

Legal Regulation of Autonomous Systems in South Korea on the Example of Robot Legislation

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Technology policy in South Korea

- South Korea today is one of the leading industrial powers of the world
- Very advanced in modern technologies: smartphones, computers, ... and robots !
- Strong influence of German law, esp. civil law and criminal law
- Fully developed liability law system; data protection, etc.
- 2005: Korean Robot Ethics Charta
- 2005: Korean Law on the Development and Distribution of Intelligent Robots

Korean Robot Ethics Charta

(<http://gccsr.org/node/685> (30. Okt. 2012))

- Article 1(aim) The aim of the robot ethical charter is to confirm of the human ethics for the co-existence and co-prosperity of the human being and the robot.
- Article 2(common principle of the human being and the robot) The human being and the robot must bear the dignity, information, and engineering ethics of life.

Korean Robot Ethics Charta

- Article 3(human ethics) When the human being manufactures the robot, and when in use, must always decide to judge with a good method.
- Article 4(robot ethics) The robot should obey the human being as a Friend, Helper and Partner, and should not injure human beings.
- Article 5(manufacturer ethics) The manufactures of robots do so in order to defend the dignity of human beings, and are also responsible for robot recycling, and information protection duty.


Korean Robot Ethics Charta

- Article 6(user ethics) The robot user must respect robots as a friend of human beings, and forbid an illegal re-assembly of a robot, and illegal robot misappropriation.
- Article 7(promise of execution) The government and the local authority organizations, to embody the spirit of the charter, must enforce the effective management of robot ethics throughout the manufacturing process and use of robots.
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Evaluation

- The charta responds to the challenge of robotics
- More political than legal
- Highly emotional wording
- What can we learn from the Korean Charta?



Korean law on the development and distribution of intelligent robots (2005)

Article 2: definition of “intelligent robot”

- **“a mechanical device that perceives the external environment for itself, discerns circumstances, and moves voluntarily”**

Article 9: Quality Certification of Intelligent Robots

(1) The Minister of Knowledge Economy may authorize a certifying institution designated to secure the quality of intelligent robots and facilitate the distribution and dissemination of intelligent robots (hereinafter referred to as the "certifying institution") to undertake the certification of the quality of intelligent robots (hereinafter referred to as "certification").

Article 9: Quality Certification of Intelligent Robots

- (2) The Minister of Knowledge Economy may formulate a policy on support necessary for the distribution and dissemination of certified products and may request public institutions specified by Presidential Decree to purchase certified products.

Article 9: Quality Certification of Intelligent Robots

- (3) Necessary matters concerning the designation, cancellation of designation, operation of a certifying institution, the procedure for certification and the items subject to certification, criteria for certification, the procedure for application for certification, and other relevant matters shall be prescribed by Presidential Decree.



Article 14: Insurance

(1) Any person falling under the following subparagraphs may operate a business for the purpose of insuring damage inflicted on consumers by certified intelligent robots (hereinafter referred to as "quality assurance business"):

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Evaluation

- Law concerning robots/autonomous systems in Korea
 - Older „standard law“: liability, privacy, ...
 - Robot Ethics Charta creates the general atmosphere necessary for introducing a new technology
 - Korean Law on the Development and Distribution of Intelligent Robots fills in gaps in the traditional legal system with the aim to be able to cope successfully with the new challenges posed by autonomous systems
- Law as a means to support innovation, not to hinder it
- South Korea´s legal policy as a model for western countries?



- Thank you for listening!