



For Immediate Release

Advocates demand proper consideration for AI regulation

Canadians deserve to be protected from AI overreach, but Bill C-27's Artificial Intelligence and Data Act is not up to the task

SEPTEMBER 25 2023 — Today 45 leading civil society organisations, experts and academics released an [open letter](#) to Industry, Science, and Economic Development (ISED) Minister François-Philippe Champagne outlining key concerns with the current draft of the Artificial Intelligence and Data Act (AIDA), currently wrapped into the government's proposed privacy bill, [Bill C-27](#). The House of Commons Industry and Technology Committee will begin its study of the legislation tomorrow, Tuesday, Sept. 26.

The signatories are gravely concerned that shoehorning AI regulation into Privacy Bill C-27 will not allow for adequate consideration of AIDA, and will take necessary committee time and attention away from improving the privacy provisions of the bill. While advocating for separating AIDA into its own process, the signatories also provided Minister Champagne with bare minimum bottom-line recommendations for changes to AIDA.

Key recommendations of the letter include include:

1. Recognizing privacy as a fundamental human right;
2. Removing AI regulation from ISED's sole jurisdiction, given ISED's mandate to bolster the AI industry conflicts with the public interest in regulating the potential dangers of AI;
3. Addressing poorly defined language in AIDA that create loopholes and a lack of enforceable rules;
4. Committing to far more active consultation with stakeholders beyond industry insiders; to ensure AIDA and subsequent AI rules are well balanced and rights-protecting; and
5. Expanding AI regulation to apply to both the public and private sector, including government security agencies.

We know people in Canada are concerned: in the past two years, more than 10,000 signatures and letters were sent to government officials calling for strong action to address the impacts of [AI](#) and [facial recognition](#). Since November 2021, more than 29,500 signatures have been collected by OpenMedia petitions calling for [new privacy laws](#) in Canada, and more than 17,800 messages have been sent to the government calling for enhanced personal privacy protections.

Quotes

“Excluding private sector AI tech developed for government intelligence, defence and national security purposes from any form of regulation means a free pass for some of the most potentially harmful AI tools. If the government is serious about protecting the rights of people in Canada, AIDA isn’t up to task.”

- Tim McSorley, National Coordinator at the International Civil Liberties Monitoring Group

“By combining consideration of C-27’s privacy regulation with AI regulation, Minister Champagne is doing a disservice to both. Today we join our peers in calling on the government to take the time and space needed to ensure Canada’s AI rules comprehensively respect our human rights.”

- Matt Hatfield, Campaigns Director at OpenMedia

“The Artificial Intelligence and Data Act (AIDA) fails to capture the complexity of the harms and risks that AI can bring to bear on individuals, communities, and their fundamental rights. These rights and freedoms should be protected in our quick-shifting technological landscape, and AIDA is not fit to do so—AIDA is at risk of lagging behind the times before it can meet the present.”

- Daniel Konikoff, Interim Director of the Privacy, Technology & Surveillance program at the Canadian Civil Liberties Association

“AI regulation under AIDA lacks independent oversight, relies heavily on industry discretion and self-regulation, and fails to meaningfully consider systemic harms and human rights. In its current form, AIDA is far too underdeveloped to be a serious piece of AI legislation worthy of committee study.”

- Yuka Sai, Staff Lawyer at the Public Interest Advocacy Centre

“Canadians deserve AI legislation that prioritises human rights over economic development. AIDA fails to meet this standard. The power that AI technology has to enable mass surveillance, and the risk of mass rights violations created by unregulated government use of these tools, is too great to be brushed aside and left for later consideration.”

- Aislin Jackson, Policy Staff Counsel at the British Columbia Civil Liberties Association

The Artificial Intelligence and Data Act (AIDA) is ill-considered and un-democratic. It has been driven by AI industry interests and not the public interest. Canadians deserve a genuine consultative process before such legislation can be passed.

- Andrew Clement, Professor Emeritus, University of Toronto (affiliation only)

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