**The race to regulate AI – Will the Hiroshima AI Process or the Bletchley Declaration lead the way towards an international agreement?**

Artificial Intelligence (AI) has undergone steady growth over the last few decades, with AI programs being incorporated in a gamut of applications, ranging from speech recognition to rovers for space exploration.[[1]](#endnote-1) However, AI has only recently captured the general public’s imagination with the advent of publicly available generative AI tools such as ChatGPT (“Chat Generative Pre-trained Transformer”), first built by OpenAI in 2018.[[2]](#endnote-2) The current state generative AI is ripe for governmental oversight and/or legal regulation to protect Intellectual Property where AI learning models are devouring 3rd party work products for training purposes, and safeguard employment in sectors where generative AI is likely to be most disruptive.[[3]](#endnote-3)

The G7 (Group of Seven) countries[[4]](#endnote-4) developed “Hiroshima AI Process” directed to an

agreement on a set of 11 International Guiding Principles for actors developing advanced AI systems and a voluntary Code of Conduct for AI developers in September and October of 2023, with a particular recognition of foundation models and generative AI.[[5]](#endnote-5) The Guiding Principles include risk analysis throughout the development cycle of AI, public reporting and information sharing of AI capabilities, development of AI governance and risk management policies.[[6]](#endnote-6) The principles further govern implementation of “robust security controls” as well as “appropriate data input measures and protections for personal data and intellectual property.”[[7]](#endnote-7) Moreover, the principles include adoption of “international technical standards” and “reliable content authentication and provenance mechanisms.”[[8]](#endnote-8) The Code of Conduct is directed to providing practical guidance for organizations developing AI.[[9]](#endnote-9)

In parallel, the Bletchley Declaration was developed, with the UK hosting an AI Safety Summit on Nov. 1, 2023 through Nov. 2, 2023, which was attended by 29 countries and international organizations including Australia, Brazil, the European Union, India, Japan, and the United States.[[10]](#endnote-10) These 29 countries signed on to the Bletchley Declaration at the Summit, affirming that safety should be evaluated across AI life cycles, and that the countries would encourage relevant actors to provide “context-appropriate transparency and accountability” for risk evaluation.[[11]](#endnote-11) The Bletchley Declaration further put forward an agenda for addressing AI risk in order to “inform action at the national and international levels,” comprising developing a shared global approach towards identification and understanding of AI safety risks, and developing collaborative approaches[[12]](#endnote-12) for risk and safety regulation, to the extent that the individual countries’ legal frameworks will allow.[[13]](#endnote-13) This appears to be less robust and comprehensive in comparison with the Hiroshima AI process with a lack of practical implementations steps.[[14]](#endnote-14) The agenda emphasized “frontier AI” covering AI models that have the potential to cause catastrophic harm in areas such as biotechnology, cybersecurity, and disinformation.[[15]](#endnote-15) Towards achieving this agenda, the signatories agreed to support international multilateral, plurilateral and bilateral collaboration networks, and further agreed to meet in 2024 to continue discussions.[[16]](#endnote-16)

While the goals of the above international movements are admirable, whether these non-binding affirmations by the signatories will result in the countries signing agreements with concrete policy and regulation for internationally coordinated action remains to be seen.[[17]](#endnote-17) However, the concrete and practical nature of Hiroshima AI Process seems most promising.

1. *What is the history of artificial intelligence (AI)?*, Tableau (Feb. 2023), https://www.tableau.com/data-insights/ai/history [https://perma.cc/YAN7-582W]. [↑](#endnote-ref-1)
2. Pat Lawlor, *The rise of generative AI: A timeline of breakthrough innovations*, Qualcomm Blog (Feb. 12, 2024), https://www.qualcomm.com/news/onq/2024/02/the-rise-of-generative-ai-timeline-of-breakthrough-innovations [https://perma.cc/LE27-VSES]. [↑](#endnote-ref-2)
3. *See* Michael R. Siebecker, *Democracy, Discourse, and the Artificially Intelligent Corporation*, 84 Ohio St. L.J. 953 (2024); *See also* Alexander S. Rusek, *The AI Revolution: A Look Back at 2023 and the Future Of AI in the Law*, 103 MI Bar J. 22 (2024). [↑](#endnote-ref-3)
4. U.S. Department of the Treasury, *G-7 and G-20* (last visited on Mar. 10 2024) https://home.treasury.gov/policy-issues/international/g-7-and-g-20 [https://perma.cc/M988-P7AV]. [↑](#endnote-ref-4)
5. *G7 Leaders’ Statement on the Hiroshima AI Process*, Statement from the White House (Oct. 30, 2023), https://www.whitehouse.gov/briefing-room/statements-releases/2023/10/30/g7-leaders-statement-on-the-hiroshima-ai-process/ [https://perma.cc/LZ6W-A5J8]. [↑](#endnote-ref-5)
6. *G7 Hiroshima AI Process: G7 Digital & Tech Ministers' Statement*, Univ. of Toronto - G7 Info. Ctr. (Dec. 1, 2023), http://www.g7.utoronto.ca/ict/2023-statement-2.html [https://perma.cc/WEA5-W9RR]. [↑](#endnote-ref-6)
7. *Id.*  [↑](#endnote-ref-7)
8. *Id.* [↑](#endnote-ref-8)
9. *G7 Leaders Agree on Guiding Principles and Code of Conduct on Artificial Intelligence*, Hunton Angrews Kurth (Oct. 30, 2023), https://www.huntonprivacyblog.com/2023/10/30/g7-leaders-agree-on-guiding-principles-and-code-of-conduct-on-artificial-intelligence/ [https://perma.cc/B2JV-3XS3]. [↑](#endnote-ref-9)
10. “Bletchley Declaration” Policy Paper UK Govt., *The Bletchley Declaration by Countries Attending the AI Safety Summit, 1-2 November 2023* (Nov. 1, 2023) https://www.gov.uk/government/publications/ai-safety-summit-2023-the-bletchley-declaration/the-bletchley-declaration-by-countries-attending-the-ai-safety-summit-1-2-november-2023 [https://perma.cc/D9KD-MR6U]. (Listing the countries and international organizations that are parties to the Declaration – Australia, Brazil, Canada, Chile, China, European Union, France, Germany, India, Indonesia, Ireland, Israel, Italy, Japan, Kenya, Kingdom of Saudi Arabia, Netherlands, Nigeria, the Philippines, Republic of Korea, Rwanda, Singapore, Spain, Switzerland, Türkiye, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, and United States of America); *See also* Privacy and Data Protection Journal, UK government to chart an alternative approach to AI, 23 PDP J, no. 7 (July/August 2023) *available at* https://plus.lexis.com/api/permalink/315eb82f-e8d0-495a-8922-ac7e5caaa4eb/?context=1530671. [↑](#endnote-ref-10)
11. *Id.* [↑](#endnote-ref-11)
12. *Id.* (These collaborative approaches can include “appropriate evaluation metrics, tools for safety testing, and developing relevant public sector capability and scientific research,” “alongside increased transparency by private actors developing frontier AI capabilities.”). [↑](#endnote-ref-12)
13. *Id.* [↑](#endnote-ref-13)
14. *Id.* [↑](#endnote-ref-14)
15. Steven Farmer et al., *Key Takeaways from the UK’s AI Summit: The Bletchley Declaration*, Pillsbury Insights – Internet and Social Media (Nov. 7, 2023), https://www.internetandtechnologylaw.com/ai-summit-bletchley-declaration/ [https://perma.cc/WL8G-MV54]. [↑](#endnote-ref-15)
16. Bletchley Declaration, *supra* note v. [↑](#endnote-ref-16)
17. Particularly in light of the EU developing its own comprehensive legally binding rules under the under the EU AI Act and the U.S. setting its own federal AI standards for safety and security. *See* Brian Fung, *EU approves landmark AI law, leapfrogging US to regulate critical but worrying new technology*, CNN Business (Mar. 13, 2024), https://www.cnn.com/2024/03/13/tech/ai-european-union [https://perma.cc/A3SB-ERXF]; *Commission welcomes G7 leaders' agreement on Guiding Principles and a Code of Conduct on Artificial Intelligence*, European Commission (Oct. 30, 2023), https://digital-strategy.ec.europa.eu/en/news/commission-welcomes-g7-leaders-agreement-guiding-principles-and-code-conduct-artificial [https://perma.cc/Y5SY-73L4]; *Executive Order on the Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence*, The White House (Oct. 30, 2023), https://www.whitehouse.gov/briefing-room/presidential-actions/2023/10/30/executive-order-on-the-safe-secure-and-trustworthy-development-and-use-of-artificial-intelligence/ [https://perma.cc/P88T-77NN]; *Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence*, 88 Fed. Reg. at 75191. [↑](#endnote-ref-17)