

МРНТИ 10.91
УДК 340.5

10.51889/2959-6181.2024.78.4.005

A.Khassanay^{1*}, P. Tifine²

¹Konayev University

²University of Lorraine

(e-mail: *alikhan.massatuly@gmail.com, pierre.tifine@univ-lorraine.fr)

THROUGH THE LENS OF THE LAW: HOW CHINA AND THE EUROPEAN UNION ARE SHAPING THE FUTURE OF ARTIFICIAL INTELLIGENCE

Abstract

This paper presents a comparative analysis of the legal regulation of artificial intelligence (AI) in the People's Republic of China (PRC) and the European Union (EU). Both jurisdictions aspire to be leaders in AI technologies, but their approaches to the development and implementation of regulations diverge significantly. The EU places significant emphasis on the implementation of robust regulatory frameworks and the protection of human rights, with a view to fostering ethical standards across a range of sectors, including defence. However, this approach has also attracted criticism for potentially impeding innovation. A principal component of this strategy has been the “Artificial Intelligence Act” 2024, which establishes a legal framework for the secure utilisation of AI and the protection of citizens' rights.

In contrast, China has adopted a centralised approach to facilitate innovation and expedite decision-making processes. This approach has enabled the country to retain its position at the vanguard of AI legal regulation, implementing efficacious mechanisms such as the “The Internet Information Service Algorithm Recommendation Management Regulations” and the “Personal Information Protection Law”. However, there is a risk that the focus on rapid technology adoption may result in inadequate protection of citizens' rights.

This paper analyses the advantages and disadvantages of both strategies, as well as their impact on international AI regulatory practice. The comparative approach identifies opportunities for harmonising regulatory efforts and highlights the importance of integrating ethical and legal standards at the global level.

Key words: artificial intelligence, legal regulation, People's Republic of China (China), European Union (EU).

А.Хасанай¹, П. Тифин²

¹ Қонаев университеті

² Лотарингия Университеті

ҚҰҚЫҚ ПРИЗМАСЫ АРҚЫЛЫ: ҚЫТАЙ МЕН ЕУРОПАЛЫҚ ОДАҚ ЖАСАНДЫ ИНТЕЛЛЕКТТІҢ БОЛАШАҒЫН ҚАЛАЙ ҚАЛЫПТАСТЫРАДЫ

Аңдатпа

Зерттеу Қытай Халық Республикасы (ҚХР) мен Еуропалық Одақ (ЕО) елдеріндегі жасанды интеллектті (ЖИ) құқықтық реттеу бойынша салыстырмалы талдауды қамтиды. Екі юрисдикция да ЖИ технологиялары саласында көшбасшылыққа ұмтылады, дегенмен олардың бірақ олардың нормативтік актілерді әзірлеу және енгізу тәсілдері айтарлықтай ерекшеленеді. ЕО адам құқықтарын қатаң реттеу мен қорғауға баса назар аударады, бұл әртүрлі салаларда, соның ішінде қорғаныс саласында этикалық стандарттардың қалыптасуына ықпал етеді, бірақ сонымен бірге инновациялық белсенділікке ықтимал шектеулер енгізуі үшін сынға ұшырайды. Осындай стратегияның негізгі элементі 2024 жылы қабылданған ЖИ туралы заң

болып табылады, ол ЖИ-ті қауіпсіз пайдалану және азаматтардың құқықтарын қамтамасыз ету үшін құқықтық негізін қалайды.

Оған қарағанда, Қытай инновацияларды ынталандыруға және жылдам шешім қабылдауға бағытталған орталықтандырылған тәсілді қолданады. Бұл тәсіл «Алгоритмдерді басқару ережелері» және «Жеке деректерді қорғау туралы заң» сияқты тиімді тетіктерді енгізе отырып, ЖИ-ті құқықтық реттеу саласында алдыңғы қатарда орналасуға мүмкіндік береді. Дегенмен, жылдам технологияларды енгізуге баса назар аудару азамат құқықтарының жеткіліксіз қорғау қаупіне әкелетін мүмкіндік бар.

Зерттеу жұмысында екі стратегияның да артықшылықтары мен кемшіліктері, сондай-ақ олардың ЖИ реттеу саласындағы халықаралық тәжірибеге әсері талданады. Салыстырмалы зерттеу тәсілі реттеу үрдістерін үйлестіру мүмкіндіктерін анықтауға және жаһандық деңгейде этикалық нормалар мен құқықтық стандарттарды интеграциялау маңыздылығын көрсетуге мүмкіндік береді.

Түйін сөздер: жасанды интеллект, құқықтық реттеу, Қытай Халық Республикасы (Қытай), Еуропалық Одақ (ЕО).

А.Хасанай¹, П. Тифин²

¹*Университет Кунаева*

²*Университет Лотарингии*

СКВОЗЬ ПРИЗМУ ПРАВА: КАК КИТАЙ И ЕВРОПЕЙСКИЙ СОЮЗ ФОРМИРУЮТ БУДУЩЕЕ ИСКУССТВЕННОГО ИНТЕЛЛЕКТА

Аннотация

Данная работа посвящена сравнительному анализу правового регулирования искусственного интеллекта (ИИ) в Китайской Народной Республике (КНР) и Европейском Союзе (ЕС). Обе юрисдикции стремятся к лидерству в области технологий ИИ, но их подходы к разработке и внедрению нормативных актов значительно различаются. В ЕС акцентируется внимание на жестком регулировании и защите прав человека, что способствует формированию этических стандартов в различных сферах, включая оборонную, но также вызывает критику за возможные ограничения инновационной активности. Ключевым элементом этой стратегии стал Регламент об искусственном интеллекте, принятый в 2024 году, который создает правовую основу для безопасного использования ИИ и обеспечения прав граждан.

В отличие от этого, Китай применяет централизованный подход, направленный на стимулирование инноваций и быстрое принятие решений. Такой подход позволяет стране оставаться на передовой в области правового регулирования ИИ, внедряя эффективные механизмы, такие как «Регламент по управлению алгоритмами» и «Закон о защите персональных данных». Тем не менее, существует риск, что акцент на быстром внедрении технологий может привести к недостаточной защите прав граждан.

Работа анализирует достоинства и недостатки обеих стратегий, а также их влияние на международную практику в области регулирования ИИ. Сравнительный подход позволяет выявить возможности для гармонизации усилий в сфере регулирования и подчеркивает важность интеграции этических норм и правовых стандартов на глобальном уровне.

Ключевые слова: искусственный интеллект, правовое регулирование, Китайская Народная Республика (Китай), Европейский Союз (ЕС).

Basic provisions

The analysis of the European Union and China's approaches to regulating artificial intelligence highlights the necessity for a balanced model that incorporates legal and ethical considerations. The

EU's approach is to protect human rights and minimise risks, which encourages innovation. In contrast, China's strategy is to rapidly adapt to technological change through centralised regulation. The divergence of approaches may result in the fragmentation of global AI regulation, underscoring the necessity for international cooperation in order to develop an effective and ethical framework that is consistent with the principles of international humanitarian law. The success of AI regulation hinges on the capacity of countries to identify shared objectives and devise collaborative solutions that facilitate sustainable progress.

Introduction

The development of artificial intelligence technologies presents a significant challenge to national and international legal systems due to its potential impact on a number of different areas of life. These include social, economic and military aspects. In light of the increasing integration of AI into a range of domains, including the military, there is a pressing need for the establishment of appropriate legal frameworks that are sensitive to both national interests and international legal norms. The importance of this issue is underscored by the necessity of upholding the principles of international humanitarian law and human rights throughout the process of developing and implementing AI.

The People's Republic of China is engaged in the active development and implementation of national AI strategies, with a particular focus on the priorities of national security and technological independence. China's approach to AI regulation incorporates both domestic control and adaptation to international legal norms, with the objective of accommodating its strategic interests. Nevertheless, this approach may also give rise to potential risks pertaining to the global legal order and the stability of international relations [1]. In contrast to China, the European Union strives to establish a transparent and coherent legal framework that aligns with international standards, including those pertaining to international humanitarian law (IHL) and international human rights law. The EU places emphasis on the necessity of rigorous oversight to prevent potential violations of international law and to guarantee that all actions are aligned with the principles of humanity and justice [2].

The objective of this study is to undertake a comparative analysis of the national AI regulatory strategies of China and the European Union, with a particular emphasis on their alignment with international legal norms. This study seeks to identify how differing regulatory approaches may influence the development of a global legal framework regulating the use of AI. The practical relevance of the study lies in the possibility of applying its findings to the development of international regulatory mechanisms that promote a balance between technological progress and compliance with international law. This is particularly relevant in the context of dynamic technological development and increasing international tensions.

Materials and methods

The research is based on the application of general scientific methods of analysis and synthesis, classification, and on systemic and functional approaches. Furthermore, the research utilises formal-legal, comparative-legal and historical-legal methods, which enable a more profound comprehension of the distinctive characteristics of the legal framework governing artificial intelligence across diverse legal jurisdictions. Additionally, it uncovers pivotal elements influencing the evolution of this legal domain.

Results and discussion

Features of AI regulation in China. Chinese regulation of artificial intelligence (AI) is a multifaceted and dynamic area that reflects the country's ambitious high-tech goals. One of the most notable milestones in the development of this area was the inception of the "Made in China 2025" programme in 2015, with the objective of establishing China as a world leader in advanced technologies, encompassing AI. This programme constituted the point of departure for further legislative and strategic regulation of artificial intelligence, which gave rise to the development of new initiatives and regulations designed to stimulate innovation and guarantee national security [3]. In 2016, the Central Committee of the Chinese Communist Party (CCP) designated AI as one of six

priority areas in its 13th Five-Year Plan [4]. This underlines the strategic importance of this area to China's economy and national security.

This decision became the basis for the formation of a new legislative framework aimed at ensuring cybersecurity and regulating the use of AI in key sectors. A significant advancement in this regard was the enactment of the Cybersecurity Law on November 7, 2016. This legislation delineates obligatory procedures for the categorisation of cyber threats, the registration of Critical Information Infrastructure (CII) and the adherence to national standards [5]. Articles 21 to 30 of this legislation set out overarching requirements for the cybersecurity regime, while Articles 31 to 39 regulate the safeguarding of CII, which plays an integral part in national security [6]. The 56th Computer Technology Research Institute of the General Staff of China's People's Liberation Army, located in Jiangsu Province, occupies a pivotal position with regard to the field of cybersecurity. The institute serves as the coordinating body for other research centers and is responsible for implementing the government's Programme No. 863 or known as State High-Tech Development Plan, which aims to advance strategic information technology and address critical scientific and technological challenges. The principal objective of the programme is to attain China's complete technological autonomy, which serves as the foundation for further regulating artificial intelligence and reinforcing national security in the digital domain.

In July 2017, China published the “Next Generation Artificial Intelligence Development Plan”, which set out the strategic directions to be followed with respect to the development of AI [7]. This document identifies three principal phases for the years 2020, 2025 and 2030, and underscores the imperative for AI technologies to emerge as the primary catalyst for industrial modernisation and economic transformation.

The Artificial Intelligence Standardisation White Paper, approved in 2018, has emerged as a significant document within the context of AI technical regulation and international cooperation. It serves to reinforce China's efforts to establish globally recognised standards and consolidate the country's position within the global AI regulatory system. [8].

Another contribution to China's endeavours to construct a legal and ethical framework to regulate artificial intelligence was the presentation of the preliminary draft legislation, the “Beijing Artificial Intelligence Principles”, in May 2019. The document comprises 15 paragraphs and addresses the necessity to develop AI technologies in a manner that incorporates human values, including the preservation of privacy, dignity, freedom, and human rights. The “Beijing Principles” underscore the significance of ethical AI utilisation to advance societal progress and also seek to facilitate international collaboration in this domain, which is pivotal to harmonising regulatory approaches on a global scale [9].

On July 10, 2023, the “Regulation on Provisional Measures for the Management of Generative Artificial Intelligence Services” was published. In accordance with Article 1 of this document, the measures are founded upon the tenets of several pivotal PRC legislative instruments, including the Cybersecurity Law, the Data Protection Law, the Personal Information Protection Law, and the Science and Technology Progress Law. The measures are designed to facilitate the advancement of generative AI, ensure national security, and safeguard the interests of citizens and organisations. The provisional rules establish a framework for the governance of generative AI systems, ensuring compliance with legal and ethical standards and striking a balance between innovation and responsibility in the AI field [10].

In addition to the draft laws that have already been adopted, China is engaged in the formulation of comprehensive legislation that encompasses not only civilian applications but also, to a limited extent, military applications of AI technologies. The following projects represent development in this regard:

1. “The Official Position on the Ethical Management of AI” (November 2022), which highlights the necessity for international cooperation in establishing ethical standards governing the utilisation of AI, including its application in the context of national security.

2. The PRC Law on Artificial Intelligence (draft dated 16 March 2024) is intended to regulate the use of AI, impose liability for misuse of AI technologies by all actors involved in their development, supply, or application, and safeguard the rights of individuals and organisations [11].

Thus, China's AI legislative initiatives aim at comprehensive regulation with a focus on national security and international humanitarian law. China combines 'horizontal' and 'vertical' regulation: verticality addresses narrow issues but leads to fragmentation and difficulties in enforcement, while the horizontal approach presented in the new draft laws provides more holistic regulation. This balance allows for rapid adaptation to change, taking into account both national interests and international obligations, including regulation of military technologies and ethical aspects of AI. Nevertheless, the regulatory process continues to evolve, seeking to strike a balance between innovation and the protection of citizens' rights.

Specifics of AI regulation in the EU

The regulation of artificial intelligence (AI) within the European Union represents a core component of the overarching strategy to guarantee the secure and ethical utilisation of technology across all domains. Similarly, the European Union is pursuing a position of global leadership in AI, as evidenced by the active development and implementation of regulations aimed at safeguarding citizens' rights and regulating AI technologies.

One of the most notable milestones in this regard was the enactment of the General Data Protection Regulation (GDPR) in 2016, which serves as a foundational document for personal data protection issues. Article 5 of the GDPR introduces the fundamental principles of data processing, including the requirements of lawfulness, fairness and transparency [12]. These principles are of particular importance in the context of AI systems, which operate with vast quantities of personal data essential for the training and functioning of algorithms. The European Union has established a legal framework through this regulation to guarantee the protection of users' rights and to foster trust in AI technologies, thereby contributing to the sustainable development and secure implementation of AI. The GDPR not only guarantees respect for human rights but also imposes strict requirements on AI developers and users. This contributes to a more responsible and safer environment for innovation in this field.

In 2016, the European Union adopted both the General Data Protection Regulation (GDPR) and the Directive on Security of Network and Information Systems (NIS). NIS, which concerns the security of network and information systems to guarantee the safe use of technology, encompassing AI. The directive requires that infrastructure operators, including those in the defence sector, maintain a high level of cybersecurity. Article 14 of the directive addresses the necessity to safeguard information in the context of AI applications, a matter of particular significance in the context of defence and security applications [13].

All EU countries were required to transpose the provisions of the NIS Directive into national law by May 9, 2018. On January 16, 2023, the updated NIS 2 Directive came into force, which will replace the previous version in October 2024. NIS 2 introduces stricter requirements for the development of cybersecurity strategies, risk management, incident response, and enhanced public-private cooperation. In addition, the White Paper on Artificial Intelligence: a European Approach to Excellence and Trust was published on February 19, 2020, with the aim of creating safe and ethical AI for sustainable development and increased EU competitiveness. The document emphasizes respect for human rights and ethical standards in AI development and proposes a balance between innovation and responsible use of technology. This is intended to increase public trust and strengthen the EU's leading role in the global regulatory framework for AI [14].

In addition, in 2021, recommendations regarding the ethical aspects of AI were published, underscoring the necessity to respect human rights and social responsibility. These recommendations provide a foundation for the establishment of ethical standards that are essential for the secure deployment of AI technologies across a range of domains, including those pertaining to defence. L. Floridi and J. Cowls posit that, in general terms, a number of similarities can be observed between

the ethical principles developed in the European Union and those set out in similar documents in China. This reflects a global trend towards the unification of ethical principles in the field of AI [15].

The next advancement in the regulation of AI was the enactment of the Artificial Intelligence Act, which came into force on August 1, 2024. This regulation, which was agreed by the Member States of the European Union in December 2023 and subsequently approved by the European Parliament and the European Commission during the first half of 2024, represents the inaugural instance of comprehensive legislative regulation pertaining to AI on a global scale.

The EU AI law strives to establish a compromise between the advancement of technology and the safeguarding of human rights. This is achieved through the categorization of AI systems based on their inherent risk profiles. The legislation prohibits the use of facial and emotion recognition in public spaces and restricts the deployment of predictive analytics by law enforcement to prevent criminal acts. Furthermore, the law imposes stringent regulatory controls on generative AI, such as ChatGPT, and high-risk technologies, including autonomous vehicles. These measures are designed to foster public confidence in AI, enhance working and living conditions by establishing a secure and ethical legal framework for its use, and ensure the responsible development of AI.

The European Union has announced its intention to conclude the first international legally binding treaty on the use of artificial intelligence with the United Kingdom and the United States. Developed by the Council of Europe, the treaty will establish liability for harmful and discriminatory material in AI and prohibit the development and use of AI systems that violate equality and privacy. It will be the first legally binding international instrument regulating the application of AI [16].

An analysis of EU regulations pertaining to AI reveals several key strengths and weaknesses. Among the most commendable features is the emphasis on an ethical approach that safeguards human rights and social responsibility. This is in alignment with the fundamental principles of international law, including the imperative to uphold human rights. A comprehensive classification system for AI systems allows for effective consideration of different levels of risk, thereby ensuring the safety of technologies and, in turn, facilitating the fulfilment of international obligations to protect the rights of citizens.

Nevertheless, there are shortcomings that require attention. The intricate and extensive nature of the requirements can present a formidable obstacle for small and medium-sized enterprises, potentially leading to legal inconsistencies and infringements of international norms designed to foster sustainable growth and innovation. Bureaucratic procedures impede the implementation of new technologies, thereby reducing the region's competitiveness. Furthermore, ambiguity in the interpretation of norms gives rise to legal risks, which may result in the circumvention of obligations and is contrary to the principles of good faith implementation of international norms.

The regulation of AI in the European Union is a complex and continuously evolving process, which requires the adoption of regulations that provide a legal and ethical foundation for the utilisation of AI across a range of domains, including national defence. The objective is to facilitate the harmonious development of technology for the benefit of the public. It is essential to optimise the regulations in order to enable their flexibility and adaptability in response to the rapid evolution of technological advancements, while ensuring compliance with internationally recognised standards.

China's and the EU's AI regulatory strategies: an analysis. Despite both the European Union and China expressing a desire to assume a leadership role with regard to the regulation of artificial intelligence (AI), there is a notable disparity between the regulatory frameworks that have emerged in these two regions. In the EU, regulation has evolved through the enactment of 'soft law' acts, which have facilitated the establishment of ethical and legal standards. However, the Union's complex and multifaceted structure has resulted in a relatively slow decision-making process. In China, by contrast, the centralised governance model facilitates the expeditious development and implementation of regulations such as the "Algorithm Management Regulation" and the "Personal Data Protection Law", thereby ensuring the expeditious legal regulation of AI. Despite the EU AI Regulation being the initial international regulatory measure in this domain, its efficacy may be constrained by the accelerated evolution of China's legal framework. The principal distinction between the two approaches lies in their differing emphases. The EU's strategy is to minimise risks,

whereas China has initially prioritised innovation while gradually increasing its attention to potential threats.

The European Union's experience in regulating AI offers valuable insights into the legal implications of such regulation. The EU's AI legislation represented the first attempt to implement comprehensive cross-sectoral regulations that categorised AI technologies in accordance with their level of risk, from those considered unacceptable to those deemed to present a low-risk profile. This results in the establishment of a regulatory framework that oversees the utilisation of high-risk AI applications while simultaneously ensuring the continued deployment of less risky technologies. Systems that threaten citizens' rights are categorised as unacceptable, whereas high risks are more often associated with AI in strategic infrastructure and healthcare. Conversely, China's draft AI Law, despite its unofficial status, also incorporates elements of threat assessment, most notably through the establishment of rigorous controls on AI 'base models'. This illustrates China's intention to adapt its regulatory framework in accordance with the European experience.

The divergence between the EU and China's regulatory approaches to AI offers a valuable opportunity to evaluate the efficacy of these strategies in achieving the desired outcomes of economic prosperity and competitiveness. The EU is commended for its emphasis on protecting rights, though it is also criticized for being excessively inflexible, which can impede innovation. In contrast, the Chinese model encourages AI development despite the inherent risks associated with restricting competition and undemocratic governance.

Both parties are currently engaged in dialogue, including discussions on the topic of artificial intelligence and the issue of cross-border data flows. These discussions have taken place within the framework of the "High-Level Digital Dialogue" in both 2020 and 2023. It has been agreed that information on unsafe products will be shared and that workshops will be held on legislative updates. The principal distinction between the two approaches lies in their respective perceptions of threats and capabilities, which in turn informs the utilisation of AI for defence purposes. The EU, due to its political structure, affords member states the autonomy to develop defence technologies, as exemplified by France. In China, the prioritisation of military advantage and the aspiration to 'seize the strategic initiative' in the context of international competition has prompted a proactive approach to investment in AI for defence, despite concerns about the potential for conflict escalation [17].

It is imperative to consider these policy and legal differences in the context of international stability and security. The EU, for instance, earmarks considerable financial resources towards the advancement of cutting-edge defence technologies, reflecting a growing inclination towards innovation in this domain.

However, the EU encounters bureaucratic impediments in its defence initiatives as a consequence of its multi-level decision-making structure, which can render it challenging to adapt expeditiously to new technological challenges. In contrast, China's centralized governance system enables the expeditious development and implementation of laws and regulations, as evidenced by the expeditious development and implementation of the "Algorithm Management Regulation" and the "Personal Data Protection Law", which have resulted in more flexible and responsive regulatory mechanisms.

As posited by the Roberts, H., A. Babuta, the strategies of the European Union and China represent the two most comprehensive approaches to the promotion and regulation of AI. Both parties articulate their vision of an 'AI-driven society', underscoring the significance of safety and ethical considerations in technology utilization [18].

The divergence in strategic goals between China and the EU is indicative of a profound ideological and institutional disparity in the regulation of AI. While the EU's strategy is oriented towards the respect of human rights and international norms, China's strategy is focused on the rapid advancement of technology and the attainment of a competitive advantage, including in the field of defence. These discrepancies necessitate a comprehensive examination of AI governance, encompassing the mechanisms through which objectives are pursued and their contextual relevance. The EU approach

is characterised by a greater degree of caution, with a focus on the security and protection of rights. In contrast, the Chinese model seeks to utilise technology in a manner that serves to advance national interests. These differences have implications for international security and international humanitarian law.

Conclusion

An examination of the European Union and China's approaches to regulating artificial intelligence emphasises the importance of a balanced approach that considers both legal and ethical aspects. The European Union's emphasis on human rights protection and risk-orientation demonstrates a commitment to establishing a secure legal framework that facilitates innovation while mitigating potential risks to society. The 2024 Artificial Intelligence Regulation represents a significant legislative milestone, reflecting these objectives.

Conversely, China, with its centralized decision-making apparatus, is rapidly adapting to evolving technological circumstances. Although still in the discussion stage, the draft Artificial Intelligence Law is already demonstrating an interest in integrating risk-based approaches, indicating the potential for convergence with international standards.

Nevertheless, there is a possibility that discrepancies in methodologies may result in the fragmentation of global AI regulation. It is imperative that both parties continue to engage in dialogue and collaboration with the aim of establishing a unified framework for the effective and ethical utilisation of technology. It is imperative that this be achieved in order to guarantee the harmonious advancement of artificial intelligence, which is beneficial to both individual states and the international community as a whole.

The ultimate success of AI regulation will depend on the ability of different countries to find common ground and develop collaborative solutions based on respect for human rights and a desire for innovation. Therefore, the future of AI regulation necessitates not only legal rigour but also ethical reflection, which will serve as the foundation for sustainable progress in this field.

References

- 1 Duan W. Build a robust and agile artificial intelligence ethics and governance framework [构建稳健敏捷的人工智能伦理与治理框架] // *Science Research*. – 2020. – P. 11-15.
- 2 Brattberg E., Rugova V., Csernatori R. Europe and AI: Leading, lagging behind, or carving its own way?. – Washington, DC, USA: Carnegie endowment for international peace. [Electronic resource]. – 2020. – Vol. 9. – URL: https://carnegie-production-assets.s3.amazonaws.com/static/files/BrattbergCsernatoriRugova_-_Europe_AI.pdf (date of access: 30.08.2024)
- 3 Du Trésor, D. G. Le plan “Made in China 2025.” // *Direction Générale Du Trésor*. [Electronic resource]. – 2015. – URL: <https://www.tresor.economie.gouv.fr/Articles/2015/06/05/le-plan-made-in-china-2025> (date of access: 30.08.2024)
- 4 Wu F. et al. Towards a new generation of artificial intelligence in China // *Nature Machine Intelligence*. [Electronic resource]. – 2020. – Vol. 2. – №. 6. – P. 312-316. – URL: <https://www.nature.com/articles/s42256-020-0183-4> (date of access: 30.08.2024)
- 5 Creemers R. China's emerging data protection framework // *Journal of Cybersecurity*. – 2022. – T. 8. – №. 1. – P. tyac011.
- 6 Cheng L., Qiu J., Yang Y. Constructing cybersecurity discourse via deconstructing legislation // *International Journal of Legal Discourse*. [Electronic resource]. – 2023. – Vol. 8. – №. 2. – P. 273-297. – URL: <https://www.degruyter.com/document/doi/10.1515/ijld-2023-2014/html> (date of access: 30.08.2024)
7. China's “New Generation Artificial Intelligence Development Plan” // *DigiChina*. [Electronic resource]. – 2017. – URL: <https://digichina.stanford.edu/work/full-translation-chinas-new-generation-artificial-intelligence-development-plan-2017/> (date of access: 30.08.2024)

8 Ding J., Triolo P. Translation: Excerpts from China's "White paper on artificial intelligence standardization" // New America. [Electronic resource]. – 2018. – URL: <https://www.newamerica.org/cybersecurity-initiative/digichina/blog/translation-excerpts-chinas-white-paper-artificial-intelligence-standardization/> (date of access: 30.08.2024)

9 Beijing Artificial Intelligence principles. // International Research Center for AI Ethics and Governance. [Electronic resource]. – 2023. – URL: <https://ai-ethics-and-governance.institute/beijing-artificial-intelligence-principles/> (date of access: 30.08.2024)

10 Interim Measures for the Management of Generative Artificial Intelligence Services // China Law Translate. [Electronic resource]. – 2023. – URL: <https://www.chinalawtranslate.com/en/generative-ai-interim/> (date of access: 10.09.2024)

11 CSET. Artificial Intelligence Law of the People's Republic of China (Draft for Suggestions from Scholars) // Center for Security and Emerging Technology. [Electronic resource]. – 2024. – URL: <https://cset.georgetown.edu/publication/china-ai-law-draft/#:~:text=The%20draft%20law%20specifies%20various,the%20assistance%20of%20AI%20technology> (date of access: 10.09.2024)

12 General Data Protection Regulation (GDPR) // European Parliament. [Electronic resource]. – 2018. – URL: <https://gdpr-info.eu/> (date of access: 10.09.2024)

13 Directive on security of network and information systems (NIS Directive). Think Tank // European Parliament. [Electronic resource]. – 2020. – URL: [https://www.europarl.europa.eu/thinktank/en/document/EPRS_BRI\(2020\)654198#:~:text=The%20NIS%20Directive%20entered%20into,States'%20supervision%20of%20critical%20sectors](https://www.europarl.europa.eu/thinktank/en/document/EPRS_BRI(2020)654198#:~:text=The%20NIS%20Directive%20entered%20into,States'%20supervision%20of%20critical%20sectors) (date of access: 10.09.2024)

14 White Paper on Artificial Intelligence: a European approach to excellence and trust. // European Commission. [Electronic resource]. – 2020. – URL: https://commission.europa.eu/publications/white-paper-artificial-intelligence-european-approach-excellence-and-trust_en (date of access: 10.09.2024)

15 Floridi L., Cowls J. A unified framework of five principles for AI in society // Machine learning and the city: Applications in architecture and urban design. [Electronic resource]. – 2022. – P. 535-545. – URL: <https://onlinelibrary.wiley.com/doi/abs/10.1002/9781119815075.ch45> (date of access: 10.09.2024)

16 US, Britain, EU to sign first international AI treaty // Reuters. [Electronic resource]. – 2024. – URL: <https://www.reuters.com/technology/artificial-intelligence/us-britain-eu-sign-agreement-ai-standards-ft-reports-2024-09-05/> (date of access: 12.09.2024)

17 Allen G. C. Understanding China's AI strategy: Clues to Chinese strategic thinking on artificial intelligence and national security. // Center for a new American security. [Electronic resource]. – 2019. – URL: <https://www.cnas.org/publications/reports/understanding-chinas-ai-strategy> (date of access: 10.09.2024)

18 Roberts, H., Cowls, J., Hine, E., Mazzi, F., Tsamados, A., Taddeo, M., & Floridi, L. Achieving a "Good AI Society": Comparing the Aims and Progress of the EU and the US. // Science and engineering ethics. [Electronic resource]. – 2021. – Vol. 27, – P. 1-25. – URL: <https://link.springer.com/article/10.1007/s11948-021-00340-7> (date of access: 12.09.2024)

References

1 Duan W. Build a robust and agile artificial intelligence ethics and governance framework [构建稳健敏捷的人工智能伦理与治理框架] // Science Research. – 2020. – B. 11-15.

2 Brattberg E., Rugova V., Csernaton R. Europe and AI: Leading, lagging behind, or carving its own way?. – Washington, DC, USA : Carnegie endowment for international peace. [Электрондық pecып]. – 2020. – T. 9. – URL: https://carnegie-production-assets.s3.amazonaws.com/static/files/BrattbergCsernatonRugova_-_Europe_AI.pdf (date of access: 30.08.2024)

3 Du Trésor, D. G. Le plan "Made in China 2025." // Direction Générale Du Trésor.

- [Электрондық ресурс]. – 2015. – URL: <https://www.tresor.economie.gouv.fr/Articles/2015/06/05/le-plan-made-in-china-2025>
- 4 Wu F. et al. Towards a new generation of artificial intelligence in China // *Nature Machine Intelligence*. [Электрондық ресурс]. – 2020. – Т. 2. – №. 6. – Б. 312-316. – URL: <https://www.nature.com/articles/s42256-020-0183-4> (date of access: 30.08.2024)
- 5 Creemers R. China's emerging data protection framework // *Journal of Cybersecurity*. – 2022. – Т. 8. – №. 1. – Б. tyac011.
- 6 Cheng L., Qiu J., Yang Y. Constructing cybersecurity discourse via deconstructing legislation // *International Journal of Legal Discourse*. [Электрондық ресурс]. – 2023. – Т. 8. – №. 2. – Б. 273-297. – URL: <https://www.degruyter.com/document/doi/10.1515/ijld-2023-2014/html> (date of access: 30.08.2024)
7. China's "New Generation Artificial Intelligence Development Plan" // *DigiChina*. [Электрондық ресурс]. – 2017. – URL: <https://digichina.stanford.edu/work/full-translation-chinas-new-generation-artificial-intelligence-development-plan-2017/> (date of access: 30.08.2024)
- 8 Ding J., Triolo P. Translation: Excerpts from China's 'White paper on artificial intelligence standardization' // *New America*. [Электрондық ресурс]. – 2018. – URL: <https://www.newamerica.org/cybersecurity-initiative/digichina/blog/translation-excerpts-chinas-white-paper-artificial-intelligence-standardization/> (date of access: 30.08.2024)
- 9 Beijing Artificial Intelligence principles. // *International Research Center for AI Ethics and Governance*. [Electronic resource]. – 2023. – URL: <https://ai-ethics-and-governance.institute/beijing-artificial-intelligence-principles/> (date of access: 30.08.2024)
- 10 Interim Measures for the Management of Generative Artificial Intelligence Services // *China Law Translate*. [Электрондық ресурс]. – 2023. – URL: <https://www.chinalawtranslate.com/en/generative-ai-interim/> (date of access: 10.09.2024)
- 11 CSET. Artificial Intelligence Law of the People's Republic of China (Draft for Suggestions from Scholars) // *Center for Security and Emerging Technology*. [Электрондық ресурс]. – 2024. – URL: <https://cset.georgetown.edu/publication/china-ai-law-draft/#:~:text=The%20draft%20law%20specifies%20various,the%20assistance%20of%20AI%20technology> (date of access: 10.09.2024)
- 12 General Data Protection Regulation (GDPR) // *European Parliament*. [Электрондық ресурс]. – 2018. – URL: <https://gdpr-info.eu/> (date of access: 10.09.2024)
- 13 Directive on security of network and information systems (NIS Directive). Think Tank // *European Parliament*. [Электрондық ресурс]. – 2020. – URL: [https://www.europarl.europa.eu/thinktank/en/document/EPRS_BRI\(2020\)654198#:~:text=The%20NIS%20Directive%20entered%20into,States'%20supervision%20of%20critical%20sectors](https://www.europarl.europa.eu/thinktank/en/document/EPRS_BRI(2020)654198#:~:text=The%20NIS%20Directive%20entered%20into,States'%20supervision%20of%20critical%20sectors) (date of access: 10.09.2024)
- 14 White Paper on Artificial Intelligence: a European approach to excellence and trust. // *European Commission*. [Электрондық ресурс]. – 2020. – URL: https://commission.europa.eu/publications/white-paper-artificial-intelligence-european-approach-excellence-and-trust_en (date of access: 10.09.2024)
- 15 Floridi L., Cowls J. A unified framework of five principles for AI in society // *Machine learning and the city: Applications in architecture and urban design*. [Электрондық ресурс]. – 2022. – Б. 535-545. – URL: <https://onlinelibrary.wiley.com/doi/abs/10.1002/9781119815075.ch45> (date of access: 12.09.2024)
- 16 US, Britain, EU to sign first international AI treaty // *Reuters*. [Электрондық ресурс]. – 2024. – URL: <https://www.reuters.com/technology/artificial-intelligence/us-britain-eu-sign-agreement-ai-standards-ft-reports-2024-09-05/> (date of access: 12.09.2024)
- 17 Allen G. C. Understanding China's AI strategy: Clues to Chinese strategic thinking on artificial intelligence and national security. // *Center for a new American security*. [Электрондық ресурс]. – 2019. – URL: <https://www.cnas.org/publications/reports/understanding-chinas-ai-strategy> (date of

access: 12.09.2024)

18 Roberts, H., Cows, J., Hine, E., Mazzi, F., Tsamados, A., Taddeo, M., & Floridi, L. Achieving a “Good AI Society”: Comparing the Aims and Progress of the EU and the US. // *Science and engineering ethics*. [Электрондық ресурс]. - 2021. - Т. 27, - Б. 1-25. – URL: <https://link.springer.com/article/10.1007/s11948-021-00340-7> (date of access: 12.09.2024)