Artificial intelligence and liability in private law

Abstract

This rigorous thesis assesses the liability for damage incurred in connection with artificial intelligence according to the valid legislation and at the same time deals with whether the current legislation is ready to perform its function in relation to such a modern phenomenon as the artificial intelligence. At the beginning of this thesis is defined the concept of artificial intelligence. The next part of the thesis is devoted to the research of foreign legal regulations, which in some way proceeded to the reflection of artificial intelligence, either within the case law or directly within the legislation. This part does not neglect the approach of the European Union and the Czech Republic.

In the next part of this thesis is defined another key concept, namely the concept of liability within the Czech legislation, its concept, starting points and general assumptions of responsibility. On the basis of the definition of the concept of liability, further possibilities are defined which are relevant in relation to the liability of artificial intelligence to study with regard to the current stage of technological development of artificial intelligence. In the following part of this thesis, the liability of artificial intelligence is assessed according to the current legislation and in this context the limits of the legislation in relation to artificial intelligence are examined, also with regard to the future development of artificial intelligence.

Subsequently, concrete examples of artificial intelligence that can be encountered in everyday life, such as autonomous cars, are examined under the legislation. In this context, the author also mentions the possibility of non-material damage, which is rather neglected in connection with the responsibility of artificial intelligence at the expense of material damage. These examples point out in particular the limits of legislation. At the same time, ethical issues are mentioned in this section, especially in relation to autonomous cars.

In the last part the author deals with the possibilities of the future approach to the liability of artificial intelligence. In this context, the institute that would lead to the creation of an electronic person and the recognition of a legal personality of artificial intelligence is examined. At the same time, other related institutes, which would be key to ensuring the effective existence of such an institute, are also examined.

Key words: artificial intelligence, liability, civil law