

18 June 2025

Electronic Transactions Development Agency
The Government Complex, Building B, 6th Floor
120 Moo 3 Chaengwattana Road, Thungsohong, Lak Si District
Bangkok 10210, Thailand

RE: Comments of ACT | The App Association, *(Draft) Principles of the Artificial Intelligence Act*

ACT | The App Association appreciates the opportunity to provide public comments to the Electronic Transactions Development Agency (ETDA) on proposed principles of the Kingdom of Thailand's Artificial Intelligence (AI) Act.

The App Association is a policy trade association for the small business technology developer community. Our members are entrepreneurs, innovators, and independent developers within the global app ecosystem that engage with verticals across every industry. We work with and for our members to promote a policy environment that rewards and inspires innovation while providing resources that help them raise capital, create jobs, and continue to build incredible technology that powers countless AI use cases. The value of the ecosystem the App Association represents—which we call the app ecosystem—is approximately THB 59 trillion and is responsible for tens of millions of jobs in and outside of Thailand, while serving as a key driver of the THB 262 trillion internet of things (IoT) revolution.¹

We support the Kingdom of Thailand's efforts to reinforce its position as a global digital hub and influential leader in the global digital economy by supporting innovation, entrepreneurship, research, and development in advanced technologies across various digital solutions. Alongside the world's rapid embrace of mobile technology, our members have been developing innovative AI solutions while also playing a critical role in developing entertainment products such as streaming video platforms, video games, and other content portals that rely on intellectual property protections. App Association members power the growth of the internet of things (IoT) across modalities and segments of the economy, promoting innovation and job growth. To understand and shape rules for this complex and evolving technology, the App Association voice, representing small businesses, is critical.

In advancing The Kingdom of Thailand's National AI Strategy, we EDTA to align its approach with the following principles:

1. Quality Assurance and Oversight: Policy frameworks should utilize risk-based approaches to ensure that the use of AI aligns with the recognized standards of safety and efficiency. Providers, technology developers and vendors, and other stakeholders all benefit from understanding the distribution of risk and liability in building, testing, and using AI tools. Policy frameworks addressing liability should ensure the appropriate distribution and mitigation of

¹ ACT | The App Association, State of the App Economy (2022), <https://actonline.org/wp-content/uploads/APP-Economy-Report-FINAL.pdf>.

risk and liability. Specifically, those in the value chain with the ability to minimize risks based on their knowledge and ability to mitigate should have appropriate incentives to do so. Some recommended guidelines include:

- Ensuring AI is safe and efficacious.
- Supporting that algorithms, datasets, and decisions are auditable.
- Encouraging AI developers to consistently utilize rigorous procedures and enabling them to document their methods and results.
- Requiring those developing, offering, or testing AI systems to provide truthful and easy to understand representations regarding intended use and risks that would be reasonably understood by those intended, as well as expected, to use the AI solution.
- Ensuring that adverse events are timely reported to relevant oversight bodies for appropriate investigation and action.

2. Thoughtful Design: Policy frameworks should require design of AI systems that are informed by real-world workflows, human-centered design and usability principles, and end-user needs. AI systems solutions should facilitate a transition to changes in the delivery of goods and services that benefit consumers and businesses. The design, development, and success of AI should leverage collaboration and dialogue among users, AI technology developers, and other stakeholders in order to have all perspectives reflected in AI solutions.
3. Access and Affordability: Policy frameworks should ensure AI systems are accessible and affordable. Significant resources may be required to scale systems. Policymakers should take steps to remedy the uneven distribution of resources and access and put policies in place that incentivize investment in building infrastructure, preparing personnel and training, as well as developing, validating, and maintaining AI systems with an eye toward ensuring value.
4. Research: Policy frameworks should support and facilitate research and development of AI by prioritizing and providing sufficient funding while also ensuring adequate incentives (e.g. streamlined availability of data to developers, tax credits) are in place to encourage private and non-profit sector research. Transparency research should be a priority and involve collaboration among all affected stakeholders who must responsibly address the ethical, social, economic, and legal implications that may result from AI applications.
5. Modernized Privacy and Security Frameworks: While the types of data items analyzed by AI and other technologies are not new, this analysis will provide greater potential utility of those data items to other individuals, entities, and machines. Thus, there are many new uses for, and ways to analyze, the collected data. This raises privacy issues and questions surrounding consent to use data in a particular way (e.g. research, commercial product/service development). It also offers the potential for more powerful and granular access controls for consumers. Accordingly, any policy framework should address the topics of privacy, consent, and modern technological capabilities as a part of the policy development process. Policy frameworks must be scalable and assure that an individual's data is properly protected, while also allowing the flow of information and responsible evolution of AI. This information is necessary to provide and promote high-quality AI applications. Finally, with proper protections in place, policy frameworks should also promote data access, including open access to appropriate machine-readable public data, development of a culture of securely sharing data with external partners, and explicit communication of allowable use with periodic review of informed consent.

6. Bias: The bias inherent in all data, as well as errors, will remain one of the more pressing issues with AI systems that utilize machine learning techniques. Any regulatory action should address data provenance, and bias issues present in the development and uses of AI solutions. Policy frameworks should:
 - Require the identification, disclosure, and mitigation of bias while encouraging access to databases and promoting inclusion and diversity.
 - Ensure that data bias does not cause harm to users or consumers.
7. Ethics: The success of AI depends on ethical use. A policy framework will need to promote many of the existing and emerging ethical norms for broader adherence by AI technologists, innovators, computer scientists, and those who use such systems. Policy frameworks should:
 - Ensure that AI solutions align with all relevant ethical obligations, from design to development to use.
 - Encourage the development of new ethical guidelines to address emerging issues with the use of AI, as needed.
 - Maintain consistency with international conventions on human rights.
 - Ensure that AI is inclusive such that AI solutions beneficial to consumers are developed across socioeconomic, age, gender, geographic origin, and other groupings.
 - Reflect that AI tools may reveal extremely sensitive and private information about a user and ensure that laws protect such information from being used to discriminate against certain consumers.
8. Collaboration and Portability/Interoperability: Policy frameworks should enable eased data access and use through creating a culture of cooperation, trust, and openness among policymakers, AI technology developers and users, and the public.
9. Education: Policy frameworks should support education for the advancement of AI, promote examples that demonstrate the success of AI, and encourage stakeholder engagements to keep frameworks responsive to emerging opportunities and challenges.
 - Consumers should be educated as to the use of AI in the service they are using.
 - Academic education should include curriculum that will advance the understanding of and ability to use AI solutions.
10. Intellectual Property: The protection of IP rights is critical to the evolution of AI. In developing approaches and frameworks for AI governance, policymakers should be mindful of how current legal protections apply in circumstances involving AI and ensure that compliance measures and requirements do not undercut IP or trade secrets.

The App Association appreciates the opportunity to submit its views to EDTA on this proposal. We welcome the opportunity to further assist EDTA in any way we can moving forward.



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