An Open Letter to the European Parliament
Protecting Open-Source AI for a Safe, Secure, and Sovereign Digital Future

Dear Members of the European Parliament,

We represent a cross-section of research institutions, technology firms, and developers committed to the open-source development of AI. We write this letter to respectfully urge you to consider the impact of the draft AI Act on open-source research and development (R&D), and the serious consequences for AI safety, competition, and sovereignty in Europe. The draft Act is expected to introduce new requirements for foundation models that could stifle open-source R&D on AI. However, open-source R&D is essential to safely develop, study, and deploy large AI models in Europe, and to ensure these technologies serve the public interest. Overbroad rules that inhibit open-source R&D could jeopardize Europe's digital future.

We welcome the EU's commitment to AI regulation, and we champion AI oversight. Our signatories have publicly called for AI regulation, and urged governments to establish public research facilities for AI development. However, AI oversight must be carefully calibrated to protect open-source R&D – and to keep Europe competitive in AI.

- **Open-source R&D is essential for safety, competition, and security in AI.** Open-source AI is worth protecting. First, open-source AI promotes safety through transparency. Open-sourcing data, models, and workflows enables researchers and authorities to audit the performance of a model or system; develop interpretability techniques; identify risks; and establish mitigations or develop anticipatory countermeasures. Second, open-source AI promotes competition. Small to medium enterprises across Europe can build on open-source models to drive productivity, instead of relying on a handful of large firms for essential technology. Finally, open-source AI promotes security. Public and private sector organizations can adapt open-source models for specialized applications without sharing private or sensitive data with a proprietary firm.
- **"One size fits all" rules will stifle open-source R&D.** Open-source projects involve a range of actors, including academic institutions, community-based developers, and private firms. Once released, open-source models can be inspected or modified by other entities who have no formal relationship to the original developer. That is

intentional: open-sourcing these “base” AI capabilities helps to promote access, innovation, and competition among downstream researchers and developers. However, rules that treat all foundation models as high-risk could make it difficult or impossible to research and develop open-source foundation models in Europe.Those rules could entrench proprietary gatekeepers, often large firms, to the detriment of open-source researchers and developers. They could limit academic freedom, preventing the European research community from studying models of public significance. They could hamper efforts to improve transparency in AI. They could reduce competition between model providers, and drive investment in AI overseas.

- **Europe cannot afford to lose AI sovereignty.** Inhibiting open-source R&D will leave the European scientific community and economy critically dependent on a handful of foreign and proprietary firms for essential AI infrastructure. This dependence may have serious future consequences, widening the scientific and technological gap between Europe and other parts of the world. Europe may cross a point-of-no-return, falling far behind in AI development, and being relegated to a consumer role without its own decision-making on critical technologies that will shape our societies. European authorities, researchers, businesses, and users will have no voice in the development of these capabilities. By comparison, promoting open-source R&D will foster strategic independence. Building on open-source foundation models, European researchers, businesses and Member States can develop their own AI capabilities – overseen, trained, and hosted in Europe.

Recommendation. To that end, we respectfully urge the European Parliament to:

1. **Ensure that open-source R&D can reasonably comply with the AI Act.** The Act should promote open-source R&D, including open-source R&D on foundation models. The Act should recognise important distinctions between closed-source AI models offered as a service (e.g. via app or API like chatGPT or GPT-4) and AI models released as open-source code (including open-source data, training source code, inference source code, and pre-trained models). Where appropriate, the Act should exempt open-source models from regulations that are intended for closed-source models offered as a service. It should be reasonably possible to research and develop open-source foundation models in Europe, ultimately improving safety, competition, and security in AI.

2. **Impose requirements proportional to risk.** The Act should impose rules for foundation models that are proportional to their actual risk. A “one size fits all” framework that treats all foundation models as high-risk could make it impossible to field low-risk and open-source models in Europe. This includes small models, specialized models, or “local” models developed for accessibility. Further, the Parliament should reconsider the definition of “general purpose AI”, which is vague and is not supported by broad scientific consensus. A system cannot be readily characterized as “general purpose” in the abstract. The capabilities and risk of an AI system depend on a number of factors, including the size and diversity of the data

set; available computing resources for training and inference; and the intended application.

3. **Establish public research facilities to provide compute resources.** The EU should establish large-scale supercomputing facilities for AI research, enabling the broad European research community to study open-source foundation models at large scales. This will accelerate the safe development of next-generation foundation models under controlled conditions with public oversight and in accordance with European values. It will ensure that the highest-risk systems, identified by broad scientific consensus, are tested in a sandbox environment with robust security controls. This development and testing would promote digital resilience across Europe.

Deterring open-source AI will put at risk the digital security, economic competitiveness, and strategic independence of Europe. The consequences are serious. We respectfully urge you to consider these points in the Parliamentary text. By fostering a legislative environment that supports open-source R&D, the Parliament can promote safety through transparency, drive innovation and competition, and accelerate the development of a sovereign AI capability in Europe.

Thank you for your attention and commitment to the future of AI in Europe.

Sincerely,

LAION e.V.
The Large Scale Artificial Intelligence Open Network

Supporters:

European Laboratory for Learning and Intelligent Systems (ELLIS)
Pan-European AI Network of Excellence

German AI Association (KI-Bundesverband)
With more than 400 companies, the largest AI network in Germany

Prof. Jürgen Schmidhuber
Scientific Director of the Swiss AI Lab IDSIA (USI & SUPSI), Co-Founder & Chief Scientist of NNAISENSE, Inventor of LSTM Networks

Prof. Sepp Hochreiter
JKU Linz, Inventor of LSTM Networks

Prof. Bernhard Schölkopf
Director, Max Planck Institute for Intelligent Systems and ELLIS Institute, Tübingen, Germany

Prof. Serge Belongie
University of Copenhagen; Director, Pioneer Centre for AI

Prof. Andreas Geiger
University of Tübingen and Tübingen AI Center

Prof. Irina Rish
Full Professor at Université de Montréal, Canada Excellence Research Chair (CERC) in Autonomous AI and Canada CIFAR AI Chair, core member of Mila - Quebec AI Institute.

Prof. Antonio Krüger
CEO of the German Research Center for AI (DFKI) and Professor at the Saarland University

Prof. Kristian Kersting
Full Professor at Technical University of Darmstadt and Co-Director, Hessian Center for AI (hessian.AI)

Jörg Bienert
CEO of German AI Association, CPO of Alexander Thamm GmbH

Patrick Schramowski
Researcher at German Center for Artificial Intelligence (DFKI) and Hessian Center for AI (hessian.AI)

Dr. Jenia Jitsev
Lab Leader at Juelich Supercomputing Center, Research Center Juelich, Helmholtz Association, ELLIS member

Dr. Sampo Pyysalo
Research Fellow at the University of Turku, Finland

Robin Rombach
Co-Developer of Stable Diffusion, PhD Candidate at LMU Munich

Prof. Michael Granitzer
Chair of Data Science University of Passau, Germany and Coordinator of OpenWebSearch.eu

Prof. Dr. Jens Meiler
Leipzig University, ScaDS.AI Center for Scalable Data Analytics and Artificial Intelligence

Prof. Dr. Martin Potthast
Leipzig University, ScaDS.AI Center for Scalable Data Analytics and Artificial Intelligence, and OpenWebSearch.EU

Prof. Dr. Holger Hoos
Alexander von Humboldt Professor in AI at RWTH Aachen University (Germany) and Professor of Machine Learning at Universiteit Leiden (Netherlands)

Prof. Dr. Henning Wachsmuth
Chair of Natural Language Processing at the Institute of Artificial Intelligence, Leibniz University Hannover

Prof. Dr. Wil van der Aalst
Alexander von Humboldt Professor in Process and Data Science at RWTH Aachen University and Chief Scientist at Celonis

Prof. Dr. Bastian Leibe
Chair of Computer Vision at RWTH Aachen University (Germany)

Prof. Dr. Martin Grohe
Chair for Logic and the Theory of Discrete Systems, RWTH University

Prof. Ludwig Schmidt
Paul G. Allen School of Computer Science & Engineering, University of Washington

Dr Morten Irgens
Vice Rector, Kristiania, Co-founder and board member of CLAIRE (the Confederation of Laboratories of AI Research in Europe), Adra (the AI, Data and Robotics Association) and NORA (the Norwegian AI Research Consortium)

Prof. Dr. Hector Geffner
Alexander von Humboldt Professor in AI at RWTH Aachen University (Germany), and Wallenberg Guest Professor in AI at Linköping University, Sweden

Prof. Dr. Hilde Kuehne
Goethe University Frankfurt (Germany), MIT-IBM Watson AI Lab (USA)

Prof. Gerhard Lakemeyer
Ph.D., Head of the Knowledge-based Systems Group and Chair of the Computer Science Department, RWTH Aachen University, Germany

Sebastian Nagel
Crawl Engineer, Common Crawl, Konstanz, Germany