AI & Partners
Amsterdam – London - Singapore

The European Union Artificial Intelligence Act

Advancing AI Equity

An Action-Oriented Framework

October 2024

About

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Driving equitable outcomes using AI's extensive capabilities

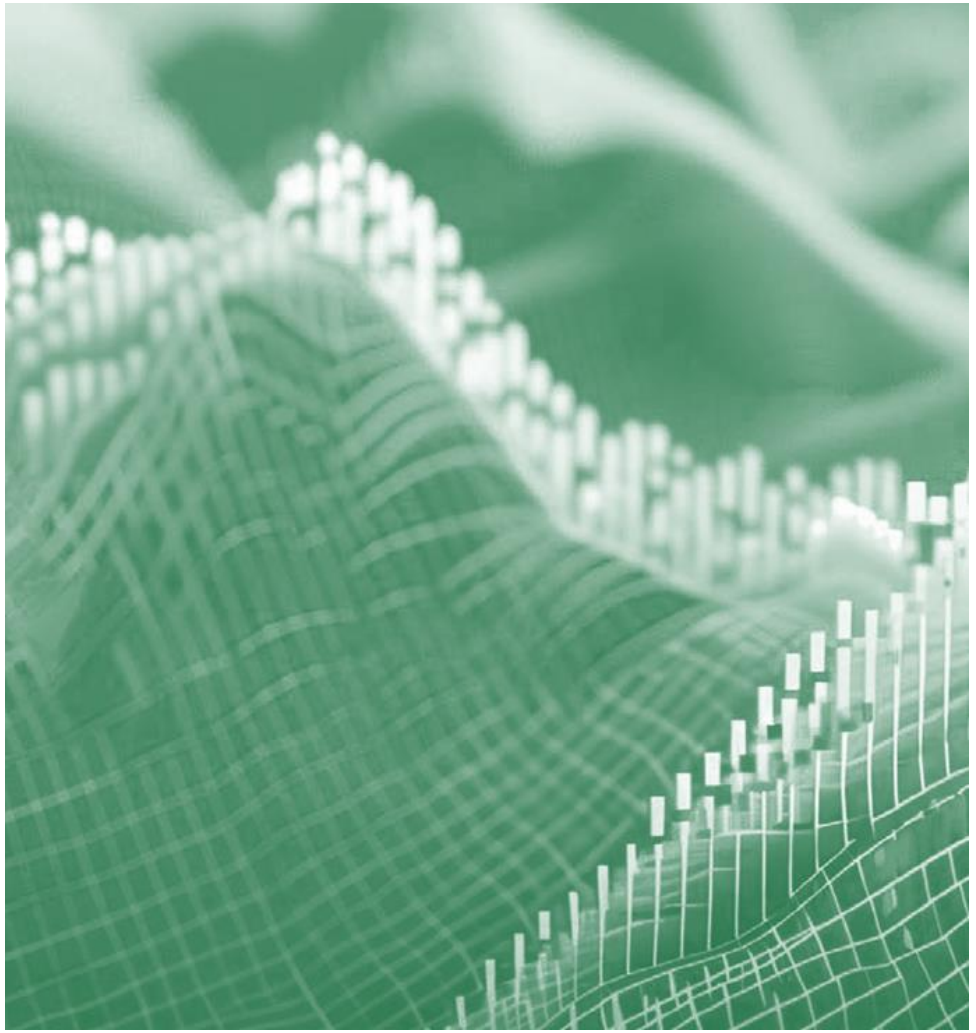
On 30 November 2022, as generative artificial intelligence (genAI) and other technologies expanded their adoption and impact on society, AI & Partners was in the middle of preparations for the EU AI Act preparations focusing on the issue of AI regulatory compliance. Through research and discussions with experts in technology, data, business and social science, it became clear that a foundational definition and approach needed to be created to allow enterprises of all types to build more equitable systems, processes, practices and outcomes around AI.

As our work evolved, it became clear that our AI-driven world was not created in a manner that drives equitable outcomes, simply because it was not designed with equity in mind. It was created with all of our societal varieties, historical inequities, biases and differences. While we want these differences to be reflected in our technological and compliance solutions, we do not want those differences perpetuated, amplified or extended in our technology and compliance solutions. We want technology to create a better and more inclusive future, one where we solve problems, not repeat past ones.

Our research and publications revealed that AI equity impacts diverse sectors, industries and regions. This complexity necessitates a flexible approach. In response, we developed a framework for responsible AI practices that adapts to specific contexts while ensuring consistency and compliance with global regulations, such as the EU AI Act..

The present white paper provides the global community with a baseline definition and a AI equity framework for inquiry to be used as a guide to help spur conversations and self-assessment inside organizations as they seek to use AI more broadly. This report builds conceptualised four types of equity (**representation**, **feature**, **access** and **outcome** equity) and proposes 10 characteristics that need to be considered by enterprises as they build out systems, products and solutions via a framework for action.

It is our hope that as enterprises utilize our AI equity definition and framework, the issues and considerations required for equitable outcomes will become clear. It is our recommendation that all organizations, no matter their nature (commercial, civil society, academic or governmental), recognize that we must increase our understanding and improve our design methodology in order to design a future that ensures outcomes for a balanced and equity-driven world.



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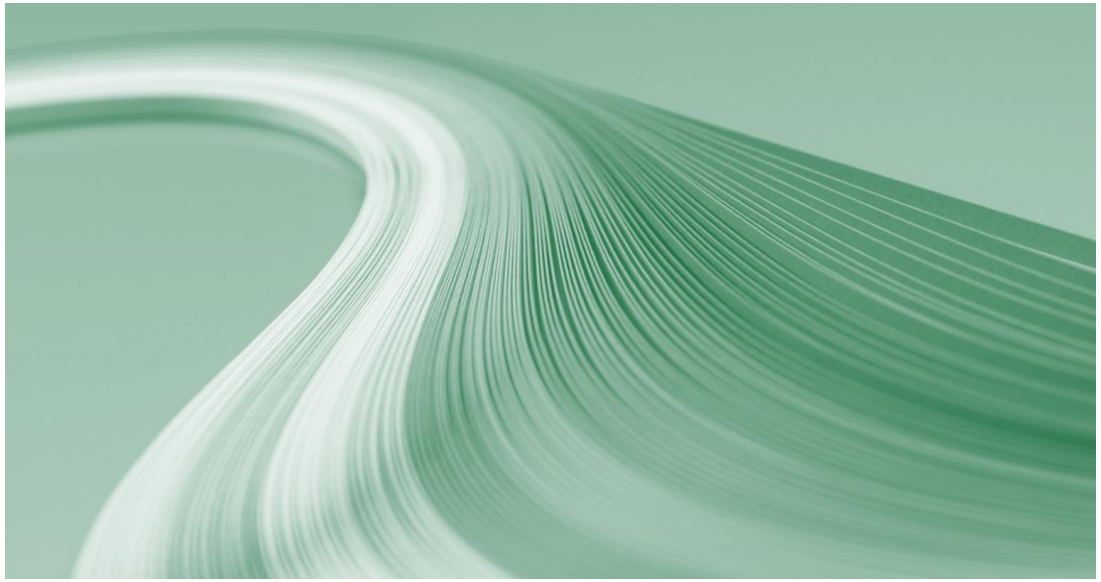
Promoting fair and just outcomes for all

AI equity is a shared responsibility that requires collective action to create AI practices and systems that promote fair and just outcomes for all. Continuously considering the human impact of AI is of critical importance given the ever-expanding role of AI systems in today's increasingly digital societies. By considering AI equity throughout the AI life cycle, AI practices can be improved to promote fair, just and beneficial outcomes for all individuals, groups and communities.

AI & Partners' group of experts have come together during 2023-2024 to define and create a "framework of inquiry" for AI equity. This AI equity framework is designed to prompt reflection, focus research and guide corrective action. This unique framework offers a culturally-grounded perspective on AI governance. It is loosely based on/inspired by the *Te Mana o te Raraunga Model*, a Māori data sovereignty model that describes the internal logic that traditional knowledge-keepers use when deciding to share knowledge with others. Additionally, the framework is aligned with existing data governance guidelines and principles, including FAIR, CARE, TRUST, to demonstrate how AI equity complements existing modalities and enriches the broader discussion of the appropriate use of AI in modern life.

The framework consists of 10 characteristics and related key issues, grouped into three main categories: **technology**, **purpose** and **people**. As part of the framework, a series of questions have been developed to evaluate AI and initial actions suggested to guide stakeholders in implementing AI equity in their organizations. Though this framework is rooted in Indigenous data sovereignty, it provides guidance and encourage reflection for advancing AI equity across sectors, communities and geographies.



Advancing AI Equity is essential

What is AI Equity?

Advancing AI equity is essential. We live in an era where automated decision-making systems based on data (i.e. AI systems) are increasingly common, with profound implications for individuals, communities and society. Those designing and using such systems must carefully consider the potential social impact, with all-round equity as a core concern.

Despite its growing significance, the nascent concept of "AI equity" lacks a clear, widely accepted definition in policy circles and academic literature. Perhaps the most widely-known definition defines AI equity as the social concept of fairness applied to computer science and machine learning, and identifies various aspects of AI equity, including representation, feature, access and outcome equity.

This ambiguity does not only impede progress but also risks exacerbating the very inequities that stakeholders aim to address. Without a shared understanding, stakeholders are left to interpret and implement AI equity measures based on their own, potentially conflicting, perspectives, and without a clear benchmark against which to measure their efforts. Moreover, as technological advancements accelerate, and AI becomes increasingly critical, new challenges to AI equity continue to emerge. And on a global scale, the absence of a common understanding hampers international collaboration on this crucial issue.

AI equity is the shared responsibility for fair AI practices that respect and promote human rights, opportunity and dignity. AI equity is a fundamental responsibility that requires strategic, participative, inclusive and proactive collective and coordinated action to create a world where AI systems promote fair, just and beneficial outcomes for all individuals, groups and communities. It recognizes that AI practices – including development, deployment, distribution, importing, use, and responsible application of resulting outcomes – significantly impact fundamental rights and the resulting access to social, economic, natural and cultural resources and opportunities.

AI equity seeks to address historical, current and potential imbalances in datasets that are used in a variety of domains in AI-powered decisions, algorithmic and AI systems. In addition, AI equity is concerned with access to datasets as well as how, and by whom, they are used in societally impactful decision-making and systems. Participative and collective responsibility and decision-making, especially by individual and collective individuals, is a central tenet. Therefore, AI equity serves as the foundation of fairness and justness in the development and application of a host of technologies and for earning trust for digital systems

AI equity can be achieved by appropriate design of AI development and deployment practices and governance in order to promote just and fair outcomes for people and communities directly or indirectly impacted by these systems. In this regard, the focus of AI studies must adapt to include not just what "AI is", but also what "AI does". The proposed definition, while covering the whole "AI life cycle," particularly centres on the impact side of AI governance and practices. AI equity considerations permeate the whole AI life cycle, for example: how AI is trained (input AI equity); made available (AI access equity); made representative and relevant for the context and purpose it is being used (AI representation equity); used to generate and inform outcomes (outcome AI equity); and how its value is being distributed and shared with individuals and communities that have contributed to it (AI value equity).

Thus, it is crucial to consider AI equity from the earliest stages of the AI life cycle, as quality and equity issues might not be easily remedied later. Moreover, AI developers should also consider the possible subsequent (re)use of their AI by other actors in potentially harmful or exploitative ways.

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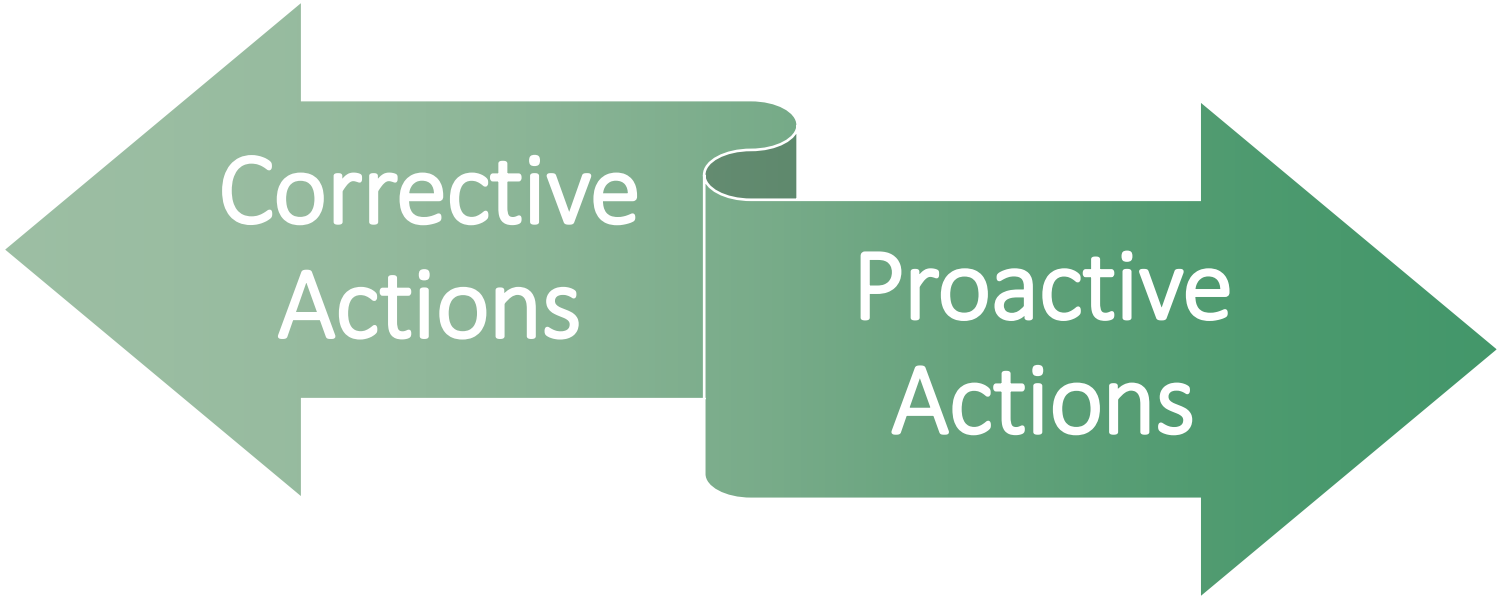
AI equity can be advanced through corrective as well as proactive actions in the different stages of the AI life cycle



Corrective actions include addressing historical (and current or potential) biases in AI systems, such as biased depictions or under-representation of marginalized groups, as well as giving individuals and communities the ability to control their own data (through opt-in or opt-out mechanisms) in order to ensure their individual and collective agency, autonomy and right to privacy.

Proactive actions include engaging individuals affected by the AI to help define it; employing deployment methods that enable identification, representation and participation of diverse groups; promoting open and transparent AI development practices; developing inclusive, participatory systems that utilize the data, ensuring those affected have a voice; verifying that these systems produce fair and equitable outcomes; and guaranteeing that AI users benefit from the value generated by its use.

At its core, the pursuit of equity is about uplifting people and ensuring just and fair treatment for all.

How can AI Equity be implemented?

While the concept of AI equity is relatively new (or even unknown), its application in the context of genAI intersects with long-existing issues relevant to AI governance, trustworthiness, privacy and trustworthy AI use. Addressing AI equity in these and other AI-related issues involves technical considerations, but their explicit human and social dimension must remain central. Otherwise, there is a risk of overlooking the very people and communities for whom these frameworks are intended to work, and to empower and protect.

In order to move from the theoretical definition to action, AI & Partners has developed a AI equity framework to enable stakeholders to build more equitable AI systems, processes and practices. Given that ethical and fairness issues relating to the use of AI vary according to their specific context, the framework does not seek to be prescriptive or a "one-size-fits-all" solution. Rather, it is intended to prompt reflection, focus research and guide corrective action. Essentially, this framework should be regarded as a "framework for inquiry", i.e. a guide to help spur conversations and evaluation inside organizations and communities as they consider using AI, whether in finance or elsewhere. It is hoped that this framework will serve as a tool to uncover equity-related issues to be addressed within organizations.

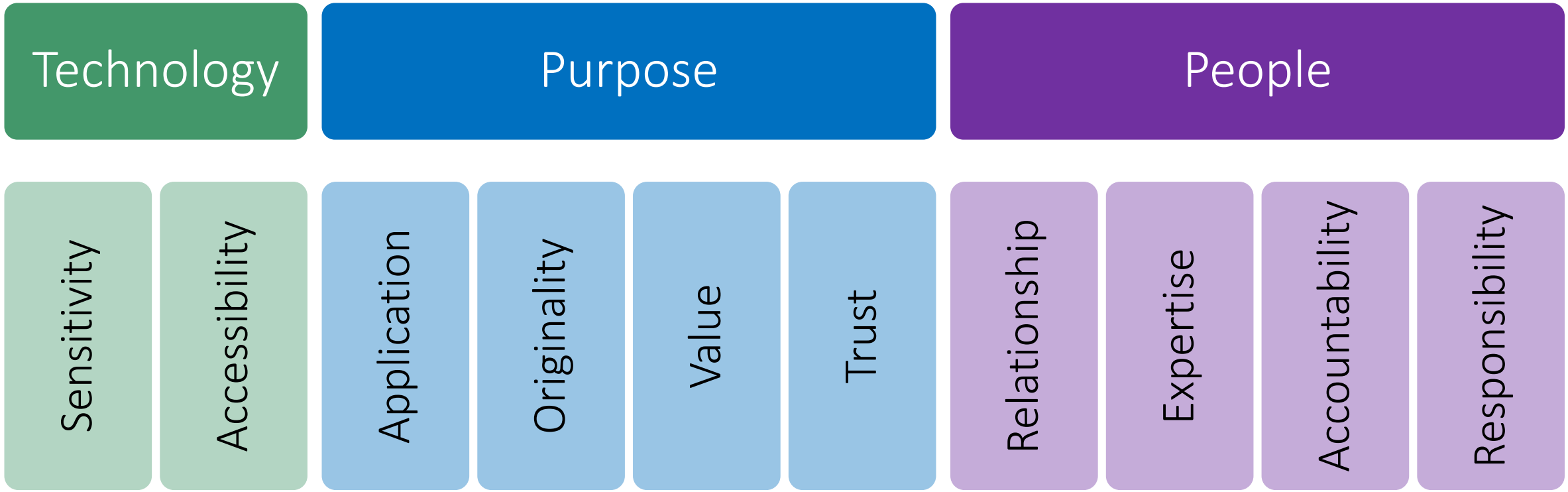
The framework proposed here employs, as a pillar of inspiration, the *Te Mana o te Raraunga Model*, an Indigenous model that describes the internal logic that traditional knowledge-keepers use when deciding to share knowledge with others. It considers data-sharing in relation to the nature of the data, the nature of data use, and the nature of the data user. The *Te Mana o te Raraunga Model* informed Ngā Tikanga Paihere, a data ethics framework used to provide access to linked government data in New Zealand through an Integrated Data Infrastructure (IDI) and provides a useful lens for considering the broader issue of AI equity, given that **data is the key input for the development and deployment of AI systems**.

As opined by the World Economic Forum (WEF), while developed in a unique cultural context, the *Te Mana o te Raraunga Model* has a broader applicability as it is aligned with the Five Safes Framework (safe data, projects, people, settings and outputs) that enables data services to provide safe research access to data. The Five Safes Framework was adopted because of the central focus on human and social dimensions of equity, and consistency with the people and purpose centric CARE Principles for Indigenous Data Governance (collective benefit, authority to control, responsibility and ethics).

The CARE Principles are complementary to the EU AI Act Principles (**human agency and oversight; technical robustness and safety; privacy and data governance; transparency; diversity, non-discrimination and fairness; societal and environmental well-being and accountability**), which promote the use of trustworthy AI. The CARE principles can be promoted as key driving frameworks for AI governance across a range of international and national policy environments (i.e. EU AI Act).

Thus, building upon earlier work including the *Te Mana o te Raraunga Model*, the CARE and EU AI Act Principles, the proposed AI equity framework (Figure 1) is composed of 10 AI equity characteristics grouped into three main categories: technology, purpose and people. The **technology** category is assessed in relation to its sensitivity and accessibility characteristics; the **purpose** category through its trust, value, originality and application characteristics; while the **people** category is associated with its relationship, expertise, accountability and responsibility characteristics.

AI Equity


Technology
Purpose
People
Sensitivity
Accessibility
Application
Originality
Value
Trust
Relationship
Expertise
Accountability
Responsibility

AI Equity considerations throughout the AI lifecycle

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Stage	Sub-Stage	Examples of AI Equity considerations at this stage
Design, Data, and Models	Plan & Design	**Representation Equity:** Engage diverse groups in the initial design process to capture varied needs and perspectives. **Feature Equity:** Ensure features chosen for the model are relevant and non-discriminatory across different demographics. **Access Equity:** Design the system to be accessible to underrepresented or disadvantaged communities. **Outcome Equity:** Set fairness as a core performance objective during the planning phase. **Transparency:** Plan for explainability and user understanding to enhance equitable trust.
	Collect & Process Data	**Representation Equity:** Ensure the dataset reflects diversity in the population by including underrepresented groups. **Feature Equity:** Avoid over-representation of features that benefit specific demographics at the expense of others. **Access Equity:** Implement processes to avoid excluding data from marginalized populations. **Outcome Equity:** Mitigate bias during data preprocessing by balancing the distribution of classes. **Data Privacy:** Use equitable data privacy measures to protect sensitive information for all groups equally.
	Build and/or adapt model(s)	**Representation Equity:** Train models on diverse data to prevent skewed performance in certain groups. **Feature Equity:** Evaluate and remove features that may unintentionally lead to biased predictions. **Access Equity:** Ensure the model is adaptable to different contexts and accessible to varying user capabilities. **Outcome Equity:** Implement fairness constraints in the model to equalize performance across demographic groups. **Bias Mitigation:** Apply algorithmic fairness techniques (e.g., re-weighting, adversarial debiasing) to minimize bias.
Verification and Validation	Test, evaluate, verify, & validate	**Representation Equity:** Validate the model on multiple demographic subsets to ensure equitable representation. **Feature Equity:** Analyse feature importance to ensure fairness across all relevant variables. **Access Equity:** Test the system in diverse real-world environments to ensure it works for all users. **Outcome Equity:** Measure disparate impact and other fairness metrics during validation to identify biases. **Bias Audits:** Regularly conduct fairness audits and external reviews to verify equitable outcomes.
Deployment	Make available for use / deploy	**Representation Equity:** Ensure the system reaches and serves a broad demographic during deployment. **Feature Equity:** Provide customizable features for users with different needs or backgrounds. **Access Equity:** Ensure the system is widely accessible, including for users with disabilities or limited resources. **Outcome Equity:** Monitor deployment results to detect and correct any emerging inequities. **Inclusive Documentation:** Provide comprehensive, clear documentation that supports equitable use by all.
Operation and Monitoring	Operate and Monitor	**Representation Equity:** Continuously monitor the system's impact on diverse groups to maintain fairness. **Feature Equity:** Adapt features based on feedback from a wide variety of users to improve equitable experience. **Access Equity:** Ensure ongoing support and access for all users, particularly those in underprivileged areas. **Outcome Equity:** Track long-term outcomes to ensure the AI maintains fairness over time. **Bias Monitoring:** Regularly update models based on bias-detection feedback to avoid drift into unfair outcomes.

Technology

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Examining various characteristics of inputs into AI systems, including large language models and GenAI, can improve outcomes and ensure that biases are addressed early in the process.

Sensitivity

Key Issues

- **Data harm potential**: What risks or negative impacts could result from the technology's use?
- **Privacy considerations**: How is personal information protected in the technology?
- **Regulation**: What legal frameworks govern the technology's use?
- **Cultural sensitivity**: How does the technology respect & impact diverse communities, cultural norms & values?
- **Commercial sensitivity**: How is confidential business information safeguarded in the technology?

Suggested Actions

- Review sensitive requirements with privacy experts
- Adopt transparent release strategies
- Implement privacy and potential harm assessments
- Ensure alignment of permissions for technology access and re/use to regulatory frameworks

Accessibility

Key Issues

- **Fairness**: Does data collection, analysis and output lead to fair outcomes among impacted communities?
- **Open access**: How accessible and transparent is the data, the algorithms used in data processing and the outputs of the data?
- **Ability to share data**: How is data shared, in what manner, and who decides this?
- **Interoperability**: Is data interoperable, to ensure accuracy, completeness and consistency in producing equitable outcomes?

Suggested Actions

- Encourage alignment and participation
- Develop open-code policies
- Ensure data is accessible to individuals regardless of ability, especially to the data subjects concerned (individual/collective)
- Ensure data is interoperable, through the use of harmonized standards where these exist

Purpose

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AI system use requires a clear purpose. Without one, AI systems may lack fairness and impact, or even cause harm.

Trust

Key Issues

- **Transparency**: How transparent are the AI practices and policies?
- **Bias**: What process is used to identify bias throughout the AI life cycle?
- **Explainability**: To what extent can AI output based on inputs be clearly explained?
- **Accuracy**: What methods have been used to ensure quality, completeness and consistency?
- **Control**: What methods are in place to ensure checks throughout the process?

Suggested Actions

- Make metadata available and understandable
- Implement rigorous benchmarking against equitable datasets
- Ensure that the training data is representative of the populations to be impacted by the system
- Embed model and system traceability and accountability

Value

Key Issues

- **Fundamental rights**: Does AI system development and deployment respect and promote fundamental rights?
- **Justice**: Is the value of AI considered in a fair and just manner?
- **Benefit-sharing**: Who benefits from the value generated by the AI and how are these benefits distributed?
- **Understanding**: Are cultural and social norms understood and have communities been consulted in AI usage?

Suggested Actions

- Focus on human values and preferences
- Build public awareness of AI capabilities and their limitations
- Ensure a role in value determination and accrual for individuals – both individual and communities
- Ensure Indigenous peoples and other vulnerable groups determine the benefits of their data

Purpose

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AI system use requires a clear purpose. Without one, AI systems may lack fairness and impact, or even cause harm.

Application

Key Issues

- **Appropriateness**: Is the AI suitable for its intended purpose?
- **Accuracy**: Is the AI used accurately and assessed to be consistent for its purpose?
- **Specificity**: Is the AI specific enough for the intended purpose?
- **Representativeness**: Do the underlying datasets represent its specific purpose and the populations that will be affected by the results, both at the individual and community level?

Suggested Actions

- Adopt sandbox processes
- Develop comprehensive multi-level measurement frameworks
- Indicate the representativeness of the AI
- Utilize Indigenous and culturally specific identifiers

Originality

Key Issues

- **Auditability**: Has documentation been maintained to ensure that the AI development process can be audited and/or reviewed?
- **Provenance**: Can the origin, journey and usage rights of the data be traced?
- **Attribution**: Is attribution to the source data and contributors necessary?
- **Acknowledgement**: Are source datasets and contributors recognized in the outputs?

Suggested Actions

- Ensure content traceability
- Establish precise and shared terminology (including culturally specific metadata)
- Promote equitable attribution, including acknowledgment and authorship

People

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Protecting individuals' health, safety, and fundamental rights throughout the AI life cycle is crucial to ensure that the development, deployment and use of AI benefits people and communities.

Accountability

Key Issues

- **Security**: How is the data protected from unauthorized access, use or breaches?
- **Safety**: What protocols are in place to prevent harm from AI use?
- **Auditability**: Has clear documentation been maintained of the development process and the related governance decisions?
- **Control**: Who has decision-making power over the AI and how it is used?

Suggested Actions

- Develop frameworks for individual rights, ownership rights and benefit-sharing for individuals (individuals and communities)
- Develop contextual ways of implementing and auditing compliance with these frameworks
- Enable user feedback and audit of people's data
- Ensure communities' approval of outputs

Responsibility

Key Issues

- **Timeliness**: Are there controls to ensure that AI remains current and updated regularly?
- **Lawfulness**: What laws, regulations and standards govern the type of AI being used (e.g. EU AI Act)?
- **Ethics**: What ethical considerations, which may harm individuals or the community, should be taken into account in AI practices?
- **Harmonization**: How will conflicts be managed and AI practices harmonized across different contexts?

Suggested Actions

- Encourage alignment and participation
- Develop open-code policies
- Ensure AI is accessible to individuals regardless of ability, especially to the individuals concerned (individual/collective)
- Ensure AI is interoperable, through the use of harmonized standards where these exist

People

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Protecting individuals' health, safety, and fundamental rights throughout the AI life cycle is crucial to ensure that the development, deployment and use of AI benefits people and communities.

Expertise

Key Issues

- **Diversity**: How well does the AI team represent different groups and perspectives, and have they received proper diversity, equity and inclusion training?
- **Resources**: What specialized expertise is needed?
- **Sociocultural expertise**: Have members of the cultures and societies affected been consulted?

Suggested Actions

- Employ diverse teams across the process including red teams
- Fund training and education
- Support community capacity-building
- Ensure impacted communities are part of outcome assessments

Relationship

Key Issues

- **Usage rights**: Who has the right to use the AI and how?
- **Access rights**: Who can view, access or obtain the AI and who decides this?
- **Benefit rights (individual and collective)**: Will the outcomes be beneficial to the impacted individuals and/ or communities?
- **Intellectual property (IP)**: What intellectual property protections need to be considered in using the AI, or in generating new insights from the information?

Suggested Actions

- Adapt to the evolving landscape of creativity and IP
- Develop frameworks of benefit-sharing with individuals (individuals and communities), and means of the actual framework implementation
- Adopt strategies to recognize ICIP

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Ensuring fair and equitable outcomes for all through responsible use of AI is a collective duty.

What needs to be done for AI Equity implementation?

While the challenges vary by context, the following table summarizes some proposed actions that key actors – from AI developers and regulators to end users – should take into account in developing strategies to address the different characteristics of AI equity.

While not an exhaustive list, these recommendations are based on the proposed AI equity framework and provide a general map of issues that stakeholders should prioritize. However, it is important to note that many of these issues are common to multiple stakeholders and would benefit from collaboration among them for more effective implementation.

Actor	Examples of AI Equity considerations at this stage
Private Sector Organisations	• Adapt to the evolving landscape of creativity and IP • Adopt transparent ethics approval processes • Adopt transparent release strategies • Disclose non-human interaction
Academia and Technical Experts	• Collect data relevant to Indigenous languages and worldviews with consent and in a culturally appropriate manner • Develop comprehensive multi-level measurement frameworks • Establish precise and shared terminology (including culturally specific metadata)
Government/Public Sector	• Adopt sandbox processes • Develop open-code policies • Disclose non-human interaction • Ensure recognition of Indigenous AI sovereignty and Indigenous peoples' rights to free, prior and informed consent
Civil Society Organisations	• Build public awareness of AI capabilities and their limitations • Build relationships with Indigenous peoples and other vulnerable groups and adopt strategies to recognize Indigenous cultural and intellectual property (ICIP) • Conduct data needs assessments
General Public	• Encourage alignment and participation, including in community capacity-building and education • Encourage transparency, privacy assessments and alignment of permissions for data access
Communities	• Adapt to the evolving landscape of creativity and IP • Contribute to AI risk assessment • Promote alignment of permissions for AI access and re/use to Indigenous frameworks • Promote Indigenous and minority groups' approval of outputs • Promote transparent processes for obtaining community permissions

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The essence of AI equity transcends technical processes; it is fundamentally about the impact on people and communities.

What are the concluding thoughts?

Thus, as technical capabilities advance, it is imperative that the awareness of their social implications does too.

In the pursuit of a more equitable world, the AI equity definition and framework introduced in this report seek to serve not merely as a set of guidelines but as dynamic tools, urging all stakeholders across sectors involved in the realms of AI and technology to prioritize and operationalize equity at every stage of their work.

Implementing the proposed AI equity framework from the onset of any AI-related initiative is crucial. The iterative and adaptable nature of the framework seeks to spark ongoing dialogue and continuous improvement in data practices and encourage stakeholders to consistently assess how AI practices affect diverse groups.

Stakeholders are asked to not simply adopt this framework, but to champion and integrate its principles into the fabric of their operations and decision-making processes. By embedding these considerations into discussions at all levels – from product development to strategic leadership – organizations can begin to assess their current practices and identify crucial areas for improvement.

AI & Partners is dedicated to forging a future where cutting-edge technologies empower all, and to ensuring that fairness and inclusivity drive both technological advancements and their real-world applications. The framework introduced here is designed to be a crucial foundation for transforming AI practices to fully embrace inclusivity and fairness. By achieving this, the aim is to ensure that the era of digital transformation is characterized not only by technological breakthroughs, but also by robust social advancements.

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