Abstract in English language - Methodological framework for European regulation of (artificial) intelligence and its limits

This paper first asses three different approaches to the human condition and arrives at the conclusion that it is exceedingly difficult to presicelly qualify the criteria what makes a natural born human, or a legal entity, a Person in legal sense, apart from the fact we have a strong intuition for it, whereas that intuition is lacking for AI systems. The paper proceeds to establish a definition for AI system for the regulator, one that is practical and functional. One of the key aspects that was identified was the ability of decision-making of artificial systems in any form is the driving force behind the need for regulation. Further more the paper briefly analyses series of documents from various stakeholders that propose their own priorities regarding AI regulation. Furthermore priorities and values laid out in Ethics Guidelines for Trustworthy AI by AI HLEG were highlighted as they are most relevant for the future regulation. Key values revolve around human-centric approach to AI regulation. Next, the paper explores a modification of introduced AI topology and covers various issues as well as proposals for solutions. The paper explores the fundamental terminology and definitions in regards to AI and AI related terms by comparing the findings of the state-of-the-art theory on AI science and findings of current legal theory used on the European continent. Next the paper discusses the methodological model proposed by Nicolas Petit and Jerome De Cooman and applies it on the emerging regulation and quazi-regulative precursors to legislation in the European Union. In the next chapter the paper introduces a series of examples of brand-new AI rights and describes their use and invites further research in this area. Finally, the paper questions the feasibility of demands and regulative approach undertaken by the European Union so far.

Klíčová slova: Legal framework, Artificial intelligence, New legislation