International Legal Regulation of Autonomous Technologies | Centre for International Governance Innovation

By Liis Vihul

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> Regulatory rules, rather than legislative solutions, are likely to emerge first, as has been the case with other novel technologies. In the field of nanotechnology, for example, several European countries have adopted regulations that impose reporting requirements on companies that manufacture, import or distribute nanomaterials.1 In the field of autonomy, we can likewise expect regulations tackling discrete issues, which at some point will be followed by legislative action, whether through amendments to existing laws or the adoption of new ones (this is without prejudice to the adoption of so-called enabling legislation, that is, legislation that grants the power to adopt regulations to a certain person or entity, such as a government minister).
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> Public international law, by contrast, will largely play a bystander's role insofar as commercial autonomous solutions meant for civilian use are concerned. However, the international community may at some point feel the need to harmonize countries' domestic laws to ensure that the internal legal regulation of these commercial technologies is consistent across borders. The legal mechanism for harmonization would be the adoption of a so-called uniform law treaty that obligates states that are parties to the instrument to legislate domestically with respect to their criminal, civil or administrative laws. For example, such a treaty could prescribe uniform safety standards, liability rules, certification schemes, data management processes, human supervision requirements over the use of the technology, fail-safe mechanisms to be put in place, operational constraints, rules regarding bias, and criminal offences involving autonomous technologies.
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