Examining Canada's AI Policy Network: Where Does the Power Lie?

Elia Rasky

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Key Points

- In Canada, federal artificial intelligence (AI) policy is being shaped by a broad policy network consisting of government departments, public research institutions, technology companies, industrial associations and civil society organizations (CSOs).

- The various organizations within the AI policy network possess different levels of power: government departments and public research institutions hold the highest levels of power, technology companies and industrial associations possess moderate levels of power and CSOs have the lowest levels of power.

- CSOs should play a larger role in the AI policy-making process because they offer valuable insights into the societal and ethical implications of AI. These organizations can be empowered by enacting various institutional changes, specifically by connecting them with AI governance bodies such as the Advisory Council on AI, the Office of the AI and Data Commissioner and the AI Safety Institute. Another key change that should be made is the decentralization of AI policy-making authority, which is currently concentrated in the hands of Innovation, Science and Economic Development Canada (ISED).

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Introduction

As AI has become more advanced and sophisticated, the Canadian federal government has begun regulating this technology to protect the public from potential AI-related harms. One of the most notable AI regulations at the federal level is the Directive on Automated Decision-Making, which was introduced by the Treasury Board of Canada Secretariat on April 1, 2019. This regulation establishes rules and expectations around the use of AI among federal civil servants. Under the directive, civil servants must ensure that AI systems are safe and reliable before using or deploying them and must explain to the Canadian public how these systems guide and inform government decisions.[1] Another notable regulation is the Artificial Intelligence and Data Act (AIDA), which was tabled in Parliament by François-Philippe Champagne, Canada's innovation minister, on June 16, 2022. If passed in the House of Commons and Senate, AIDA would require Canadian companies that develop, adopt or use AI systems (especially "high-impact AI systems") to establish AI oversight mechanisms, conduct risk assessments and regularly report on the performance of their AI systems.[2] While AIDA was being reviewed by a parliamentary committee in the fall of 2023, Champagne introduced a voluntary code of conduct on AI and invited organizations across Canada to commit to the code's principles of fairness, transparency and accountability (Thompson 2023). The code was quickly embraced by high-profile technology companies, including Cohere, Coveo, BlackBerry, IBM and TELUS. More recently, the federal government announced plans to create an AI Safety Institute dedicated to studying and understanding the societal risks of AI (Freeland 2024).

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1   See www.tbs-sct.canada.ca/pol/doc-eng.aspx?id=32592.

2   See https://ised-isde.canada.ca/site/innovation-better-canada/en/
    artificial-intelligence-and-data-act-aid-companion-document.

As the federal government has started regulating AI, it has received advice and guidance from non-governmental actors, including technology companies, industrial associations, AI research institutions and CSOs. Many of these actors have provided direct input into the development of AI regulations, such as AIDA and the voluntary code of conduct on AI. One could say that AI policy in Canada is being shaped by a broad "policy network" consisting of organizations from the public, private and non-profit sectors. The purpose of this working paper is to deconstruct and illuminate Canada's AI policy network, which remains obscure and somewhat mystifying to observers. The paper identifies the different actors within this network and explores how these actors contribute to the AI policy-making process. Going further, it also assesses the policy-making power or capacity of these various actors and determines whether some actors have more influence over AI policy than others. After systematically examining and analyzing the policy network, the paper recommends ways to improve Canada's AI policy-making process. The analysis presented here is informed by academic writings on policy networks and interest group politics, as well as newspaper articles, public documents and interviews with key individuals within Canada's AI policy network.[3]

Theoretical Background

Political scientists have long understood that public policy is not only shaped by government bodies (cabinets, parliaments and ministries), but also by organizations outside of government (businesses, industrial associations, educational institutions and non-profit advocacy groups). Many scholars use the term "interest group" to describe non-governmental organizations (NGOs) that seek to influence public policy, whether to advance their own economic interests or to achieve broader societal goals (Marsh and Rhodes 1992; Grossmann 2014; Beyers and Braun 2014). A distinction is often made between "insider" interest groups and "outsider" interest groups (Grant 1978; Norton 2010). Insider interest groups can meet and interact with policy makers during different stages of the policy-making process. They may participate in formal government consultations, give testimony to parliamentary committees, submit briefings to elected officials or contribute to government advisory bodies. In contrast, outsider interest groups are denied access to policy makers and are completely shut out of the formal policy-making process. In order to influence policy, these groups must resort to "outsider tactics" such as protests, petitions and public awareness campaigns.

While all insider interest groups have direct relationships with members of Parliament, ministers and civil servants, they differ in their proximity to these policy makers. Some insider groups have close and deep connections with policy makers, while others have distant and weak connections. In their article titled "Interest Groups and Public Policy: The Insider/Outsider Model Revisited," William Maloney, Grant Jordan and Andrew McLaughlin (1994) differentiate between "core insider groups" and "peripheral insider groups." Core insider groups meet regularly with senior policy makers to propose new

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policy ideas, comment on existing policy measures and engage in high-level policy debates. They possess technical information that is useful (and even necessary) for the development and implementation of public policy and often provide this information to policy makers in exchange for policy concessions. Conversely, peripheral insider groups meet sporadically with policy makers, most of whom are low-level civil servants with minimal authority. They do not possess technical information or other resources that may be useful to senior policy makers. Put simply, peripheral groups have very little influence over public policy despite being formally included in the policy-making process. The article by Maloney, Jordan and McLaughlin provides a useful framework for classifying policy actors within complex policy networks. As we will see later, this framework can be applied to Canada's AI policy network.

Canada's AI Policy Network

Any examination of Canada's AI policy network must recognize the central role of ISED. First established in 1993 under the name Industry Canada, ISED is a federal department dedicated to promoting economic growth and technological innovation in Canada, while also regulating economic activity to protect public safety. The department leads the federal government's efforts to regulate AI, making it the nucleus of the AI policy network; in the words of one interviewee, "everything in Canada's AI policy ecosystem revolves around ISED in some way" (Interviewee 2). Under the leadership of Champagne, ISED has carried out a number of significant AI policy initiatives. For example, ISED has explored the implications of AI for copyright and intellectual property in Canada and has begun to create a new copyright regime that takes AI into account (ISED 2021, 2023b). It also drafted the Digital Charter Implementation Act (Bill C-27), which seeks to create a new technology and data governance framework for Canada (Smith and Bronskill 2022). The bill includes AIDA, the most consequential and far-reaching AI regulation in Canada to date. Since ISED first became interested in regulating AI in 2017, it has worked very closely with the Canadian Institute for Advanced Research (CIFAR), a non-profit research institution with a long history of funding and organizing multidisciplinary research projects on various scientific subjects, including machine learning and AI (Brown 2007). With financial support from ISED, CIFAR has sponsored AI policy fora across Canada and published AI policy reports and briefings (CIFAR 2019; Villeneuve, Boskovic and Barron 2019; Sandusky 2023a, 2023b). Earlier this year, the institute created the AI Insights for Policymakers program, which provides Canadian policy makers with reliable and up-to-date information about the technical and ethical dimensions of AI.[4]

In 2017, CIFAR was chosen by ISED to lead the Pan-Canadian Strategy on AI, a national plan to improve Canada's capacity for AI innovation, commercialization, governance and thought leadership (ISED 2022). To carry out this plan, CIFAR has funded research activities in three AI research institutions: the Montreal Institute for Learning Algorithms (MILA), the Alberta Machine Intelligence Institute (AMII) and the Vector Institute (located in Toronto). These institutions have not only created new AI systems but have also explored AI regulatory issues and engaged in AI policy development and advocacy. For example, in 2020, MILA helped the United Nations Educational, Scientific and Cultural Organization develop global standards for the regulation of AI (MILA 2020).

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4   See https://cifar.ca/wp-content/uploads/2024/06/Call-for-Experts-AI-Insights-for-Policymakers.pdf.

MILA is directed by Yoshua Bengio, a world-renowned expert in deep machine learning and artificial neural networks. Over the past few years, Bengio has been a leading proponent of AI regulation in Canada and around the world, and one of the most visible and high-profile people within Canada's AI policy network (Bilefsky 2019; Deschamps 2023; Niemeyer 2024). He has met repeatedly with senior Canadian policy makers, including the innovation minister and prime minister, to help establish the federal government's AI regulatory vision and agenda (Champagne 2023; MILA 2023).

Bengio not only serves as the scientific director of MILA but also sits on the Advisory Council on Artificial Intelligence, an advisory body created by the federal government in 2019. This advisory council is essentially a "brain trust" that provides expert commentary and feedback on all federal AI legislation, draft regulations and policy proposals. It consists of 17 individuals of different professional backgrounds, from computer science and engineering to corporate governance and Canadian privacy law. Aside from Bengio, the council includes representatives from CIFAR, AMII and the Vector Institute, as well as various Canadian businesses that develop AI systems or provide AI-based services. Valentine Goddard (founder of the AI Impact Alliance) and Jason Lewis (co-director of the Indigenous Futures Research Centre) are the only council members from civil society. The members of the advisory council periodically meet to discuss the latest AI policy developments in Canada, often in the presence of public officials from various federal departments.[5] Almost every meeting of the advisory council is chaired by the deputy minister or assistant deputy minister of ISED. This means that council members have a direct line of communication with ISED and are extremely close to the centre of power. These organizations that have been mentioned so far — ISED, CIFAR, MILA, AMII, the Vector Institute and the Advisory Council on Artificial Intelligence — are the primary drivers of AI policy and regulation in Canada and can be considered as "core" policy actors.

Private technology companies such as Google Canada, Meta and Cohere have sought to influence federal AI policy using different lobbying strategies. Some of them have submitted briefings to the federal government on specific AI legislation. For example, in the winter of 2024, Google Canada submitted a briefing to the Parliamentary Standing Committee on Industry and Technology regarding AIDA (Google Canada 2024). The briefing recommended significant changes to the act, including the clarification of key terms, the adjustment of reporting requirements and the alignment of the act with international frameworks. Other companies have met with federal policy makers, including senior ISED officials, to discuss pending AI regulations. One such meeting occurred in the summer of 2022, when executives from Cohere — a Toronto-based company that develops AI-powered natural language processing systems — met with Champagne (Cohere Team 2022). It is important to note that most established technology companies in Canada are members of industrial associations, such as the Council of Canadian Innovators and the Business Council of Canada. These associations have advocated for AI policies and regulations that are favourable to their members and to the Canadian business community at large and have formed close ties with ISED by meeting repeatedly with officials from the department. A representative of one industrial association was interviewed for this research project. During the interview, she was asked to describe the relationship between her association and ISED. Her

answer was quite illuminating: "Over many years, we have built and maintained a productive and positive relationship and partnership with ISED across a variety of files. We regularly engage in open dialogue — they come to us for advice, we ask questions and offer suggestions and solutions for their consideration, as well as share timely and relevant insights. We do all this not only with respect to AIDA but also on other AI-related topics and on key issues, concerns and opportunities outside the AI realm. We greatly value this relationship and the productive exchange of ideas at its heart" (Interviewee 10).

It is clear that technology companies and industrial associations are important actors in Canada's AI policy network. It is not yet clear, however, what position and status these organizations occupy within the network. To investigate this question, we may look at the role of these organizations in the development of AIDA. AIDA was originally created by the Marketplace Framework Policy branch of ISED in early 2022 and then tabled in Parliament in the summer of that year. Once AIDA was introduced in the legislature, ISED began soliciting feedback on the act through a series of public consultations. Microsoft, Amazon, IBM Canada, Cohere and other major technology companies participated in these consultations, sharing their thoughts and opinions on AIDA's regulatory provisions (Clement 2023). All of these companies expressed serious concerns about AIDA's lack of clarity, detail and specificity (Hemmadi 2023). They noted that the act seeks to regulate the development and deployment of "high-impact" AI systems, but does not clearly define these systems, creating confusion and uncertainty for industry. Some companies also criticized AIDA's criminal liability provisions, which they feared could discourage AI development and adoption in Canada. After receiving this feedback, ISED drafted amendments to AIDA, which were released to the public on November 28, 2023 (ISED 2023b). However, the amendments did not truly address the concerns raised by industry,[6] demonstrating that while ISED welcomes AI policy advice from technology companies and industrial associations, it does not always heed this advice. In addition, ISED often withholds vital information from industrial organizations despite engaging in regular dialogue with them.[7] One may conclude, then, that industrial organizations do not have enough power to be considered "core" policy actors but have too much power to be considered "peripheral" actors. Therefore, they occupy a liminal or intermediate space within the policy network.

Like commercial and industrial organizations, CSOs have tried to influence the direction of AI policy and regulation in Canada, but with much greater difficulty. The

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6 Technology companies and industrial associations are deeply dissatisfied with the amendments for three main reasons. First, the amendments fail to clearly define "high-impact" AI systems. One section of the amendments, Schedule 2, identifies seven categories of high-impact systems, including employment screening systems, biometric processing systems, content moderation systems and automated policing systems. However, these categories are considered too broad by industry (Google Canada 2024; Microsoft 2024; Foster 2024). Second, the amendments retain the criminal liability provisions of the original version of AIDA. Third, the amendments propose new reporting and record-keeping requirements and regulatory enforcement mechanisms that industry views as onerous and invasive (Meta Platforms, Inc. 2024).

7 This claim is partly based on a statement made by one interviewee, Interviewee 6, who works as a policy researcher for a non-profit think tank focused on science, technology and innovation policy. While working for the think tank, Interviewee 6 has met and interacted with many government-relations officers from major technology companies in Canada. According to him, these officers are often very confused about ISED's AI policy initiatives; they do not understand how these initiatives are designed, how they will be implemented or how they may impact their companies. Occasionally, these officers have asked Interviewee 6 and his colleagues for any information they have on specific initiatives, such as AIDA and the AI Safety Institute. This shows that technology companies and their senior personnel are not necessarily kept in the loop by ISED.

most prominent CSOs in Canada's AI policy network are the Canadian Civil Liberties Association, the International Civil Liberties Monitoring Group, the Public Interest Advocacy Centre and Open Media. These organizations have published open letters demanding stronger government action on AI, submitted AI policy reports and briefings to members of Parliament and testified to parliamentary committees on AI-related matters (Canadian Civil Liberties Association 2023; Open Media 2023; Konikoff 2024). However, CSOs have often been relegated to the margins of the policy network because of their limited financial and human resources. Interviewee 3 commented on the relative weakness and powerlessness of CSOs:

> The reality is that there are not many civil society groups working in this space, and the few groups that are working in this space are very under-resourced compared to those in Europe and the United States (particularly in the United States). Oftentimes, there are only a couple of people behind an organization, or a handful of people who are very busy with a whole bunch of different things. These people do the best with what they've got, but what they've got is not a lot. So civil society has played a role [in the AI policy-making process] but has faced some pretty big challenges when it comes to playing that role. (Interviewee 3)

With small staffs and tiny operating budgets, CSOs struggle to be taken seriously by policy makers and to contribute meaningfully to the AI policy-making process. Unlike technology companies and industrial associations, they cannot easily meet with senior public officials from ISED and other federal departments. Their members often feel overwhelmed and stretched thin, as they must carry out multiple lobbying campaigns, research projects and fundraising efforts under heavy time and resource constraints. These challenges were described by Interviewee 4, who once worked for a Canadian CSO that engages in technology and AI policy advocacy:

> While [working for the organization], I was supposed to address every national bill related to privacy, technology and surveillance, in addition to every news story and every study — anything having to do with those topics was in my portfolio. So, while I was dealing with Bill C-27, I was also dealing with Bill C-26, Bill C-20 and two or three different grant projects to try to get money for the organization. I had a portfolio with 20 or 30 different things in it. Meanwhile, a government relations person working for a major corporation could just focus on Bill C-27 or just focus on AIDA or the CPPA. There is a massive difference in resources and capacity [between CSOs and industrial organizations]. (Interviewee 4)

Since 2019, ISED has actively consulted with public, private and non-profit stakeholders during the development of AI policies. We saw this earlier with ISED's AIDA consultations in 2022 and 2023. Records show, however, that ISED has consulted far more with industrial organizations than with CSOs. Andrew Clement (2023) writes that during consultations on Bill C-27 and AIDA, ISED held 216 meetings with people from industry and only nine meetings with people from civil society. Similarly, during consultations on the voluntary code of conduct on AI, ISED met with 58 individuals, 45 of whom were from industry and only five from civil society (the remaining eight were from AI research institutions or were independent academics). From these examples, it is clear that members of civil society are being sidelined or marginalized by ISED. Even when they are consulted, members of CSOs are given very little time to express their views and concerns or share their policy ideas. Interviewee 4 was

consulted by ISED on Bill C-27 in the fall of 2023. He described the experience as brief and disappointing:
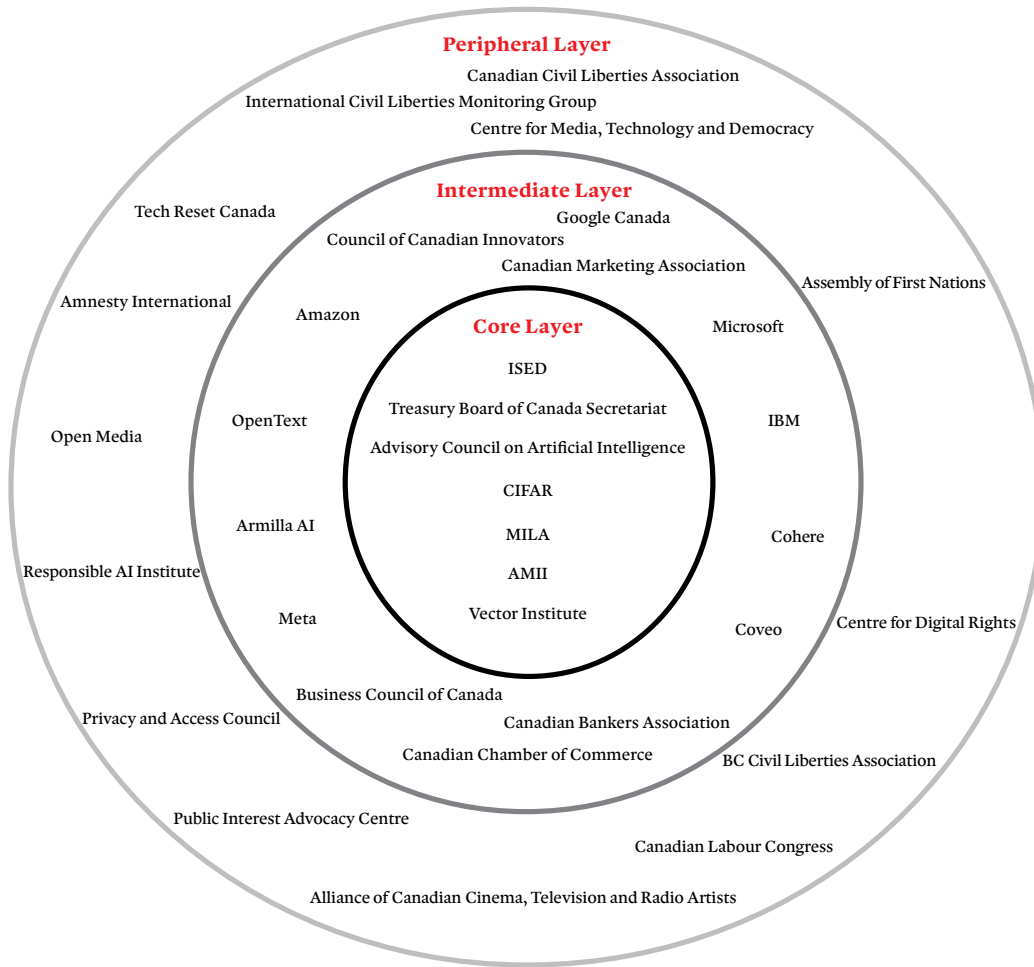
> When Bill C-27 was tabled, I got a phone call from a policy analyst at ISED. We spoke on the phone for 30 minutes about all three parts of the bill: AIDA, the CPPA and the Tribunal Act. If you take away the greeting and goodbye, then we only really spoke for 27 minutes (there were only 27 minutes of substantial conversation). It wasn't enough time. Nobody can discuss everything that's right and wrong about Bill C-27 in just 27 minutes — I don't know anyone who can do that. I can easily spend that amount of time just talking about section 18(3) of the CPPA. (Interviewee 4)

There are two different explanations as to why ISED engages more with industrial organizations than with CSOs. The first explanation, as we have seen, is that CSOs do not possess the financial and human resources necessary to carry out effective lobbying campaigns and to gain the attention of ISED officials. A second explanation has to do with ISED's primary mission: to promote economic growth by creating the conditions for scientific discovery, technological innovation and industrial modernization. In order to advance this mission, ISED has created and maintained strong connections with large and medium-sized enterprises, especially those in cutting-edge and high-technology sectors of the economy. It is not surprising, then, that the department has frequently consulted with these companies on AI policy issues, while paying much less attention to other stakeholders (in particular, CSOs). This does not mean, however, that ISED has accepted every policy idea, proposal and demand put forward by these companies: as previously mentioned, the department largely ignored the policy ideas and preferences of Google, Amazon and Meta during the development and amendment of AIDA in 2022 and 2023.

CSOs deserve more power and influence within Canada's AI policy network because they are uniquely sensitive to the socio-economic, cultural and political implications of AI. They understand how this technology can violate human rights in different social and institutional contexts, such as policing, criminal justice, immigration, housing and social welfare (McPhail 2021; Tessono et al. 2022). This understanding stems from the fact that they employ lawyers and academics with expertise in technology governance, technology ethics and social and economic justice. Some of these organizations represent the interests of social groups that may be negatively impacted by AI. One such organization is the Canadian Labour Congress (CLC), which represents 3.3 million workers across Canada. In a recent statement, the CLC pointed out that AI systems could displace workers in many different industries and significantly increase the level of workplace surveillance in Canada (CLC 2023; Vipond 2023). Another organization, the Alliance of Canadian Cinema, Television and Radio Artists, has noted that these systems could harvest the images and voices of Canadian artists and performers without their consent (Kelly and Chai 2023). These AI systems could then use this personal data to generate creative and artistic content such as music, films, games and advertisements, which may gradually replace human-produced content, thereby eliminating employment opportunities in creative industries. Unfortunately, these concerns have not been given sufficient attention under the current policy-making regime.

Now that the main actors within Canada's AI policy network have been identified, and the power levels of these actors have been determined, it is possible to create a visual map of the network. In Figure 1, the network is visually represented as a series of

Figure 1: Canada's AI Policy Network

Peripheral Layer

Canadian Civil Liberties Association

International Civil Liberties Monitoring Group

Centre for Media, Technology and Democracy

Tech Reset Canada

Intermediate Layer

Google Canada

Council of Canadian Innovators

Canadian Marketing Association

Assembly of First Nations

Amnesty International

Amazon

Core Layer

Microsoft

ISED

OpenText

Treasury Board of Canada Secretariat

IBM

Open Media

Advisory Council on Artificial Intelligence

CIFAR

Armilla AI

MILA

Cohere

Responsible AI Institute

AMII

Meta

Vector Institute

Coveo

Centre for Digital Rights

Business Council of Canada

Privacy and Access Council

Canadian Bankers Association

Canadian Chamber of Commerce

BC Civil Liberties Association

Public Interest Advocacy Centre

Canadian Labour Congress

Alliance of Canadian Cinema, Television and Radio Artists

Source: Author.

concentric circles. The inner circle contains the core policy actors, namely, ISED, CIFAR, the Advisory Council on Artificial Intelligence and the three AI research institutions. The other two circles contain the intermediate and peripheral policy actors. The three actor categories (core, intermediate and peripheral) are derived from the theoretical framework of Maloney, Jordan and McLaughlin (1994).

Recommendations

It is clear from news and organizational reports, press releases and interviews with policy actors that Canada's AI policy network has a stratified power structure. Federal government departments (ISED and the Treasury Board of Canada Secretariat) and AI research institutions (CIFAR, MILA, AMII and the Vector Institute) have more influence over AI policy than industrial or commercial organizations, which in turn have more influence than CSOs. Under this hierarchical arrangement, members of civil society are marginal actors with very little ability or opportunity to express their policy ideas, opinions and concerns within the corridors of power. And yet, it is CSOs that truly understand how AI impacts frontline workers, consumers, students, racialized communities, and cultural and democratic institutions. The following recommendations posit a more egalitarian power structure in which CSOs are more valued and respected by policy makers, with a power approximately equal to that held by industrial organizations.

- The Advisory Council on Artificial Intelligence consists primarily of professionals from academia, industry and the AI research sector, with very little representation from civil society. Only two members of the council — Valentine Goddard and Jason Lewis — belong to CSOs. It is important that the council includes more civil society actors, particularly those with expertise in technology ethics and human rights, as well as connections to vulnerable social groups that may be negatively impacted by AI. The council can only accept more civil society members, however, if ISED allows it to expand its membership or change its composition. Should ISED be reluctant to allow these changes for political reasons, CSOs must vigorously lobby ISED to restructure the council and create additional spaces for new members.

- The federal government proposes to create two new agencies dedicated to studying and regulating AI: the Office of the AI and Data Commissioner and the AI Safety Institute. Once established, these agencies will monitor Canadian companies to ensure their compliance with AI regulations, explore the impact of AI on Canadian society and provide AI policy guidance to other federal bodies. Both agencies should be required to conduct regular consultations with NGOs, including CSOs. They should also be required to publish comprehensive reports on their consultation activities. These reports should explain how the consultations are being planned and executed, identify which organizations are being consulted, and summarize the discussions that take place during the consultations. Policy makers can use these reports to evaluate and improve the consultation process, while CSOs can use them to hold the two agencies accountable.

- Under the federal government's current plan, the Office of the AI and Data Commissioner and the AI Safety Institute will both be housed under ISED, a federal department that has historically ignored and marginalized CSOs. These agencies may not consult or engage with CSOs in good faith if they operate under the aegis of ISED. They should therefore be made independent from the department.

- The AI regulatory process in Canada would be more inclusive, fair and equitable if ISED played a smaller role in the creation of AI legislation, draft regulations and codes of conduct. AI regulatory authority should be dispersed among multiple federal

departments, rather than concentrated in the hands of ISED. Heritage Canada, Health Canada, Transport Canada, Employment and Social Development Canada and the Department of Justice should all have more contribution in AI regulatory efforts.

Conclusion

This working paper provided a panoramic overview and analysis of Canada's AI policy network at the federal level. It showed how the network is roughly organized into three layers: core, intermediate and peripheral. The core layer consists of ISED, the Treasury Board of Canada Secretariat, the Advisory Council on Artificial Intelligence and various non-profit research institutions. These core organizations draft AI legislation and regulations and directly influence the development of AI policy. The intermediate layer consists of large and medium-sized technology companies and industrial associations, which use their connections with senior public officials to lobby for desired AI policies. Although these intermediate organizations have easy access to AI policy-making spaces, they are not always heard or respected by public officials. This may surprise readers who assume that technology companies and industrial associations are dominant actors in the AI policy network. Lastly, the peripheral layer consists of CSOs, which face significant barriers to participating in the AI policy-making process. The marginalization of CSOs is highly problematic because these organizations offer valuable insights into the societal and ethical implications of AI. This paper recommends that these organizations be given more power by integrating them into the Advisory Council on Artificial Intelligence, connecting them with future AI governance bodies and decentralizing AI policy-making authority.

Acknowledgements

About the Author

Elia Rasky holds a Ph.D. in political science from York University. He is a former Digital Policy Hub post-doctoral fellow with research interests including Canadian politics, global political economy, and science and innovation policy. His Hub research explored the role of academics, business associations and civil society actors in the development of AI policies and regulations in Canada

Works Cited

Beyers, Jan and Caelesta Braun. 2014. "Ties that count: explaining interest group access to policymakers." *Journal of Public Policy* 34 (1): 93–121. www.jstor.org/stable/43864455.

Bilefsky, Dan. 2019. "He Helped Create A.I. Now, He Worries About 'Killer Robots.'" *The New York Times*, March 29. www.nytimes.com/2019/03/29/world/canada/bengio-artificial-intelligence-ai-turing.html.

Brown, Craig. 2007. *A Generation of Excellence: A History of the Canadian Institute for Advanced Research*. Toronto, ON: University of Toronto Press.

Canadian Civil Liberties Association. 2023. "CCLA Demands Action on Facial Recognition Technology and the Growing Power of Artificial Intelligence." Press release, June 21. https://ccla.org/press-release/ccla-demands-action-on-facial-recognition-technology-and-the-growing-power-of-artificial-intelligence/.

CIFAR. 2019. *AICan 2019: Annual Report of the CIFAR Pan-Canadian AI Strategy*. Toronto, ON: CIFAR. https://cifar.ca/wp-content/uploads/2020/04/ai_annualreport2019_web.pdf.

CLC. 2023. "The Artificial Intelligence and Data Act (AIDA)." Submission to the Standing Committee on Industry and Technology. November. www.ourcommons.ca/Content/Committee/441/INDU/Brief/BR12711885/br-external/CanadianLabourCongress-e.pdf.

Clement, Andrew. 2023. "Preliminary analysis of ISED's C-27 list of 300+ Stakeholder consultation meetings." December 6. https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4658004.

Cohere Team. 2023. "Cohere Signs Canada's Voluntary Artificial Intelligence Code of Conduct." *The Cohere Blog*, September 27. https://cohere.com/blog/cohere-signs-on-to-canadas-voluntary-artificial-intelligence-code-of-conduct.

Deschamps, Tara. 2023. "AI pioneer Yoshua Bengio wishes Canada's AI legislation was further along by now." *The Financial Post*, October 24. https://financialpost.com/pmn/business-pmn/ai-pioneer-yoshua-bengio-wishes-canadas-ai-legislation-was-further-along-by-now.

Foster, Nicole. 2024. "Evidence." House of Commons Standing Committee on Industry and Technology. 1st Sess., 44th Parl., Meeting No. 109. February 7. www.ourcommons.ca/Content/Committee/441/INDU/Evidence/EV12872520/INDUEV109-E.PDF.

Freeland, Chrystia. 2024. "Remarks by the Deputy Prime Minister on Securing Canada's AI Advantage." Department of Finance, April 7. www.canada.ca/en/department-finance/news/2024/04/remarks-by-the-deputy-prime-minister-on-securing-canadas-ai-advantage.html.

Google Canada. 2024. "Brief presented to Canada's House of Commons Standing Committee on Industry and Technology on the AI and Data Act, as part of the Digital Charter Implementation Act (Bill C-27)." February 21. www.ourcommons.ca/Content/Committee/441/INDU/Brief/BR12951103/br-external/GoogleCanada-AIAndDataAct-e.pdf.

Grant, Wyn. 1978. *Insider groups, outsider groups, and interest group strategies in Britain*. Warwick, UK: University of Warwick Press.

Grossmann, Matt. 2014. "Group Mobilization from the Economy, Society, and Government." In *New Directions in Interest Group Politics*, edited by Matt Grossmann, 1–21. New York, NY: Routledge.

Hemmadi, Murad. 2023. "Businesses warn Ottawa's proposal for AI rules are too vague, will stifle innovation." The Logic, April 12. https://thelogic.co/news/businesses-warn-ottawas-proposal-for-ai-rules-are-too-vague-will-stifle-innovation/.

ISED. 2021. *A Consultation on a Modern Copyright Framework for Artificial Intelligence and the Internet of Things.* Ottawa, ON: ISED. https://ised-isde.canada.ca/site/strategic-policy-sector/en/marketplace-framework-policy/copyright-policy/consultation-modern-copyright-framework-artificial-intelligence-and-internet-things-0.

— — —. 2022. *Learning Together for Responsible Artificial Intelligence.* Report of the Public Awareness Working Group. Ottawa, ON: ISED. https://ised-isde.canada.ca/site/advisory-council-artificial-intelligence/en/public-awareness-working-group/learning-together-responsible-artificial-intelligence.

— — —. 2023a. "Consultation on Copyright in the Age of Generative Artificial Intelligence." Ottawa, ON: ISED. https://ised-isde.canada.ca/site/strategic-policy-sector/en/marketplace-framework-policy/consultation-paper-consultation-copyright-age-generative-artificial-intelligence.

— — —. 2023b. "Proposed Amendments to Bill C-27." October 3. www.ourcommons.ca/content/Committee/441/INDU/WebDoc/WD12600809/12600809/MinisterOfInnovationScienceAndIndustry-2023-10-03-e.pdf.

Kelly, Marie and Ian Chai. 2023. "Assessing the Impact of Canada's Proposed Bill C-27, *Artificial Intelligence and Data Act*." Submission to the House of Commons Standing Committee on Industry and Technology. Alliance of Canadian Cinema Television and Radio Artists. September 8. www.actra.ca/wp-content/uploads/2023/09/PA-AI-Submission.pdf.

Konikoff, Daniel. 2024. "Evidence." House of Commons Standing Committee on Industry and Technology. 1st Sess., 44th Parl., Meeting No. 94. November 2. www.ourcommons.ca/Content/Committee/441/INDU/Evidence/EV12684242/INDUEV94-E.PDF.

Maloney, William, Grant Jordan and Andrew McLaughlin. 1994. "Interest Groups and Public Policy: The Insider/Outsider Model Revisited." *Journal of Public Policy* 14 (1): 17–38. www.jstor.org/stable/4007561.

Marsh, David and R. A. W. Rhodes, eds. 1992. *Policy Networks in British Government*. Oxford, UK: Oxford University Press.

McPhail, Brenda. 2021. "RCMP Use of Face Recognition Tool Violated Privacy Law." Canadian Civil Liberties Association, June 10. https://ccla.org/privacy/surveillance-technology/face-surveillance/rcmp-use-of-face-recognition-tool-violated-privacy-law/.

Meta Platforms, Inc. 2024. "Canada Bill C-27 (AIDA) – Proposed Amendments." February. www.ourcommons.ca/Content/Committee/441/INDU/Brief/BR12948163/br-external/MetaPlatformsInc-e.pdf.

Microsoft. 2024. "Submission to INDU Committee regarding Part 3 of Bill C-27 (Artificial Intelligence and Data Act)." March 1. www.ourcommons.ca/Content/Committee/441/INDU/Brief/BR12952958/br-external/Microsoft-e.pdf.

MILA. 2020. "Global consultation on AI ethics: Mila receives financial assistance from Québec government." News release, July 8. https://mila.quebec/en/news/global-consultation-on-ai-ethics-mila-receives-financial-assistance-from-quebec-government.

— — —. 2023. "Politics and responsible AI: Mila's expertise highlighted at ALL IN 2023." News release, October 3. https://mila.quebec/en/news/politics-and-responsible-ai-milas-expertise-highlighted-at-all-in-2023.

Niemeyer, Kenneth. 2024. "AI 'godfather' says OpenAI's new model may be able to deceive and needs 'much stronger safety tests.'" Business Insider, September 21. www.businessinsider.com/ai-godfather-yoshua-bengio-openai-safety-o1-model-deception-concerns-2024-9.

Norton, Philip. 2010. *The British Polity*. 5th ed. London, UK: Routledge.

Open Media. 2023. "Re: Formal request to send AIDA back for full public consultation and redrafting." December 14. https://openmedia.org/assets/AIDA_Civil_Society_Letter_to_INDU_HoC_Committee.pdf.

Sandusky, Kathleen. 2023a. "Policy advice for navigating regulation in the age of AI: think bigger." CIFAR, November 21. https://cifar.ca/ cifarnews/2023/11/21/policy-advice-for-navigating-regulation-in-the-age-of-ai-think-bigger/.

– – – . 2023b. "CIFAR AI Insights Policy Brief outlines strategies for federated health data access in Canada." CIFAR, August 3. https://cifar.ca/cifarnews/2023/08/03/cifar-ai-insights-policy-brief-outlines-strategies-for-federated-health-data-access-in-canada/.

Smith, Marie-Danielle and Jim Bronskill. 2022. "Privacy bill sets out rules on use of personal data, artificial intelligence." CBC News, June 16. www.cbc.ca/news/politics/privacy-bill-artificial-intelligence-1.6490665.

Tessono, Christelle, Yuan Stevens, Momin M. Malik, Sonja Solomun, Supriya Dwivedi and Sam Andrey. 2022. "AI Oversight, Accountability and Protecting Human Rights: Comments on Canada's Proposed *Artificial Intelligence and Data Act*." November. The Dais, Toronto Metropolitan University. https://dais.ca/reports/aida/.

Thompson, Elizabeth. 2023. "Ottawa unveils new AI code of conduct for Canadian companies." CBC News, September 26. www.cbc.ca/news/politics/ai-federal-government-champagne-1.6979301.

Villeneuve, Sarah, Gaga Boskovic and Brent Barron. 2019. "Rebooting Regulation: Exploring the Future of AI Policy in Canada." May. CIFAR and the Brookfield Institute for Innovation + Entrepreneurship. https://cifar.ca/wp-content/uploads/2020/01/rebooting-regulation-exploring-the-future-of-ai-policy-in-canada.pdf.

Vipond, Siobhán. 2023. "Evidence." House of Commons Standing Committee on Industry and Technology. 1st Sess., 44th Parl., Meeting No. 93. October 31. www.ourcommons.ca/Content/Committee/441/INDU/Evidence/EV12671203/INDUEV93-E.PDF.