THE LEGAL ASPECTS OF THE ARTIFICIAL INTELLIGENCE SYSTEMS

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Abstract

The development of artificial intelligence systems and their daily use have opened up a number of legal issues.These are issues of privacy, data protection, algorithmic transparency, cybersecurity, intellectual property, legal subjectivity of robots, algorithmic discrimination, liability for damages, right to education, employees' rights, right to freedom of expression, right of assembly and association, right to a fair trial, suffrage, all the way to the right to health and the right to life. As a consequence of the operation of an artificial intelligence system, there may be a job loss, lack of social assistance, lack of health care, incorrect determination of creditworthiness, discrimination on various grounds, loss of rights and freedoms, and even loss of life. The high risk posed by individual artificial intelligence systems requires adequate legal regulation and its effective implementation in order to protect the fundamental rights and freedoms guaranteed to all individuals.

Legal aspects of artificial intelligence

1. Autonomous vehicles with technology based on artificial intelligence

2. Human rights

3. Artificial intelligence regulatory sandbox

4. Intellectual property and artificial intelligence

5. Tort liability and artificial intelligence

6. Algorithmic discrimination

7. European legal regulations on the use of artificial intelligence (Documents adopted by the Council of Europe and the European Union provide a clear indication as to how to regulate the legal aspects of the use of artificial intelligence: Declaration by the Committee of Ministers on the Manipulative Capabilities of Algorithmic Processes, White Paper on Artificial Intelligence – A European approach to excellence and trust, Building Trust in Human–Centric Artificial Intelligence, Recommendation of the Committee of Ministers Council of Europe to Member States on the Human Rights Impacts of Algorithmic Systems, Fostering a European Approach to Artificial Intelligence, The Risks of Computer-Assisted or Artificial-Intelligence-Enabled Decision Making in the Field of the Social Safety Net, Proposal for a Regulation of the European Parliament and of the Council Laying Down Harmonised Rules on Artificial Intelligence (Artificial Intelligence Act) and Amending Certain Union Legislative Acts.).

Acknowledgment

Conclusion

Legal regulations for various aspects of the use of artificial intelligence requires the creation of an extremely complex legal framework, both at the international and the national level. On the one hand, this legal framework must include legally binding norms (the so-called hard law), and on the other, non-binding norms (the so-called soft law). Within the binding norms, it is necessary, on the one hand, to precisely define the obligations of those who make and use products, services and systems based on artificial intelligence technology, and on the other, to define a rigorous system of sanctions and to ensure its efficient application. The experience with the General Data Protection Regulation of the EU (GDPR) showed that high sanction fees influence oncompliance with legal regulations. Aside from making a special law on the use of artificial intelligence systems, which will specifically regulate high-risk artificial intelligence systems, it is necessary to amend a large number of regulations from various areas at the national level, in order to ensure a safe use of artificial intelligence systems.

Within the non-binding norms, it is necessary to create as many recommendations, declarations, guidelines, principles and standards of good practice, as well as codes of conduct which will be implemented by those who produce and also those who use artificial intelligence systems. This way, safety standards for the use of technology based on artificial intelligence would be elevated. In parallel with the work on making as comprehensive legal framework as possible for the regulation of numerous areas of use of technology based on artificial intelligence, it is necessary to work on continuous education of producers and users of artificial intelligence systems with numerous legal aspects of using this technology.

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