

# ARTIFICIAL INTELLIGENCE: PROBLEMS OF ETHICS AND LAW

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## ABSTRACT

*Each stage of technology development bears with it new fruits for reflection, creates the ground for identifying problematic aspects and resolving them. Artificial intelligence has covered all spheres of life and raised many questions in the fields of ethics and law. Can it have legal personality, make decisions regarding the preservation of human life, communicate with us on an equal footing and be the owner of exclusive rights and just our friend? Let's look at some of them in this article.*

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## 1. INTRODUCTION

In the modern era, the issues of information technology development are on the agenda. Both business and the state are puzzled by the expansion of their scope and impact. The desire to take leadership positions in this area is due to the fact that the level of technological equipment directly affects the country's economy and its attractiveness (Saleh et al., 2020). Artificial intelligence, big data, blockchain and other technologies that stand alongside them are the focus of the global community's attention (Chattu, 2021).

Already, we are surrounded by unmanned vehicles, robotic assistants, digital governments, cities, and teachers (Cugurullo, 2020). Artificial intelligence creates paintings without human intervention, writes music and texts, and advises ordinary citizens on a wide range of issues (Lee et al., 2022). The world is undergoing a transformation, changing a person's consciousness and his attitude to life in two planes – positive and negative. At their junction, questions of ethics of technological

progress and, as a result, questions of law are born (Mokhov et al., 2021).

## 2. RELEVANCE AND PROBLEMS

Their importance is fully recognized by the public and private sectors. The Code of Ethics in the Field of Artificial Intelligence (hereinafter the Code of Ethics) has already been adopted, which has been joined by more than 60 executive authorities and more than 350 Russian and foreign organizations (President of the Russian Federation, 2019). Its mission is to regulate the relationships that arise during the application of AI through ethical principles and standards of conduct, especially those that have not yet been regulated by law. It is too early to talk about its perfection, since not all of its provisions correlate with the essence of digital technologies and the dynamics of their development. The Code of Ethics is of a basic nature and plays an important role as a step towards regulating the processes underlying human-artificial intelligence interaction.

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The National Strategy for the Development of Artificial Intelligence until 2030 (President of the Russian Federation, 2019) points to the need to improve ethical norms and rules in the field of AI based on the experience already gained.

This process is a continuation of the work started since the invention of computers. At that time, the scientific community turned to computer ethics and issues of their use (Tsvyk, 2013). The difference is that we are talking not only about how to work with technology, but also about how to make friends with people and machines, how they can coexist peacefully not only in the near future, but also in the long-term vector of development, given the factor of their increasing autonomy.

A document can fix a norm, a rule, a principle, but it cannot always ensure their observance in a practical plane. Society is a living organism, growing, changing, unpredictable. Therefore, documentary work alone is not enough. Here I would like to say – "it is important to impregnate a person's consciousness like a sponge written on paper"? But can we imbue something that has no consciousness in general? At least at this point in time.

### **3. ETHICS AND DRIVERLESS TRANSPORT**

In 1967, Foot formulated the trolley problem in the course of an ethical experiment "One of the fundamental situations is the question of whom a person should save from a speeding trolley by turning the waypoint, guided by the principle of causing the least harm" (Foot, 1978). How would a strong artificial intelligence solve it? Would you have followed the path of least losses or saved the only passenger? And what would a person do?

In 2016, Mercedes-Benz announced that all its self-driving cars would be aimed at saving the life of the passenger, regardless of the number of alleged victims from the outside (Li & Cheer, 2016). Is this correct? And can we trust autonomous transport to make such decisions in the future?

Now unmanned vehicles are our reality. Unmanned vehicles, buses, trucks, and aircraft move around the world. Russia is no exception. Thus, as part of the experimental legal regime, in June 2023, the movement of unmanned trucks was launched on the M-11 Neva highway (Veselova, 2023). This is a significant step in technological progress, but at the same time it is a step towards potential incidents during which a person may be harmed, to incidents whose resolution does not have a legal basis, or has a distorted version of it.

What does this mean? If an unmanned truck hits a person with fatal consequences, who will be responsible? According to the Resolution of the Government of the Russian Federation No. 2495. (2023) responsibility for causing harm to the life and health of participants in a traffic accident by unmanned vehicle is assigned to the operator and the sole executive body of the experimental legal regime, the person responsible for the technical condition of an unmanned truck. In this case, we are talking about liability in the form of monetary

compensation for the damage caused. In a similar situation and consequences, in which a person would drive a vehicle, criminal liability would follow without any possibility of monetary compensation for harm. And is it possible to compensate for the death of a person? A question of ethics and morality.

Similar situations have already arisen in world practice. In 2018, an unmanned Uber car knocked down a man to death (Mire, 2018). In 2023, an unmanned taxi company Cruise ran over a woman who was thrown into the oncoming lane during an accident, as a result of which she died (Jabborov, 2023). Could the operator (person) of the self-driving car control center have prevented these situations? Probably, but not guaranteed. It is important to take into account that he is at a long distance, he does not control the situation completely and is limited only by the viewing angle of the cameras installed on the car. Ethical norms in the field of artificial intelligence say that human rights and freedoms, his life is the highest value. This is what the law says. Nevertheless, we are faced with situations in which a person suffers in interaction with technology (Kumar & Choudhury, 2023).

### **4. AI AND COPYRIGHT LAW**

If we turn to copyright law issues, there are also many legal and ethical dilemmas. It's no secret that artificial intelligence, apart from humans, is able to create art objects and actively develops its skills in this. In 2022, Jason Allen created a picture called "Spatial Opera Theater" using a neural network and sent it to the competition. According to its results, the picture was recognized as the best. There was an outburst of indignation among the artist community because D. Allen did not make any personal creative efforts, but only gave a technical task to artificial intelligence (Lukmanov, 2022).

On this basis, many questions arise about the position of AI in copyright and in law in general, its status and role, the possibility of being a co-author of a person, about his ability to truly create (Lu, 2021).

It is difficult to answer the latter aspect, since the concept of creativity is not comprehensive and has a wide range of interpretations (Hugenholtz & Quintais, 2021). Nevertheless, it is hardly possible to put creativity and human creativity in the same row, at least in the second there is a soul. But now about the law.

The Civil Code of the Russian Federation states – "the author of the result of intellectual property is recognized as a citizen whose creativity created such a result" (Civil Code, 2006). If a person has not made any personal creative contribution, then according to the law he cannot be considered an author. Therefore, we cannot say that AI is the author or co-author (Abbott & Rothman, 2023). Whether a person can be recognized as an author in the situations listed above is debatable. Perhaps it is necessary to develop a mechanism for evaluating the contribution of a person's creative contribution to the process of creating a work through AI (Arslan et al.,

2022). However, the picture generated by the neural network according to the technical task of a person does not seem relevant to creativity similar to human creativity.

## 5. ETHICS AND DIGITAL DOPPELGANGERS

Digital twins are also not lagging behind in their development. They are very different. They are based on practical benefits. For example, digital counterparts of cities, individual buildings, and structures. They allow you to foresee all possible risks in the design, to competently build technical communications. But there is another kind of digital doppelganger. For example, such as digital doppelgangers of deceased people. The chatbot recreates a dead person's double based on photos

and voice to make it eternal for close relatives. They can communicate with him, and he will respond to them. Is it ethical? Is it possible to assess the impact of such means of communication on the human psyche? And what is the edge of reasonableness in this?

## 6. CONCLUSION

Thus, we have a lot of questions to think about and discuss. So far, we can only predict how far technology will go. But it is true that in each such issue there are components of law and ethics that are designed to ensure a balance of interaction between humans and modern technologies. It is the task of all participants in this process to protect the first and not exhaust the soil for the development of the second.

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