ISSN : 2466-0744

MULTIDISCIPLINE PROCEEDINGS OF

DIGITAL FASHION CONFERENCE

KOREA, REPUBLIC OF

Multidiscipline Proceedings of

DIGITAL FASHION CONFERENCE

October 2022 *(Volume 2, No.5)*

Copyright © 2021
By Woongjin Think Big Co., Ltd.
All rights reserved.
Available at digitalfashionsociety.org
Published:
서울 합정역
파주출판도시
ISSN 2466-0744
Seoul
Korea, Rebuplic of

EDITORIAL BOARD

Katharina Sand
PhD Candidate - Faculty of Communication, Culture and Society, USI - Universita della Svizzera italiana

Alice Noris
PhD Candidate - Faculty of Communication, Culture and Society, USI - Universita della Svizzera italiana

Michela Ornati
Faculty of Communication, Culture and Society, USI - Universita della Svizzera italiana

THE DEVELOPMENTOF LEGAL REGULATION OF ARTIFICIAL INTELLIGENCE IN THE REPUBLIC OF UZBEKISTAN

Bazarov Sardor Sohibjonovich
Acting professor of Private International Law Department
of Tashkent State University of Law, Phd in Law
Sardor_bazarov1980@mail.ru

Abstract: The author of this article analyzes the necessity of using artificial intelligence in various sphere of our life. In addition, the author reviewed the conception of artificial intelligence. Besides, it has been put forward the proposals on development of legal framework of artificial intelligence as well as adopting Act on artificial intelligence, Strategy of development of artificial intelligence and code of ethics of artificial intelligence.

Keywords: Artificial intelligence technologies, robotics rules, big data, regulatory frameworks, principles of using of artificial intelligence.

It is impossible to imagine 21st century without innovations, in which artificial intelligence has become one of the most discussed phenomenon.

Artificial intelligence becomes the integral parts of humanity. In other words, the technologies are based on artificial intelligence are found in the professional and everyday life and are used in various industries: in particular, in the field of agriculture, it is effectively used in the process of monitoring the condition of soil and agricultural crops, as well as the work of agricultural machinery and combines based on remote sensing data. In addition, by forecasting natural disasters in advance, it is becoming the main tool to prevent its harmful and dangerous consequences, to prevent sudden changes in climate and serious damage to the agricultural sector.

In the medical field, effective microsurgery and surgical operations with the help of artificial intelligence-based robots, early diagnosis of breast cancer and mammography analysis, timely detection of pneumonia and other diseases based on computer tomography analysis of human lungs are ensuring their health and well-being.

Artificial intelligence is also being used effectively in the field of pharmaceuticals. In particular, artificial intelligence is giving its positive results in the analysis and forecasting of the market's needs for drugs and medical supplies.

In the field of e-government, artificial intelligence technologies are used for remote biometric identification of users (Face-ID) in the provision of e-government and financial services.

Today, with the help of artificial intelligence in the judicial system, the workload related to the human factor has been reduced, the work with large data (big data) has been improved, and the tasks of the employees of judicial authorities have been significantly eased.

In addition, thanks to the artificial intelligence citizens who are parties to the court and other legal process participants are provided with legal assistance as well as legal advices. Besides, the technologies based on artificial intelligence is becoming the main assistant for judges in making decisions. Since humans are using artificial intelligence more and more every day, it is better to propose to review its legal regulation and the consequences of using artificial intelligence. Before analyzing the legal aspects of artificial intelligence, it is necessary to study the notion and concept of artificial intelligence.

The computational scientists Barr and Feigenbaum proposed the following definition of Artificial intelligence: "Artificial intelligence is the field of computer science that

deals with the development of intelligent computer systems having capabilities that we traditionally associate with the human mind - language comprehension, learning, ability to reason, solve problems, etc [1]. However, today, the difficulty lies in the inconsistency of AI, the impossibility of giving it a clear and comprehensive definition. Some European researchers define artificial intelligence as a complex system that has a reasonable behavior based on the analysis of the environment [2].Other group of scientists explain the nature of artificial intelligence as a machine or apparatus that observes, learns, and takes appropriate action based on acquired experience [3]. While all researchers agree that AI is an intelligent system based on the concept of machine learning (ML) [4].

Based on abovementioned we can come to the following opinion: artificial intelligence is an organized set of technologies that can be used to perform complex tasks by using a system of scientific research methods and algorithms for processing information that is obtained or independently created during work. It creates and uses its own knowledge bases, decision-making models, work algorithms with information and ways to achieve the appropriate goals. In other words, artificial intelligence is a software product that receives a specific request, collects and processes data, and then make a ready-made solution. Such a decision is often perceived as the result of a program that exhibits intelligent behavior and works like a human mind.

Artificial intelligence is a relatively new term for the legislator of the Republic of Uzbekistan, therefore clear legal definition as well as legal regulation of artificial intelligence has not yet developed in the current legislation.

However, Uzbekistan has already laid the first stone in the development and regulation of artificial intelligence. On 17 February of 2021, the Resolution of the President of the Republic of Uzbekistan № ПП-4996 "On measures to create conditions for accelerated implementation of artificial intelligence technologies" has been adopted [5]. Based on the Resolution it has been the developed "Program of measures for the study and implementation of artificial intelligence technologies in 2021-2022" [5]. One of the key point of program is Development of a regulatory framework in the field of artificial intelligence. According to this Program today it is being created the draft of Strategy of development of artificial intelligence and other regulatory frameworks.

As the researcher, we also put forward the proposals on development of legal basis of regulation of Artificial intelligence in our country. The Strategy of development of artificial intelligence should include the fundamental issues, which serve for the development of artificial intelligence technologies.

These directions are creating favorable legal conditions for access to data in order to conduct scientific research;

Assuring of legal conditions of procedures for simplified testing and implementation of technological solutions developed based on artificial intelligence;

Elimination of administrative barriers and simplification of procedure on development of artificial intelligence;

Assuring the stimulation of attracting foreign investments by improving and simplifying of mechanisms of creating entities using modern technologies oriented on developing of artificial intelligence;

Assuring tax holidays and preferences to new founded educational establishments oriented preparing staff and cadres in the sphere of developing of artificial intelligence.

By now, the lack of regulatory framework leads to the serious problems on regulation of relations in the sphere of artificial intelligence. This phenomenon shows the necessity of adoption of new "Act on artificial intelligence". This Act must include conceptual norms, which regulate all relations in the sphere of artificial intelligence. In other words, this Act involve the article reflecting the notion and conception of artificial

intelligence.

By now the scientific society of the world considering the issues on giving the legal status for artificial intelligence as electronic person, electronic individual, digital person etc, because robotics with artificial intelligence have equally with people participate in civil relations and become the member of civil society. Therefore, it is necessary to be included the norms determining the legal status of artificial intelligence.

As we now from the theory of law, participants of any legal relations have their right and obligations. In addition, rights and obligations are main clue for the successful regulation of activity of participant of appropriate legal relations.Bases on this conception it is necessary to adopt norms setting up rights and obligations of participants of artificial intelligence relations. For instance, rights and obligations of creators of artificial intelligence as well as the rights and obligations of creations like artificial intelligence.

The issue about who bears responsibility for the incorrect operation of artificial intelligence becomes very controversial. Usually, in any legal relationship, few people think about responsibility in advance.

However, the use of artificial intelligence also entails rights, duties as well as responsibilities and it is very complicated to determine where is the line between the responsibility of the developer of a program with artificial intelligence and the user of such a program.

Today many law scientists and practitioner lawyers argue about who bears liability for the consequences of the wrong work of artificial intelligence. In other words, law does not regulate the responsibility associated with the use of artificial intelligence today. That is why most opinions and approaches on this issue are more scientific than practical.

Since there is no legal regulation, in order to determine the responsible person in each individual case, it is important for lawmakers to create the norms which establish acausal relationship and establish the moment, action, circumstance, etc.as aresult of which the artificial intelligence did not work correctly. Besides, lawmaker should crate the norms which people can understand what caused the accident In order to determine the responsible person. And these norms should consider the following:

- shortcomings of the program itself, which entails the responsibility of the creator of such a program;
- incorrect use of the program by user, which will entail the responsibility of the latter;
- intervention of third parties who, for example, broke and damaged the program or made certain changes to it and, accordingly, the fault of such persons.

Determining the person who bears responsibility for incorrect operation or wrong using of artificial intelligence is not the solution of problems in essence. Today many scientific society of the world think about new ideas on taking measures on prevention of infringements in the sphere of artificial intelligence. They created and now developed ethical code of artificial intelligence, which include fundamental rules of using technologies with artificial intelligence. Many developed countries have already created Code of Ethics of artificial intelligence. It is time to adopt code of ethics of artificial intelligence. This code should consider principles of ethics and rules of conduct such as respect for human autonomy and free will, compliance with the law, non-discrimination, risk and humanitarian impact assessment, precaution, doing no harm, information security, AI technologies should be applied for their intended purpose and implemented where it will benefit people, being aware of responsibility in creating and using artificial intelligence.

The protection of copyright for objects created by artificial intelligence is vital. Today many objects are created by artificial.

In this context, the question arises: who exactly owns the copyright for a work created

with the help of artificial intelligence? A person who created a program using artificial intelligence, or a person who used such a program and set a task for artificial intelligence. Or the artificial intelligence itself?. By now, there are many different approaches regarding intellectual property rights to the objects created by artificial intelligence. Taking into account abovementioned it is necessary to amend new norms, which regulate copyright relations with the participation of artificial intelligence.

Taking into account it should be noted that by now in the Republic of Uzbekistan it is being conducted large scale of reforms on developing and implementing of artificial intelligence to the whole sphere of our life. However, the appearing of new relations related to artificial intelligence and its rapid development require further improvement of the legal framework of this field. In particular, based abovementioned the adoption of Act on artificial intelligence and Strategy of development of artificial intelligence as well as the Code of ethics of using artificial intelligence are vital.

References:

1.Artificial Intelligence (AI) as a key factor in the digitalization of the global economy // URL: https://www.crn.ru/news/detail.php?ID=117544 (Accessed 03/06/2017)

2.European political strategy centre. The Age of Artificial Intelligence. Towards a European Strategy for Human-Centric Machines, Strategic Note, 2019, March 27, no. 29, p. 2.

3.Joint research centre. Artificial Intelligence-A European Perspective, cit., p. 19.

4.European commission. Factsheet-Artificial Intelligence for Europe, 2019, July 4.

5.https://lex.uz/docs/5297046

ELSEVIER
SSRN
Universal Impact Factor