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MORALITY AND LAW FOR ARTIFICIAL INTELLIGENCE

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МОРАЛЬ ТА ПРАВО ДЛЯ ШТУЧНОГО ІНТЕЛЕКТУ

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In the near future humanity will share the environment of existence with higher-level artificial intelligence (Artificial Superintelligence, ASI) [6]. Unlike their less advanced versions (Strong Artificial Intelligence [3], Weak Artificial Intelligence [1], Artificial Narrow Intelligence [4], Applied Artificial Intelligence [8]) it is designed with followed important functions: 1) to detect any objects and classify them; 2) unlimited memory; 3) objective analysis of the situation; 4) to create or generate new ideas; 5) complete awareness of the principle own construction, self-improvement (previous version is searching bugs in program, rectifies them, creates an advanced version of itself and can improve itself indefinitely); 6) self-learning and self-development; 7) accelerated decision speed (seconds and milliseconds); 8) to act effectively under uncertainty; 9) to operate independently, autonomy from human etc.

Until the appearance ASI, not one object of technology had been compared with a human being by features of self-regulation, self-development and the actual autonomy. But ASI goes further and surpasses human in comprehension own construction and ability to improve itself indefinitely. Following version won't be the same like the version that was released by the developer. Under the circumstances algorithm developer or robotics facility manufacturer couldn't be prosecuted for ASI acting otherwise it would be violating the principles of the rule of law and legal certainty.

In the actions of future generations of people will be no the actual ground for responsibility, that is illegal conduct, because of ASI will replace human beings in all hazardous and responsible area (medical diagnosis, conducting surgery, driving an unmanned vehicle etc.)

For instance, presence of driver in the autonomous vehicle of level «5» (by classification SAE International: «0» - no automation, «5» - full absolute automatic control [5]) won't be needed (all seats will be soon only for passengers) and will be only a tribute to psychological tradition (really need scapegoat). Even on level "3" (the car can be uncontrolled by driver on the road with predictable traffic, but the driver can go to manual control at any time, the system is able to cope with the driving if it is within the limits of project's line) and «4» (such a high level of automation, that no matter in which condition the man in the driver's seat is – does not pay attention, sleeps, reads a book etc.) in most cases the human being doesn't have time to go to manual control for 26 seconds and surpass artificial intelligence.

The complete absence of the responsibility actors (developer, manufacturer or user) creates a powerful challenge to existing legal doctrine. In this context, the possibility and feasibility of recognizing artificial intelligence as a legal entity is being considered [7, p. 138 – 153; 9, p.123 – 136; 10, p. 202 – 213].

Such ideas are gradually gaining ground including in European Parliament resolution of 16 February 2017 with recommendations to the Commission on Civil Law Rules on Robotics (2015/2103(INL), which proposes to introduce in the legal space a new category of «electronic personality» for autonomous artificial intelligence, and also in a bill to the US Congress «Fundamentally Understanding The Usability and Realistic Evolution of Artificial Intelligence Act of 2017» (or the «Future of Artificial Intelligence Act of 2017»).

At first sight, it might seem strange. But the same is the case with another virtual formation, namely a legal entity. No one has ever seen it, we know about its existence from the papers or thanks to the manifestation of human being (in physics, an electron is only investigated by the tracks of its motion). However, this does not prevent a legal entity from being a subject of legal relations.

Artificial Intelligence is already seen as more law-abiding and predictable than ordinary human behavior [7]. Artificial intelligence will deal with the task of adhering to the rules of law better than the average human person. So more promising for further discussion is the question of deliberate lack of artificial intelligence attachment to a

particular morality (Islamic fundamentalism, political views of Ernesto Che Guevara or Adolf Hitler etc.). It would be bad if objects of robotics controlled by ASI, which belong to religious fanatics, conflicted with the robots of atheists, or the robots of football hooligans had aggressively attacked the robots of other people etc.

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