND ESCALATION AT NLAI COUNCIL

It is not a good idea to entrust the management/coordination of the various supervisory fields to one specific supervisory authority. After all, no ministerial responsibility can be assumed for the actions, of an independent administrative body (ZBO). Such an uncontrollable and unaccountable monopoly is highly undesirable. A special Council of representatives of the relevant supervisors could coordinate cooperation among the various competent authorities and, if necessary, decide on escalation. This NLAI Council could receive solicited and unsolicited advice from a sub-Council consisting of experts in science, public and private organizations. These experts would consider the broader impact of AI on society and innovation, look at things from various strategic angles and develop an integrated vision of opportunities and threats.

VNO-NCW and MKB-Nederland propose to set up a NLAI Council.



AI TECH HUB

All relevant supervisory authorities should be able to use a tech hub: a platform in which technical in-depth knowledge and expertise of AI systems and AI-driven products are readily available. This is where different perspectives and knowledge of the various relevant supervisory tasks come together. This ensures that supervisors do not 'hijack' staff from each other, resources are used efficiently and, last but not least, broad expertise is accumulated. This could be an important contribution to the consistent application of relevant laws and regulations.

A 'tech hub for supervisors' could be a solution to the shortage of expert staff at supervisory authorities.