

AIネットワーク社会フォーラム

Global Forum on AI Network Society Towards an AI-Ready Society

# 「AIと法・倫理」に関する 課題と対策

Issues and countermeasures related to “Law and Ethics of AI”

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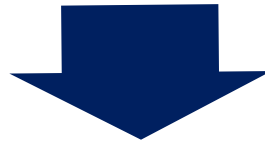


# 現状と課題

## Current situation and issues

- 先進企業を中心に倫理原則・指針や社内体制・社外委員会を整える動きが起こっている（国内外）

There have been movements, especially by advanced companies, toward introducing AI ethical principles or guidelines, internal control system and/or outside committee, both in Japan and foreign jurisdictions



- 今後検討が必要な課題

Issues which need to be addressed in the future

- 「**現行法**とAI商品・サービス」の問題

Issues of AI products/services under **the existing laws**

- **欧米のAI法制整備**に向けた動き（**日本は？**）

Movements toward **preparing AI regime** in EU and the U.S. – what and how Japan will (or should) do?

# 現行法上の問題点は既に発生している

Issues under the existing laws have already occurred

- **リクナビ事例**や**顔・生体認証**に関する法的問題点の一部は**想起されやすい**

We easily imagine a part of the legal issues in *Rikunabi* and facial/biometric recognition

- しかし、**現実のAIビジネス**は**多様な既存の法律と衝突**

But real AI businesses are confronted by various existing laws

- リリース一歩手前又はリリース後にストップをかけられることも。  
**(例) AI医療プログラムと薬機法の衝突**

Sometimes you may be required to postpone or cancel contemplated AI businesses just before, or even after, their launch

e.g., conflict between AI medical program and “Act on Securing Quality, Efficacy and Safety of Products Including Pharmaceuticals and Medical Devices”

- AIを活用する**スマートシティ構想**でも**ネックとなる様々な既存の法律の検討が必要**

It is needed to consider various existing laws in relation to contemplated smart cities where AI is utilized



# EU: AIの法と倫理両面の具体化に着手

EU – trying to address not only ethics but also laws of AI



Dimitar Kyosemari Ifv/Reuters

法制度枠組提案  
Proposal of  
AI Law in EU

倫理 Ethics

ハイリスクAIは、データ・情報提供・人間の監視などの規制を遵守しないとEUで利活用できない

High-risk AI applications may not be utilized in EU unless they are compliant with some requirements such as data, provision of information and human oversight

特にハイリスクAIの規制  
Trying to regulate, especially,  
high-risk AI applications

企業のガバナンスも提案  
propose corporate  
governance

人間の自律、安全性、プライバシー、透明性、  
公平性、幸福、アカウントビリティ

Human agency, safety, privacy, transparency, fairness, wellbeing, accountability

→ 社内体制を整える企業が目立つ

Companies installing their internal systems are conspicuous

# 米国: AI政策を急速に推進

U.S. – rapidly promotes AI policies

- 矢継ぎ早のAI政策

AI policies which can be said **rapid-fire**

(注) 以下は**例示**です。

The followings are **mere examples**.



Andrew Harnik-Pool/Getty Images

## 大統領令

“The American AI Initiative”

## 人工知能国家安全保障委員会の 四半期ごとの**勧告と報告**

The National Security Commission on Artificial Intelligence (NSCAI)'s quarterly recommendations and reports

2019

2020

## 国家AI研究開発戦略計画 改訂版

The National Artificial Intelligence Research and Development Strategic Plan: 2019 Update  
(国家科学技術会議、NSTC)

## 米国大統領行政府 行政管理予算局の**通達**

Guidance for Regulation of Artificial Intelligence Applications of OMB

# AI開発企業も、AI利活用企業も

What should AI-developing companies and AI utilizing companies do?

- **ネックとなる既存の法律の抽出と、それに関する法務戦略が不可欠**

Extraction of the existing laws which are at issue and legal strategies on them are indispensable for AI

- **欧米の法制化・倫理ルール化の動きを先取り**

Should be ahead of rules of EU/US in the future

- **社内で「反応できる」リテラシーを持つことが大切**

Literacy is important in order to “react” to the issue in a company

- **ガバナンスの姿勢が問われる**

Attitude toward governance will be paid attention to for a respective company

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