

# LEGAL CHALLENGES TO ARTIFICIAL INTELLIGENCE (BETWEEN REALITY AND HOPE)

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## ABSTRACT

*The paper discusses the legal regulation of the practice and work of Artificial Intelligence (AI) and robotics. This topic is very important at the present time, because it is devoid of any legal regulation and the legal, economic and social problems it raises. It was necessary for us to delve into this despite the almost total absence of legal sources and references in Arabic.*

*We have sought in this research by making use of theoretical research and scientific conferences that took place in Spain and some countries - by following the inductive method and the comparative analytical method - to provide a complete concept and fit with the development of artificial intelligence (AI).*

*One of our most prominent proposals is to create an independent law governing Artificial Intelligence (AI) and robotics. We also concluded by showing the reality of the role played by artificial intelligence and the problems it raises. Despite this, there are no tight legal rules, but rather attempts to set scattered instructions, whether from the state or companies, and despite the acceleration in the presence of this technological technology and its uses and the extent of its impact on life, and here is the danger in that.*

**Keywords:** Artificial Intelligence (AI), Robots, Legal Regulation, Cyber Security, ISO

## INTRODUCTION

Artificial intelligence systems have become more complex, especially organized through several intelligent technologies, which directly affect the simple areas (AI) of our social systems, where they lead to the dictatorship of the algorithm. That is why we can be sure that Artificial Intelligence (AI) systems are one of the truly disruptive inventions in the photographic environment. These systems undoubtedly constitute a positive and negative verification of change in our societies.

Faced with this issue in its embryonic state, perhaps the first thing that comes to our attention is to talk about the fundamental effectiveness of Artificial Intelligence (AI), hence, the importance of research in this subject, as Artificial Intelligence (AI) technologies become a potential independent legal category.

At the present time, the moment when the new legal systems are granted guarantees is still a distant reality, although in some regions of the world such as Japan, South Korea and Taiwan, where the regulations governing these first matters exist. Also, there are already some references regulating this subject by university institutions in foreign countries, and they are few who specialize in this subject, and they dealt with them in light of the rapid technological developments. We found it interesting and useful to reflect on the current state of AI technologies in relation to the legal regulation that governs it, and in particular to what extent it might affect the work of legislators in the near future and as far as possible to derive about whether we see a mechanism for resolving legal disputes.

Through this research, we aspire to address some of the legal challenges through which the stage of technological development appears, especially the issues that affect our future and that have a great legal future. What is the reality of that technological technology? What is the hope for the future?

We will discuss the legal challenges of this intelligence technology through the first requirement: the problems of artificial intelligence at the ethical and legal level. The second

requirement: applications to the main legal challenges of artificial intelligence, and the third requirement: What is the possibility of regulating artificial intelligence? The fourth requirement: a clear definition of artificial intelligence (and its future prospects).

### **Problems at the Ethical and Legal Level for Artificial Intelligence (AI)**

Among the most important problems raised by Artificial Intelligence (AI) are at the ethical level (section one), as well as problems of very great importance at the legal level (section two).

#### **Section One: The Moral Level**

Here we wonder whether the regulation of Artificial Intelligence (AI) is really worth it after what technological progress allows, in these cases it is possible for us to see problems and possible solutions if any, and there is an ethical assessment about implementing or not implementing this, and what sectors or which areas should be in our lives? (Moises, 2018).

In the face of an AI hack, we will provide a non-exhaustive list of all the problems that may arise, but only some of the questions we consider relevant (Vazquez, 2019):

First - Unemployment: There are economists who have a negative perspective regarding the impact of Artificial Intelligence (AI) on the unemployment rate, which makes this a reality for some futurists and researchers, despite the loss of many jobs that will be replaced by a large number of jobs which requires less effort and hours and more wages for workers. In any case, it is appropriate for all countries at all international and regional levels to try to study the impact of Artificial Intelligence (AI) to try to solve their unemployment problems (Moises, 2018).

Second - Addiction: to Artificial Intelligence (AI) technology and dependence on technology in a society that is increasingly dependent on and addicted to technology, where it would be wise to establish mechanisms in all areas that benefit us in using technology in certain sectors and also fundamentally enhance technological values. The legislators are the ones who have the greatest care and responsibility in the process of participating in building society, despite its reliance on Artificial Intelligence (AI) techniques, and this dependence is not subject to his ability to be happy and set a life plan. The laws of countries all over the world must include technology and train people to know that this has not always been the case and that there are things, recreational activities, and information sources that do not contain an advanced technological component.

#### **Section Two: The Legal Level**

An advanced legal system of legal classifications that ensures modern technological development, but also protects the rights of persons, promotes the free development of personality, and adequately defines basic rights, must be drawn up. Robotic technology must be oriented towards complementing human capabilities, not replacing them.

Under this conception, all legal files must realize that in this case there are no things that complement human capabilities. It is necessary to challenge the apparent autonomy of the work, as well as the skills of learning and reaction to the framework of a particular circumstance.

On the other hand, if we talk about sensitive beings, for example, we are not referring to the sensitivity of celestial anthropology, but to the sensitivity resulting from the independent action of the modern technological apparatus, through its manipulation and its possible legal expectations. Or they are factors indicating that it is on the sidelines of a work belonging to a completely new ontological category. It is not a question of thinking about a topic, but rather the recognition of the legal subjectivity of an intelligent device that interacts independently with the environment.

From our point of view, a smart robot is that mechanical machine that operates independently through software and sensors (Rosales, 2020). Intelligent people can make decisions based on the logic and Artificial Intelligence (AI) they are immersed in as they recognize, change and interact with the physical world, all of which without being under constant human control.

### **Applications to the Main Legal Challenges of Artificial Intelligence (AI)**

The most important legal challenges facing Artificial Intelligence (AI) technologies lie in the lack of a special regulation governing artificial intelligence (the first branch), the main problems of Artificial Intelligence (AI) (the second branch AI) and addressing the legal problems of Artificial Intelligence (AI) (the third branch).

#### **Section One: The Lack of a Special Regulation Governing Artificial Intelligence (AI):**

We must solve the problems of Artificial Intelligence (AI), and put in place a special regulation to govern this, taking into account that the technology has gone through several stages: (Cuesta, 2018).

The first: when a person uses the Internet to improve his life.

The second: It is imminent that robots participate in controlling humanity with the possibility of people to participate in robots in making a better future. And advanced Artificial Intelligence (AI) techniques pose many problems through the existing rules that lead to solving problems, as smart robots will be governed by multiple systems and rules in the legal field, especially civil, as well as military and industrial ones, and there will be machines and machines that solve The place of the human being, which carries out environmental work such as agriculture....etc.

In addition, we will find people using artificial intelligence techniques to improve their physical and educational status, such as prosthetic limbs related to our muscles ... etc. In fact, some robots are already in the market such as Asimov (1) and (Muniz, 2018) Buddy (2) that work on accompanying persons.

And the human sympathy for the robot seems clear as people will give in to technology and replace living creatures, especially humans, with intelligent robots in many areas of life, including the workplace. It's possible that we don't all envision a robot the same way, but it looks like it's going to be the trend.

We will protect AI technologies in a certain way because they will take care of us and help us make decisions. As a result, you will develop very strong influential links with the robots that will evoke a sense of respect and loyalty. It is strange in this regard to find that some psychologists (Santos, 2019) (3) have confirmed that in 2020 they will have more conversations with robots than with each other, and psychologists warn that the relationships that will be established with understandable entities will include social risks such as The inability of people to distinguish between reality and imagination, and between natural and artificial.

It is possible that the use of artificial intelligence devices to modify human behavior. In a study of the British government in 2006 (cited in Santos 2017) (4) warned that in the next fifty years, robots will demand the same rights that the current human being gets.

The new legal regulation of AI must preserve values; Such as authenticity, security and preservation of the human race, as well as ethical issues. It also contains the conflicts that can occur within the framework of the relationship between robots and humans. This means not only regulating technology, but also regulating societies so that humanity can continue as these people want.

#### **The Second Section: The Main Problems of Artificial Intelligence (AI)**

The technical revolution of Artificial Intelligence (AI) will bring new challenges that current laws do not respond to. It is necessary to address this not only in relation to legal issues, but also to social, economic, health and moral issues in order to ensure the freedom, independence and security of human beings, and to clarify this with questions such as:

What are the actual legal challenges to AI, whether or not it has its own system of rights and duties? Who bears responsibility for its independent and unforeseen actions and what minimum technical and legal regulatory measures are indispensable to ensure its development (Muniz, 2018).

We believe that legal security and minimizing risks to people are also critical to the development of technology and the AI market.

Indeed, there should be a legal framework for AI sector operators, especially those who are very concerned about the implications of their activities and need legal coverage before potential creators who are obligated to develop an outcome that is consistent with the values of constitutions and human rights (Moises, 2018).

Among the various organizational initiatives, we highlight the following:

First: the creation of a global robotics agency.

Second: Issuing a set of new rules and analyzing the feasibility of the current financial and social system for robots.

Third: Paying attention to security and privacy as a series of values in robotics design.

While (De La Mantaras, 2017) (5) does not agree that the solution is the existence of legislation, and in their opinion, the requirement to regulate a technology or a group of technologies before it is developed is an important matter. Regulation consists in solving this very basic problem, and it is so seldom adequately developed that it must be based on inappropriate and dangerous rules of probability if technologies with great potential are developed.

In our opinion, organizing Artificial Intelligence (AI) as it is currently in this sense is meaningless, and we must remember that when we talk about this technology we are referring to a group of technologies that try to imitate the way humans think.

Artificial intelligence manages the investment portfolios that are regulated, and its supporters focus on this issue from several risks (Sancho, 2014), most notably:

The first: the massive destruction of multiple functions of robots and the emergence of the so-called artificial intelligence, which according to the hypotheses of singularity will be smarter than humans, and could endanger our species. With regard to these risks, we are missing a serious study of the (real, not assumed) impact of robotics and artificial intelligence on the labor market (Vazquez, 2018). It is clear that jobs (which we see every day) will be destroyed, but also in return other jobs that did not exist before will be created and created (Sancho, 2014), and they are discussing it in the media about the new taxes on robots or the need to create a universal basic income from it.

In this case, we take into account that we do not know the reports that deal with such a sensitive issue without obtaining the appropriate information due to its lack of presence, and thus we will be reckless!!

Second: With regard to the danger of machines threatening the future of the human race, it is considered premature to enact legislation, because it does not include a danger at the present time, but it seems that this legislation may happen in the next few years, as many experts are asking about this situation? As it is important to pay attention to the development of technology to intervene in the event that a real and urgent defect is discovered, and in this sense it seems to us that there are very interesting and interesting initiatives, such as the initiative of the British Parliament (6) to establish a working group open to all parties to explore the impact and effects of Artificial Intelligence (AI), and this method we consider optimal To follow up the development and intervene in the practice of artificial intelligence techniques whenever necessary.

We believe that we must discuss strategies, plans and legislation, and we say that this in itself is a problem; because developing a good artificial intelligence (AI) system requires a

lot of work, and therefore the massive investment in this field leads to the need for time and resources.

Because Artificial Intelligence (AI) technologies can be used in everyday life, whether through robots, drones, chatbots or the internet of Things. This means that in the near future its use will lead to social, economic and legal problems....etc. That is why it is necessary to start organizing it at the state and international level, which is complicated in principle because each country has different ways and forms for enacting legislation (De la mantaras, 2017).

In our opinion, the procedures regulating the legal challenges of Artificial Intelligence (AI) started from the European Union, which discussed several solutions for this. Including the text approved by the European Parliament on December 16, 2015 (Garcia, 2019) entitled "The rules of civil law and their application to robots, as it did not provide a specific concept for machines that use artificial intelligence."

Finally, we believe that the lack of legal regulation of artificial intelligence or the delay in doing so would hinder research and development in it. It is therefore very important to define business standards in terms of limits, conditions and responsibilities to determine whether smart machines can be held legally responsible, and for the ability of artificial intelligence to interact with our environment and gain more knowledge than was originally programmed, if smart machines gain greater autonomy and ability to implement Decision and implementation of actions.

### **Addressing the Legal Problems of Artificial Intelligence (AI)**

The possibility of developing technologies capable of efficiently solving problems such as those proposed depends on three foundations (Fernandez & Boulat, 2019) (7):

The first: that the system is able to understand the independence that the user has made in what is called his natural language.

The second: Which includes a set of applicable legal rules.

Third: The query can be linked to this set of rules in order to make choices, derive conclusions and provide answers to the user. Perhaps it is natural language processing techniques that have developed more in recent years, where computers can learn with a high degree of accuracy the meaning of the uses it has made Humans do not need to resort to complex grammatical constructions or operators for this.

### **The Possibility of Organizing Artificial Intelligence (AI)**

The possibility of having Artificial Intelligence (AI) in a legally sound manner leads to the absence of chaos and the reduction of the problems that it causes, and on this basis we will discuss the implantation of Artificial Intelligence (AI) in a safe way (section one) as well as the inability to regulate Artificial Intelligence (AI) (Second branch). Criticisms of the organization of Artificial Intelligence (AI) (section III).

### **The First Section: Implanting Artificial Intelligence (AI) in a Safe Way**

The ever-increasing interests in Artificial Intelligence (AI) systems and robotics all over the world point to a series of problems that must take a series of precautions to combat them, for example: Imagine that we have an Artificial Intelligence (AI) system responsible for judicial decisions. By looking at these problems, we see that it is necessary to take maximum precautions when implementing these systems, whether in law or in other social areas that requires cognitive tasks, so it is advisable to take into account at least the following measures (Bostrom & Yudkowsky, 2011) (8):

- a. Systems monitoring and inspection by humans who can periodically review or inspect the health functions of artificial intelligence systems and robots.

- b. Algorithms must also be subject to periodic examination or inspection.
- c. Predictability where the principle of legality at its core becomes legal security, meaning that all people know what criteria these systems operate and determine decisions so that people can have a safer and more preventable life plan.
- d. Systems algorithms must be immune from tampering; which is the safest before external interventions in it.
- e. The smart system, when a mistake is made in it, leads to consequences for people and the deprivation of their rights, and here it must be clearly defined, who is responsible? Is it the designer, the manufacturer, or the user?

### **The Second Section: The Inability to Regulate Artificial Intelligence (AI)**

We as human beings must admit that we no longer have the power to regulate a world of machines and algorithms, as AI is a tool with which humanity reacts recklessly and all for our own good. But what happens when we do not have the code of ethics, laws, government responsibility, corporate transparency and the ability to Organizing artificial intelligence is not just a complex thing as some claim, but rather it is an unexplored area for an era that appreciates the prestige of human leadership to the emergence of machine learning, and the deep confidence in learning and machine imprinting, according to what (Muniz, 2018) indicates that Artificial Intelligence (AI), an informational area that confirms To create intelligent devices that operate and interact like humans. This occurs when humans cannot regulate control and monitor how it is developed and integrated. This happens when foreign countries use it to achieve their goals, political agenda and economic programs without close monitoring, which leads to great dangers.

In our view, AI technology is widely considered a commercial tool, but it is rapidly becoming an ethical dilemma, thus making it difficult to discover what is real and what is not.

Recent developments in Artificial Intelligence (AI) indicate that the time is not just right for humanity to be modernized, now we know that AI contributes to the falsification of documents, audios and videos on the Internet, which can easily happen, as well as the unprecedented launch of a range of cybersecurity weapons which will be held online (Santos, 2017).

Here we have to point out that in order to navigate the world of Artificial Intelligence (AI) in which the intermediaries of mechanical intelligence is increasing, which requires a more secure system that ensures us take advantage of the opportunities created by Artificial Intelligence (AI) in all different areas, including transportation, security, medicine, labour, criminal justice, and national security. At the same time, addressing the ethical challenges that can halt innovation for Artificial Intelligence (AI), while exacerbating social problems and accelerating social and economic inequality, in which case AI can be a threat to capitalism and democracy at the same time.

And Artificial Intelligence (AI) can boost global productivity, but it will have a social cost, and some claim (Valente, 2019) that unexpected results from the past have also warned of the possibilities of increasing AI application as this appears to coincide with inequality with corruption. The technology disrupting the business world is Artificial Intelligence (AI).

And when it comes to Artificial Intelligence (AI) and areas of public trust in the era of globalization, everything is spoiled here, but global bodies to protect humanity from the global dangers of machine learning, especially employees of technology companies, are promoting the ethics of their products, without significant results, as shareholders in technology companies continue to support companies whose goals are to reduce wealth inequality to reduce social mobility in the middle class.

### **Fourth Requirement**

A clear definition of the concept of Artificial Intelligence (AI) and its future prospects. We will work on defining the clear concept of Artificial Intelligence (AI) (first section), and what are the future prospects for Artificial Intelligence (AI) (second section).

### **The First Section: The Need for a Clear and Specific Definition of Artificial Intelligence (AI)**

The term Artificial Intelligence (AI) is applied to systems that exhibit intelligent behavior in order to be able to overcome their environment, by taking actions with a certain degree of autonomy (Butterworth, 2018), and Artificial Intelligence (AI) techniques can also be combined with advanced robotics devices. (Automatic control cars, unmanned aerial vehicles) (Murilo, 2019) (9).

For example, Artificial Intelligence (AI) is used to create subtitles in videos or to keep spam away. And the mind is a remote part of our lives that requires resorting to the need to ask someone to help us organize our workday to get out with an automated driving vehicle through Artificial Intelligence (AI) as it comes to developing systems capable of solving the problem and performing tasks by simulating thought processes. This artificial intelligence can be taught how to solve problems, but Artificial Intelligence (AI) can also study the problem and learn how to solve it by itself without human intervention.

Different systems can reach several levels of independence, and they can also operate independently in this sense, and their work and results cannot be predicted (Cnudmi & Uncitral, 2007) (10).

In order to record and communicate information in different types of circumstances such as non-discrimination, neutrality with regard to technical means and functional equivalence, these principles are widely recognized as essential elements of e-commerce (Illescas, 2011). On this basis, some laws must be amended in new technology, making the language of the law in general more technology-neutral as follows: -

First, there must be laws that are unique with existing administrative regulations and the environmental operability of robots is an issue of paramount importance. When we talk about it, we mean the expensive technologies and protocols that are required to ensure integrity and integrity.

Second, it is necessary to clarify the direct and indirect role that ethics can play in regulating technology (Murillo, 2019), particularly by extending the goal of device manufacturing to include its use and its ethical implications for the social context of the company in which it was manufactured, and how it ultimately shapes democratic knowledge and technology skills (11).

### **The Second Section: The Current Status and Future Prospects of Artificial Intelligence (AI):**

When trying to overcome challenges to lawmakers we must provide information useful for decision-making or to perform their work through a natural language question recognition system if it is able to apply rules relevant to the analyzed documents using the legal standards of the applicable legal system, up to disclosure. On the minimum applicable standards, and with the possibility of learning to have achieved the highest quality of results (Fernandez & Boulet, 2019) and in the field of actual exploitation of documentary databases. It should be highlighted the model developed by Spain, based on the introduction of legal logic into the information retrieval system through an advanced process of algorithms related to natural language, as well as the search engine through genetic algorithms, and that this system relies on a triple axis (Fernandez & Boulat, 2019). (12)

The first: natural language recognition techniques based on a semantic expansion system that recognizes complex expressions or concepts used by the user and expand them through a dense network of algorithms.

The second is a system of coding legally relevant standards based on the equations available in those obtained from the required data.

These developments, which have now reached a high level of efficiency, have opened up new pathways and perspectives in obtaining information, not just legal documentation.

However, this information is not considered as a system capable of reasoning with a complex system of legal rules, even though it uses a basic set of them, and offers many reasonable alternatives to the user, because there is no legislation on robotics and artificial intelligence. On this basis, finding the legal regulations regarding the regulation of these smart technologies must establish rules for it to organize the future apart from these only rules related to the topic of research at the present time, which are the rules of ISO (International Organization for Standardization) as the most prominent ISO standards (ISO 10281) -1,2011).

The regulation of ISO regulations is only for industrial issues, and is part of the so-called term non-binding law closely related to international law, and usually includes codes of conduct etc. although they are not purely legal rules, and here It does not mean that it is not binding and cannot produce legal effects.

In fact, European jurisprudence has been ruled on several occasions, for example in the famous ruling Grimaldi (Vazquez, 2019), which has settled that soft law must produce legal effects because a judge can sometimes take these criteria into account to resolve a dispute. The ISO regulations in particular are the special commercial certificates that provide quality standards, as these regulations address aspects such as manufacturing quality, industrial safety and occupational health.

Finally, we cannot enter the future with concerns about artificial intelligence, but we should be cautious and at the same time open to accelerating scientific progress.

## CONCLUSION

First - Artificial intelligence can be defined as the concept of a machine that thinks like humans; In other words, it understands the language, plans and learns, as artificial intelligence is an automatic learning technology.

Second - The biggest challenge for artificial intelligence at present is to find a legal system that regulates the safe use of this accelerating technology.

Third - A very important consideration in the development of autonomous intelligent machines is the ability to train, think and make decisions independently. Thus it is also considered that machine learning can improve the ability to analyze data, although this conclusion poses challenges related to the transparency and clarity of decision-making processes.

Fourth - It is necessary to establish an international charter of the rights and obligations of robots, which is a must, in order to deal with potentially harmful behavior in a high manner, ensuring that it does not affect the market and is legally accepted internationally.

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