Content proposal Seminar — Hochschule für Wirtschaft und Recht Berlin

A. **Seminar title**

Artificial Intelligence from the European Union perspective: a regulatory approach

B. **Abstract**

Nowadays, Artificial Intelligence (AI) has become one of the most used combination of terms. This technology, which originated over a century ago, in a far more rudimentary version compared to the disruptive spectrum it represents today, has transformed the industry, the economy, and society as a whole. Although belonging to the computer science discipline, the multiple applications of Artificial Intelligence systems have led the same to overcome the barriers of this field, to be subject of discussion in many others. Among them, the legal sector.

The implication of the legal sector in the matter has had a double route to destiny. On the one hand, this technology has reached this field in the same way as many others: by the incorporation of the same to the day-to-day juridical production. Therefore, AI has been integrated as a tool for improving legal work within the international legal community. On the other hand, as noted above, and beyond the aforementioned specific use, as this technology is being applied in the industry and society in general, the task to develop an effective regulatory framework has become essential. Therefore, the law field implication is required. In the configuration of an associated legal framework, the main objectives to consider, among others, are three: (1) eradicate AI systems associated risks, (2) overcome related legal insecurity and (3) establish a rights protection and duties system.

In light of the above, countries have developed different AI strategies in order to reach these objectives and others related. In the case of Germany, the AI strategy was developed in 2018, and was revised and updated in 2020, and after in 2023, with the implementation of the AI Action Plan, focused on eleven fields of action and oriented towards four areas: robotics, health, education and AI start-ups[1]. In this sense, as well as Germany, other countries have settled their action plans based on their interests and priorities. With regard to this point, currently, without prejudice of the grading depending on the specific examined state case, the world is divided into two different blocks: countries which prioritize AI development, and countries which prioritize society protection. This has given rise to the appearance of multiple and heterogeneous legal approaches to this new reality.

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[1] Federal Ministry of Research, Technology and Space (BMFTR), *"Artificial Intelligence"*, BMFTR, accessed [10.02.2026],https://www.bmftr.bund.de/EN/Research/EmergingTechnologies/ArtificialIntelligence/artificialintelligence_node.html

Regarding Europe, the European Union (EU) has also adopted an AI strategy and has created the AI Act[2], this being the first regulatory text concerning this matter, situating the EU as the leader in the regulatory journey. This legislation entered into force on August 1st, 2024, without prejudice to the fact that its entire application is divided into several phases. Moreover, this text is considered biding for the Member States of the European Union, including, therefore, the Federal Republic of Germany. Which means that, regardless of their own domestic AI regulatory development, EU binding provisions must be followed. Which further implies that Germany, as well as the rest of the EU countries, are, at least in the legislative sphere, conditioned by the same. Therefore, this means that the knowledge of the content of this regulatory text is fundamental for the European legal community and that Members States do not have absolute liberty regarding the legal approach to this issue.

Likewise, there is a significant problematic concerning this Act. This is the fact that this technology develops and advances faster than law, which means that there is a lack of regulation concerning certain aspects, applications and uses of the same. As a consequence, from the European perspective, this regulatory content gaps, both of general and specific law aspects, must be resolved with more regulation. However, meanwhile, domestic normative provisions, general or, if so, specific, would be applied to the same. Moreover, while the legal scope is developed, the work of the courts also adopts a fundamental consideration.

In light of the foregoing, this guest lecture aims to achieve three main objectives. Firstly, it foresights to expose a general and international vision of AI through a specific perspective: the legal perspective. Therefore, it aims to reveal certain regulatory approaches to this technology and some of the principal legal challenges associated with the same. Secondly, given its importance, it seeks to introduce the European AI strategy and more specifically, the main aspects of the AI Act, exposing also the principal regulatory gaps. Finally, it intends to disclose, at least briefly, some current regulatory advancements regarding this issue that are being carried out these days.

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[2] European Parliament and Council of the European Union, *Regulation (EU) 2024/1689 of 13 June 2024 on harmonised rules on artificial intelligence (Artificial Intelligence Act)*, Official Journal of the European Union, L 295, 1–102.