

EU AI Act vs Interim Measures for Generative AI Service Management

Editorial verdict: **asymmetric** — see comparison narrative below.

EU · BINDING REGULATION

EU AI Act

EU-AIA-2024

TREATMENT OF NATIONAL SECURITY CARVEOUTS IN AI REGULATION

governs

Art. 2(3) explicitly excludes AI systems used exclusively for military, defence, or national-security purposes

Primary source: [Regulation \(EU\) 2024/1689](#)

CN · BINDING REGULATION

Interim Measures for Generative AI Service Management

CN-GENAI-2023

TREATMENT OF NATIONAL SECURITY CARVEOUTS IN AI REGULATION

silent

Distinct framing — state security IS the central concern in China's AI regulation, not a carveout

Primary source: [CAC Order No. 15](#)

What this comparison shows

One regime addresses the topic explicitly while the other covers it only implicitly or not at all. This is a likely site of regulatory arbitrage and a candidate for comparative-law follow-up.

Contested question: Whether the carveout should be (a) categorical exclusion of national-security AI, (b) parallel governance track with sui generis rules, or (c) full civilian-track compliance with national-security override. Most instruments choose (a); the field debates whether this leaves a dangerous gap.

Bibliography

1. [Regulation \(EU\) 2024/1689](#) — EU AI Act.
2. [CAC Order No. 15](#) — Interim Measures for Generative AI Service Management.
3. [Policy Window — National Security Carveouts in AI Regulation](#) (cross-jurisdiction topic article with full coverage matrix).