

# Artificial Intelligence and Legislation: an Analysis of New Approaches

*Khujanazarov Azizjon Anvarovich*<sup>1</sup>

**Abstract:** This scientific article comprehensively scientifically and legally analyzes the issues of digitization of rule-making activities, in particular, the issues of introducing artificial intelligence into this activity. The article also outlines the author's proposals and recommendations for the use of artificial intelligence in rule-making activities.

**Key words:** norm -making, artificial intelligence, law, state, activity, digitalization, technology.

In the 2018 United Nations Strategy for the Use of New Technologies[1], digital technologies are becoming an integral part of all spheres of social, cultural and political life, and "equality", which is considered the main value along with universally recognized international documents in the use of new technologies, It is indicated that it should be based on the principles of "justice".

It should be noted that the trend of modern technological development is creating new opportunities for humanity, along with its own problems. That is, it creates some conveniences for each area.

"Paperwork", "bureaucracy" and corruption are avoided through the widespread introduction of modern technologies into the activity of norm creation. That is, in accordance with the principle of "movement of documents", development of normative legal documents and issues of inter-agency agreement are carried out without the "human factor" using only information technologies.

The principles of "openness" and "transparency" are ensured in the development of legislation, and a system of public awareness of the adopted legislation is being created.

Through technologies, the activity of norm creation of state bodies is monitored, the principle of "legality" is ensured in the field. That is, it is possible to fully control the development, arrival and adoption of normative legal documents by the subjects of norm creation in compliance with the legislation.

It should be noted that the digitization of norm creation activities is creating several modern trends. In particular, directions such as "digital law", "artificial intelligence in norm creation", "digital expertise", "legal technical programs" indicate that the development of regulatory legal documents is getting a more modern look.

**"Artificial intelligence" is one of** the modern technologies that is causing the reduction of human activities today is entering all fields at lightning speed.

Artificial intelligence is a system with the ability to sense its environment and take action to maximize its chances of successfully achieving its goals, learning from data and interpreting and analyzing it in an adaptive way as it evolves, and its real value is can only be done when providing valid information.

The unilateral use of artificial intelligence systems by states will certainly play a significant role in changing the nature of diplomacy and international negotiations in the coming decades. For example, in 2018, the Ministry of Foreign Affairs of the People's Republic of China began using an artificial intelligence system as a strategic decision support system, providing its diplomats with various capabilities and assistance in risk assessment[2].

<sup>1</sup> Senior lecturer of Tashkent state university of law, PhD in law



The increasing workload of state agencies, in turn, creates the need for the use of "artificial intelligence" by the subjects of norm creation in the development of legislative documents.

The main question is, at what stage of norm creation is "**artificial intelligence**" used?

Norm creation activity covers the stages of drafting of normative legal documents, public discussion, inter-agency agreement, examination and adoption of the draft.

According to AASajinov, "there is a rapidly developing fragmentation of the international regulation of the development and use of artificial intelligence. This process depends on a number of factors. First, Western countries are interested in independently developing norms in the artificial sphere, in order to later apply them to the whole world. From a practical point of view, this approach is embodied in the Global Partnership on Artificial Intelligence, which was created on the initiative of Western countries and promotes initiatives developed within the OESR. The situation here is similar to the situation around the Convention on Cybercrime, which was originally developed within the framework of the Council of Europe, but is now promoted as the "gold standard" far outside the framework of this organization. Second, as noted above, many international organizations, large non-governmental organizations and politicians are looking at the subject of artificial intelligence development and regulation in the public eye as a source of certain benefits. Third, a number of governments rightly believe that artificial intelligence technologies will be used by individual countries to interfere in the internal affairs of other countries. As a result, legal systems aimed at preventing such use of this technology are being created at the national level" [3].

D. Gvozdetsky said that artificial intelligence technologies should be at the service of the law in the near future and be a flexible tool in achieving procedural legislation. Digitization of the creation of departmental norms should be the most important focus of the government, because it has a significant impact on the efficiency of the procedure for preparation, approval and acceptance of departmental documents. After bringing artificial intelligence technologies to a logical conclusion and testing them in practice, the process of acceptance, approval and enforcement of departmental documents will be significantly accelerated, which will save both time and financial resources for their preparation[4].

TRMolodsov said that "artificial intelligence as a tool of information technology has already managed to take its place in society, and this is the first step towards really serious changes for the better. However, despite all its efficiency, we must not forget that even today, in the era of computerization, human resources are still unlimited and most effective. The tool of artificial intelligence, in particular, should be considered as an indispensable assistant, not a successor, in legislative activity" [5].

In our opinion, it is not possible to use "artificial intelligence" in the stages of development and examination of normative legal documents, which are considered an important stage of legislation.

That is, since norms are considered tools that regulate social relations and create legal consequences, such an important document cannot be trusted to technology.

In our opinion, "artificial intelligence" can be used to simplify the process of drafting regulatory legal documents. For example, it is appropriate to use "artificial intelligence" when working with legislation to determine and monitor compliance with deadlines, to find spelling and technical errors in regulatory legal documents, to identify differences between translated project texts, and to harmonize project texts with the requirements of legislative techniques.

#### IV. Summary

Based on the above, it is appropriate to use **artificial intelligence in the following stages of norm creativity** :

- technical procedures related to the activity of norm creation, i.e. technical formalization of normative legal documents and coordination with legislative techniques, efficient use of artificial intelligence at certain stages of official announcement;
- monitoring the activities of norm creation, that is, monitoring compliance with the established requirements for the adoption of normative legal documents;



- summarizing the opinions expressed during the public discussion of draft normative legal documents and presenting them to the project developer;
- finding and correcting spelling and technical errors in the texts of draft normative legal documents;
- in the translation of normative legal documents and the identification of discrepancies between the translated texts.

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