TEACHER'S MANUAL – MINI SIMULATION
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1. Overview

Timeframe	120 Minutes
Learning Outcome	Familiarize with the working method of the Council of the EU
Groupsize	11-22 students

Short guide

The participants simulate the negotiations of the EU Council on a new EU regulation to harmonize the rules regulating artificial intelligence in the EU (the so-called AI Act). The emphasis of this draft lays on harmonisation, risk management and transparency. The negotiations are based on a draft of the EU Commission. The Council will define its position on this draft at an informal meeting. The participants take on the roles of representatives of various EU member states (ministers, permanent representatives, state secretaries, etc.). They discuss the draft, express their opinion, and make proposals for amendments.

Content of the Simulation: The Scenario

A simplified version of the following 3 Articles of the recent AI Act draft proposal should be discussed in the Council of the EU:

Art. 3

For the purpose of this Regulation, the following definitions apply to 'Artificial intelligence system' (AI system) means software that is developed with one or more of the techniques and approaches listed in Annex I and can, for a given set of human-defined objectives, generate outputs such as content, predictions, recommendations, or decisions influencing the environments they interact with; […]

Annex I

a) Machine learning approaches, including supervised, unsupervised and reinforcement learning, using a wide variety of methods including deep learning;

b) Logic- and knowledge-based approaches, including knowledge representation, inductive (logic) programming, knowledge bases, inference and deductive engines, (symbolic) reasoning and expert systems;

c) Statistical approaches, Bayesian estimation, search and optimization methods.

Article 5 paragraph 1

1. The following artificial intelligence practices shall be prohibited:
    a. the placing on the market, putting into service or use of an AI system that deploys subliminal techniques beyond a person's consciousness in order to materially distort a person's behaviour in a manner that causes or is likely to cause that person or another person physical or psychological harm;
    b. the placing on the market, putting into service or use of an AI system that exploits any of the vulnerabilities of a specific group of persons due to their age, physical or mental disability, in order to materially distort the behaviour of a person pertaining to that group in a manner that causes or is likely to cause that person or another person physical or psychological harm;
    c. the placing on the market, putting into service or use of AI systems by public authorities or on their behalf for the evaluation or classification of the trustworthiness of natural persons over a certain period of time based on their social behaviour […]
    d. the use of 'real-time' remote biometric identification systems in publicly accessible spaces for the purpose of law enforcement, unless and in as far as such use is strictly necessary for one of the following objectives:
        i. the targeted search for specific potential victims of crime, including missing children;
        ii. the prevention of a specific, substantial and imminent threat to the life or physical safety of natural persons or of a terrorist attack;

Art. 6 Paragraph 1

Irrespective of whether an AI system is placed on the market or put into service independently from the products referred to in points (a) and (b), that AI system shall be considered high-risk where both of the following conditions are fulfilled:

a) the AI system is intended to be used as a safety component of a product, or is itself a product, covered by the Union harmonisation legislation listed in Annex II;
b) the product whose safety component is the AI system, or the AI system itself as a product, is required to undergo a third-party conformity assessment with a view to the placing on the market or putting into service of that product pursuant to the Union harmonisation legislation listed in Annex II.

Procedure

A negotiation in the Council is simulated as well as the final vote in the Council for its common position (general approach) in the negotiations with the Parliament and the Commission. The following schedule is to be understood as a suggestion. You can of course adapt it to your framework and time conditions. The module is structured in such a way that it can be carried out in 2 hours, whereby the actual simulation takes 90 minutes followed by a short evaluation. We would like to point out that the duration of the individual phases is a minimum specification.

Preparation guide

- You need access to a classroom, where the tables can be arranged in an U or merged to a big conference table.
- The room should have a projector or screen to mirror a computer screen on which the chairs can show the agenda, discussed articles including amendments and finally a calculator for the voting.
- Name or country plates must be printed as well as the respective profile sheets.

Timetable

1. Participants draw Member State plates randomly and subsequently receive their respective profile sheet.
2. Participants read the scenario and their country profile, prepare their positions and potential amendments to the presented Commission proposal
3. The Chair (The Member State who holds the council presidency) has to familiarize itself with the rules of procedure and gets assisted by the teacher in questions regarding chairing.
4. The simulation begins:
   a. Country groups gather: Exchange within the country groups: The delegations meet and discuss their role profile. They determine which negotiation strategy will best achieve their goal and work together to develop further arguments for their positions.
   b. The delegations prepare a short opening statement with their goals for the first round of negotiations.
   c. Informal preliminary talks between Member States in small groups. They exchange their different arguments and try to identify common positions.
   d. In the plenary: Official opening by the EU Council Presidency, including a brief presentation of the Commission's proposal. Chairing of the meeting by the presiding country.
   e. In the plenary: The delegations present their opening statements.
   f. All delegations make their opening speeches. Afterwards, the General Secretariat calls on the countries one after the other, using a list of speeches, to present further arguments.
   g. Informal discussions to find compromises. Preparation of a compromise for Articles 1 to 3 by the EU Council Presidency
   h. Council meeting: final discussion and negotiation.
   i. EU Council Presidency presents compromise proposal. Then all delegations can give their opinion. The proposal can be changed continuously during this time.
   j. The EU Council Presidency briefly reads out the final proposal and calls for a vote. If necessary, the result is calculated using a voting calculator (on the Council's website). The result is announced. The meeting is closed.

Rules of Procedure

One can use the official Rules of Procedure of the Council or an adapted simulation version (e.g. the EuroSim Rules of Procedure for the Council of the EU)

Tipps

- Select two of the three topics in advance and only have them discuss them.
- Each simulation takes a different course. As the game leader, pay attention to time management without being too strict. If, for example, the players are about to make a decisive breakthrough on topic 2, it makes sense to overrun the time by 1 to 2 minutes.

Tipps for the evaluation

After the simulation, the results and the course of the simulation are evaluated and, where possible, linked to knowledge already acquired.

Immediately after the end of the simulation, it is of central importance to let the participants step out of their roles again. For a reflected discussion about the simulation and its outcome, it is important that the participants take on their actual identities again.

Th following questions can be used:

- How can you explain the course of the game?
- Are you satisfied with the result? Why?
- Was it difficult to reach an agreement? Why?
- Did you achieve your original goals? How?
- How is the situation in the game different from reality?
- What is the importance of the Council of the EU in legislation?