



**IGF** Internet  
Governance  
Forum

**IGF Policy Network on Artificial Intelligence  
Multistakeholder Working Group  
Workshop**

10 October 2024 at 14:00 – 15:30 UTC

# Agenda

- ① Opening
- ② Liability for Harms Across the AI Lifecycle: Incentivizing Accountability
- ③ Labour issues throughout AI's life cycle
- ④ Closing and any other business

# Opening

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# Liability for Harms Across the AI Lifecycle: Incentivizing Accountability

– *Caroline Friedman Levy and Umut Pajaro Velasquez*

# Discussion

Policy Network on Artificial Intelligence (PNAI)  
Discussion Paper

DRAFT VERSION: 1.18.2024

## Liability for Harms Across the AI Lifecycle: Incentivizing Accountability

PNAI Sub-group on Liability as a mechanism for supporting AI accountability

### 1. Introduction

Policymakers and stakeholders focused on AI governance consistently highlight the need to hold AI developers and deployers accountable for harms caused across the AI lifecycle.<sup>1</sup> Yet, to date, mechanisms to ensure accountability remain poorly defined.<sup>2</sup> Many of the accountability frameworks under consideration in various jurisdictions and through intergovernmental agencies – for example, algorithmic impact assessments and audit-based monitoring – will have difficulty keeping pace with the quickly-morphing risks that will inevitably accompany AI's evolution.<sup>3</sup> Nevertheless, policymakers have an opportunity to stake a resilient approach to AI accountability, and to incentivize responsible AI development processes and outcomes, by establishing clear guidelines regarding **legal liability for harms**.<sup>4</sup> Liability can be a critical lever in mitigating AI-related risks ranging from algorithmic bias leading to discriminatory outcomes in hiring or lending, to AI-driven misinformation campaigns that can destabilize democracies, to malfunctions in AI-controlled critical infrastructure that can jeopardize public safety.<sup>5</sup>

With this discussion paper, we hope to progress the conversation about AI liability within the **global AI governance community**. While attention to AI liability has been prominent in the European Union for several years,<sup>6</sup> a globally coordinated approach to AI liability

<sup>1</sup>OECD, *Advancing accountability in AI*, Feb. 2023.  
<sup>2</sup>Neil LaBare & C.C. Berman, *Can laws be prepared to address AI liability? incentivizing responsible AI safety through enhanced liability*, *AI & Law*, Sept. 2024.  
<sup>3</sup>Id.  
<sup>4</sup>Jack, *Liability for AI: Public Policy Considerations*, Jan. 2023.  
<sup>5</sup>Benjamin, *Liability for Artificial Intelligence: An Initial Analysis of Both Safety Risks and Fundamental Rights Risks*, 2022.  
<sup>6</sup>C. Nowak, F. Casadei, P. Hacker, S. Spedico & L. Floridi, *Generative AI in EU Law: Liability, Privacy, Intellectual Property and Cybersecurity*, March 2024.



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# Labour issues throughout AI's life cycle

– *Germán López and Olga Cavalli*



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# Next steps

- ▶ Written comments to Liability and Labour teams are welcome until **17.10**.
- ▶ Next workshop **Tuesday 22 October 2024**
  - ▶ Two discussion papers: AI Governance Interoperability + Environment
  - ▶ Registration is open!
- ▶ PNAI's Session concept draft for IGF 2024
  - ▶ Leave your comments and **speaker suggestions** in GoogleDocs (*link in meeting summary*)

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content/pnai-  
multistakeholder-  
working-group

Meeting registration <https://intgovforum.org/en/content/pnai-multistakeholder-working-group>

Summaries and presentations of past meetings <https://intgovforum.org/en/content/pnai-materials>



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Thank You

Merci

Спасибо

Gracias

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