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AI Governance for a more integrated and secure European Union

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Abstract
In the twenty-first century, the boom in technology and its influence on artificial intelligence have diversified the interests of the big powers like European Union (EU). It is creating new opportunities besides non-traditional threats, which is the focus of this study. The EU was the first initiator to protect its sovereignty from these non-traditional threats by enforcing the Artificial Intelligence Act on 1st August 2024. The EU wants to create human-centric and inclusive AI. It is trying to build a protective layer against the big giants of China and America. This paper will draw attention towards the silent features of the Artificial Intelligence Act and critically analyse how it protects regional integration in the European realm.

Keywords: The european union, artificial intelligence act, non-traditional threats, regional integration, human-centric AI

Introduction

The European Union (EU) is considered as a supranational regional organisation. It consists of 27 countries in Europe. This type of effort began after World War II to restore the devastated Europe to its former state. The European Coal and Steel Community was established in 1951 as a precursor to the EU, despite various initiatives undertaken from the 1950s to the 1990s. The European Union was officially launched in 1992 with the Maastricht Treaty. The United States of America at once played a cardinal role in strengthening its economy and political situation. Based on the data released by the Centre for European Report (CER), the EU contributes 16.5 per cent to the global supply chain. Through this, we may assume the relevance of the EU in maintaining the world system. But with recent changes in American politics and the war in Russia and Ukraine, European politics has become increasingly turbulent. During the visit of the European Commission's President Ursula von der Leyen to India on March 28 of this year (2025), she indicated that Europe is now in an isolated situation. Therefore, in such a situation, the EU is trying its best to protect its regional integration.

The emergence of Artificial Intelligence (AI) through the Fourth Industrial Revolution has brought changes to the global economy, as well as the governance structure of the entire world. The world's major powers are taking various steps to develop and regulate AI, as its governance falls under a critical policy domain. While the practice of governance issues is persistent today, if AI is not justifiably regulated, it will become a curse for society. Today, AI is not only concerned with technological development but also raises questions such as democratic accountability, decentralisation, digital sovereignty, and others that are associated with it. The EU is the first to take the lead in this race to regulate AI.

As internationalism remains relevant in recent world politics, regionalism is also discussed. The awareness of regionalism in the countries of the Global South emerged with determination mainly after World War II, when one country after another gained independence from European colonialism. However, the experience was different for the European countries. As a result of being the main protagonists of the two major world wars, their financial situation deteriorated in the mid-1940s, and they also took various steps intending to maintain regional solidarity. Although the United States, was played a positive in this regard.

Most countries in the world are independent and sovereign today, and regionalism, which is associated with nationalism, is relevant to the changing world politics. A common and natural issue in international relations is the diversity of national interests, due to which no country can be a permanent friend or foe in the global system. The United States, which once adopted plans like the Marshall Plan and the Truman Doctrine to rebuild the economic situation of Western Europe, is now creating challenges to the EU. Taking into account America's changing political strategy and China's authoritarian stance, the European Union is currently more active in strengthening regional alliances than ever before. Among the various initiatives that the EU has been taken, one of the most discussed and relevant is the 'Artificial Intelligence Regulation Act', which is the main concerned of this paper.

Review of Literature

Nuno Sousa e Silva's article titled "The Artificial Intelligence Act: critical overview", where he made a critical analysis of this act. He thoroughly discussed how some AI practices are exploiting people through social scoring and biometric categorisation. This article mentions the purpose of this law, which is to create human-centric AI. How high risk has been categorised and restrictions have been imposed in that case has to be discussed here. Vera Lúcia Raposo wrote an article titled "Ex machina: preliminary critical assessment of the European Draft Act on artificial intelligence". She describes the AI Act in detail, starting from its origin and with its definition. Here, she discusses and emphasises everything from risk assessment to manipulation, which she calls the dark system. This article also discusses the sandboxes.

Andrew Heywood's book, 'Global Politics', has a chapter titled as 'Regionalism and Global Politics', an important book which contains a detailed discussion about regionalism in a very simple way. It discusses how regionalism is related to global politics and discusses types of regionalism such as economic, political security and cultural regionalism, as

well as various case studies on regional organisations have been done, one of which is the European Union. Barry Buzan and Ole Wæver, in their book entitled "Regions and Powers: The Structure of International Security", discussed regional approaches to global security. He sheds light on how security has become a complex concept in the post-cold war era. Also discussed security complex in Asia, Africa, Europe, and the other continents.

Theoretical Framework

Theories that contribute in understanding the European Union's AI governance initiatives and their relationship to regional integration include functionalism, neofunctionalism, and the federalist approach. However, before analysing these, it is necessary to clearly understand the emergence of the European Union and its objectives. In the wake of the restoration of the economy in Europe after World War II, the European Coal and Steel Community emerged as the forerunner of the European Union in 1951 with the signing of the Treaty of Paris. Later, the European Economic Community was established through the Treaty of Rome, which accelerated European regionalism. Finally, in 1992, the European Union emerged through the Maastricht Treaty and came into force on 1st November 1993. The main objective of this organisation was to ensure peace and prosperity in Europe through regional cooperation. The Council of Europe, established in 1949, was a regional organisation that needed to be emphasised even before the establishment of the EU. This organisation was the first to adopt the legally binding European Convention on Human Rights in 1950. Therefore, it has played a crucial role in protecting human rights and establishing the rule of law in Europe.

David Mitrani discusses the functional theory of international relations in his book A Working Peace System (1943), where he discusses the role of technology in reshaping international structures in the era of globalisation, moving beyond traditional power politics. According to him, regionalism or regional cooperation emerged through the interdependence of states. He referred to those things around which cooperative relations between states are built as functional areas. He also said that countries should hope for consensus on practical and necessary issues such as health, communication, food, etc.

Further restructuring Mitrani's theory, Ernst B. Haas discussed neofunctionalism in his book The Uniting Europe (1958), using European integration as a context. His main focus of discussion is how economic and technological cooperation can accelerate political integration. Here, he discusses the positive role of the political elite, bureaucrats, and interest groups. He believed that it was possible to establish connections in other areas through a gradual process, which is called the spillover effect. Despite the deep connection between the two theories, they focus on several issues differently, such as functional theory emphasises technical and economic cooperation, while neo-functional theory emphasises political and economic integration. On the other hand, functionalist theory talks about centralist agency, while neo-functional theory emphasises supranational institutions like the EU.

On the other hand, the federalist approach supports regional integration. Those who subscribed to this approach talked about 'pooled sovereignty'. This makes regional integration possible by sharing some amount of sovereignty, which will help meet long-term goals. In which the European Union is the most notable example. These three theories clearly show that the European Union, which was originally a coal and steel industry, has now become a supranational organization cooperating on issues such as economic security. Andrew Heywood says this is a "complex and overlapping bilateral and regional arrangement with conflicting and contradictory provisions..." Such a situation can be called an 'imagined community' (Benedict Anderson) where regions are politically and socially constructed.

Research Questions and Method

This paper has focused on several crucial aspects that provide a clear understanding of the EU's role in ensuring security by governing artificial intelligence. To understand this, the research questions which have been emphasised are;

1. Why did the European Union think of introducing an AI Regulation Act?
2. How does the European Union regulate AI to protect citizens' rights?
3. How is regional integration of the EU linked with the AI Regulation?

The content analysis method has been used to analyse the Artificial Intelligence Act, which the European Union has implemented. Also, this research has been done mainly based on secondary data, like reviewing various literature on AI and the functioning of the EU.

Artificial Intelligence Act

The European Union has taken various initiatives to maintain its regional integration and protect citizens' rights and well-being, some of the most important of which are;

1. European Citizens' Initiative (ECI)
2. European Pillar of Social Rights
3. EU's Strategic Framework on Human Rights and Democracy
4. EU Action Plan on Human Rights and Democracy
5. General Data Protection Regulation (GDPR)

During the unprecedented development of technology in the 21st century, the topic of discussion for the whole world was Artificial Intelligence. As the first leader of industrialisation at that time, Europe again proved that it was ahead of everyone else. To control the negative aspects of AI that could destroy people's freedom of speech and privacy, the Artificial Intelligence Regulation Act was introduced, which was approved by the European Parliament and the Council on 13 June 2024 and came into force on 1st August. This regulation contains 68 definitions, 113 articles, 13 annexes, and 180 recitals.

Before discussing the provisions of AI in detail, it is necessary to have an idea of the functioning of AI. It operates by using human intelligence on algorithms and data. It is constantly advancing in data processing using machine learning and deep learning. Even today, AI is contributing to fields such as quantum computing, healthcare, defence, finance, entertainment, stock market prediction, etc. Top AI-Generated companies are;

Name of the Company	Country affiliated with
1. OpenAI	San Francisco, California
2. Google	Mountain View, California
3. IBM	Armonk, New York
4. Microsoft	Redmond, Washington
5. NVIDIA	Santa Clara, California
6. Amazon	Seattle, Washington
7. Anthropic	Fully Remote
8. Anduril	Costa Mesa, California

Source: https://builtin.com/artificial-intelligence/ai-companies-roundup

Instead of one, all companies are US-based. This highlights that the US is dominant in AI development and management. These companies have users globally, including in the European Union. This means that the companies have relevant data from user countries, furthermore, the US government has control over it. Recently held Paris AI Summit on February 10th and 11th, the current US Vice President JD Vance said that regulating this new and incredible development of AI means creating obstacles in the way of development. He also said that "to restrict its development now will not only unfairly benefit incumbents in the space. It would mean paralysing one of the most promising technologies we have seen in a generation". But the interests behind this statement have sent a clear message to other countries that they should be aware of protecting the fundamental rights and privacy of their people.

Some key AI tools are;

AI Writing and Content Creation	AI Image Generation	AI Productivity and Automation
1. ChatGPT	1. Midjourney	1. Otter.ai
2. Grammarly	2. DALL-E	2. Synthesia
3. Jasper AI	3. Photo AI	3. Microsoft Copilot
4. Gemini	4. DreamStudio	4. H2o.ai
5. QuillBot		5. AI Town
6. AI Chatbots		

The purpose of this research paper is to critically assess the Artificial Intelligence Regulation Act. Therefore, its impact will be analysed from both positive and negative aspects. Although the discussion here will mainly focus on the negative aspects because they are anathema to the fundamental rights of the people, like personal freedom and security. The developments that are happening or are likely to happen in the future through AI are:

a. Capable of accomplishing more in a very short time, which also reduces human workload.
b. People can make decisions very quickly because this instrument is always available to them.
c. AI is also currently being used in the healthcare sector, which makes it easier to diagnose and treat diseases. Many hospitals are also planning to use robots to perform surgeries.
d. AI can also be used in space exploration and crime prevention.
e. It is being used to develop transportation systems, i.e., to create automated vehicles. Various developed countries of the world are already using them.

Due to the negative impact, states are increasingly concerned about AI governance and regulation. Its negative impacts that are currently noticeable are:

1. This certainly helps reduce human work, but this instrument created by human intelligence is now so capable that they are replacing humans in many cases, leading to job losses and long-term economic destruction.
2. This artificial intelligence, driven by highly skilled workers, is creating economic inequality in society.
3. People's privacy is being destroyed through the spread of deepfakes and misinformation.
4. Controlling and monitoring users' data often becomes a security threat to them. For example, Israel uses AI to monitor people in the occupied Palestinian territory.
5. Recent MIT reports show that people are becoming increasingly lonely as they become overly dependent on AI. They are becoming emotionally connected to these instruments or tools.

AI is completely controlling our daily lives because nowadays, we use Siri, Alexa, etc. It also obtains permission to access other applications by sending cookies. It can also be used in conducting terrorist acts or advancing war materials, like drones. AI does not work with values. Sashi Tharoor expressed his thoughts in a talk that "AI is only artificial; it doesn't have intelligence".

Before delving into the detailed provisions of the European Union's Artificial Intelligence Act, it is essential to have a clear understanding of its content, which itself has been discussed in detail.

Serial No of the Chapter	Subject of the Chapter
Chapter I	General Provisions
Chapter II	Prohibited AI Practices
Chapter III	High-Risk AI System
Chapter IV	Transparency Obligations for Providers and Deployers of Certain AI Systems
Chapter V	General-Purpose AI models
Chapter VI	Measures in Support of Innovation
Chapter VII	Governance

Chapter VIII	EU Database for High-Risk AI Systems
Chapter IX	Post-Market Monitoring, Information Sharing and Market Surveillance
Chapter X	Codes of Conduct and Guidelines
Chapter XI	Delegation of Power and Committee Procedure
Chapter XII	Penalties
Chapter XIII	Final Provisions

Chapter I of this regulation, under subject matters, which is mentioned in Article 1, the main aims of this regulation are; improve the overall functioning of the EU's internal market, build a uniform legal framework, making AI human-centric and trustworthy, protect citizens' fundamental rights, democracy, the rule of law, and the environment, and ensuring the free movement of goods and services based on AI. This regulation will be applied in line with the values of the European Union. Its scope is being discussed in Article 2. This will apply to providers, deployers, importers, distributors, manufacturers, authorised representatives located in the European Union and those located in third countries but whose AI output is also available on the EU market. According to Article 3, providers here mean natural or legal persons or any other public authority agency that develops AI and places it on the market using its trademark. Deployers refer to all those who use it for professional purposes. Those who introduce AI companies outside the EU to the European Union market are called importers. Those who ensure the availability of AI systems in this market, apart from providers and importers, are called distributors. People who use their human intelligence to develop AI are called manufacturers. An authorised representative is a person or company in the EU that has a written mandate from an AI provider to fulfil its regulatory obligations on its behalf.

The European Union AI Act prohibits certain AI practices that are harmful and violate citizens' fundamental rights (Chapter 2, Article 5), such as:

1. This is the social scoring system that purposefully manipulates human behaviour and creates discrimination between people based on age, disability, economic condition, professional trade, etc.
2. Performs criminal risk assessment through facial recognition and personal traits.
3. Biometric identification is done on the basis of the data stored in the system about the person. This is also necessary for various official purposes, so there is no prohibition in this case. But the biometric categorisation system determines a person's race, religion, political opinion, and sexual orientation. Restrictions have been imposed on it because it can create discrimination in society.
4. Real-time biometric identification has also been banned because it violates privacy if it is always monitored, but it can be used for criminal identification or to find missing persons. It is said to be submitted to the European Commission, and member states will have to implement it at the national level in line with European Union law.

AI is increasing the risk in various cases by its use, which is why the criteria for high risks and ways to prevent them have been mentioned in Chapter III of this Regulation. Article 6 mainly mentioned two criteria, which were;

a. AI is used as a safety component of a product or is itself a product covered by EU harmonisation laws.
b. The product or AI system requires third-party conformity assessment before being placed on the market or put into service.

If a provider believes that their product does not fall within the high-risk category, they must submit proper documentation before introducing it to the market, and the national authority can request a review. The European Commission could issue guidelines for classifying this high-risk and ensure that it does not violate health, safety and fundamental rights.

Ensuring transparency is crucial to mitigate the harmful effects of artificial intelligence. That is why this law mentions several issues where transparency is essential (Chapter IV, Article 50), which are;

- Artificial Intelligence providers that generate synthetic audio, image, video and text must be machine-readable and detectable, just like AI-generated;
- It has been said that content created by artificial intelligence needs to be levelled, which should be effective, interoperable, robust, and reliable;
- If an individual is exposed to emotion recognition or biometric categorisation systems, it is the responsibility of the developer to inform the individual in advance.
- Use of personal data must comply with the provisions of the General Data Protection Regulation (Regulation (EU) 2016/679), Regulation (EU) 2018/1725, and Directive (EU) 2016/680;
- Deepfakes or any issues related to public matters should be disclosed. Artistic, fictional, creative work or satirical work should be disclosed in a way that does not hinder artistic expression.

The European Union AI Office will facilitate the Code of Practice for the detection and levelling of all this AI-generated content, and if it is inadequate, the European Commission will impose common rules.

Articles 57 to 63 of Chapter VI are about AI Regulatory Sandboxes, which will be coming into force on 2nd August 2026. An AI regulatory sandbox is a controlled testing environment where AI developers, companies, and regulators collaborate to develop, test, and validate AI systems in real-world conditions before they are fully deployed in the market. These are being designed in a way that they balance innovation and regulatory compliance and provides a safe place for AI experimentation while ensuring public safety, privacy, and fundamental rights. This also fosters cross-border cooperation. Each EU member state will establish a sandbox, either individually or jointly, by the second of August 2026. The European Commission will provide technical support and advice, although these sandboxes will not replace existing sandboxes under EU or national law.

This act discusses in detail in Chapter VII, Articles 64 to 70, who will be given the responsibility of Artificial Intelligence governance and how they will regulate it. The authorities to which these responsibilities have been given are:

- **Article 64:** AI Office
- **Article 65:** Establishment and Structure of the European Artificial Intelligence Board
- **Article 66:** Tasks of the Board
- **Article 67:** Advisory Forum
- **Article 68:** Scientific Panel of Independent Experts
- **Article 69:** Access to the Pool Experts by the Member States
- **Article 70:** Designation of National Competent Authorities and Single Point of Contact

The European Commission (EC), in collaboration with its Member States, will establish and maintain a European Union database, which is essential for the storage of important data, ensuring transparency, compliance, accountability and monitoring (Chapter VIII, Article 71). The provider and the authorised representative will perform the data entry work. The EC is the data controller that will ensure compliance, the EU Data Protection Agency. The provider and the authorised representative will perform the data entry work. The EC is the data controller that will ensure compliance with the EU Data Protection Laws. This database will only store personal data. Some confidential data, which are mentioned in article 49 (4), 60 (4) will be available to the Market Surveillance Authority, the European Commission and to the public with the consent of providers.

This law gives the European Commission the power to adopt delegated acts in connection with various articles, e.g. article 6(6) and (7), 7(1) and (3), 11(3), etc. Chapter XI, article 97 mentioned these things. The Commission reserves the right to amend unnecessary matters and add necessary matters over time. The Commission must consult with experts from each of the Member States. And, after being delegated, it must inform the European Parliament and the Council about it. The duration of this delegated power is five years from the date the law comes into effect, i.e. from 1st August 2024. This can be extended for another three months unless the European Parliament or the Commission opposes it. However, these two EU bodies can do so at any time, as democratic accountability and balance of power are required.

Article 99, Chapter XII, penalties and enforcement measures are stated. Member States must take action on this matter, but must notify the European Commission before implementing these rules. Major violence, as mentioned in Article 5, will result in a fine of up to 35 million or 7% of global annual turnover (whichever is higher). For other crimes, up to 15 million or 3 per cent of global turnover. If someone spreads false information, up to 7.5 million or 1 per cent of global turnover. In the case of providers of general-purpose AI models, the fine will not exceed 3% of the annual total worldwide turnover or 15000000 (whichever is the higher). This fine will be imposed by the National Court or another designated body. All these fines will be collected in euros.

Conclusion

The European Union's AI Act is a significant step towards regulating the AI tech giants. However, the implementation of this law is quite difficult because, as we have previously discussed, American companies are now at the forefront. As a result, bringing regulations against them means directly challenging America, JD Vance has already said in the summit that "Trump administration is troubled by reports that some foreign governments are considering tightening the screws on US tech companies with international footprints now America cannot and will not accept that and we think it's a terrible mistake", such a statement will not be at all pleasant for the European Union, although the main reason for bringing this law is to protect the fundamental rights of the people and to develop human-centric AI systems in the future.

The President of European Commission Ursula Von der Lyne said in that summit and it also seems a counter-statement to US that is "I have heard that we should replicate what others are doing and run after their strength. I think that instead we should invest in what we can do best and build our strengths here in Europe". She has also said, they have set up 12 AI companies in Europe and invested 10 billion euros. So, it is a crucial step toward safeguarding people's rights in Europe, and the EU's AI Act can be a model for other nations.

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