**DEPARTMENT OF FOREIGN AFFAIRS AND TRADE**

**INTERNATIONAL COVENANT ON THE REGULATION OF ARTIFICAL INTELLIGENCE**

**Concerning the operations, regulation and status of artificial intelligence and related activities to assist with the ethical applications for research and development capabilities**

**(Location, date)**

**Entry into force: (Date)**

**AUSTRALIAN TREATY SERIES**

**[YEAR] ATS 1**

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**INTERNATIONAL COVENANT ON THE REGULATION OF ARTIFICAL INTELLIGENCE CONCERNING THE OPERATIONS, REGULATION AND STATUS OF ARTIFICIAL INTELLIGENCE AND RELATED ACTIVITIES TO ASSIST WITH THE ETHICAL APPLICATIONS FOR RESEARCH AND DEVELOPMENT CAPABILITIES**

**RECOGNISING** the need for international cooperation in ethical protection from artificial intelligence;

**NOTING** the lack of regulation and ethical protection internationally which poses a threat to thresholds of rivalling intelligence and adequate management of such resources;

**NOTING FURTHER** the endorsement of the House Standing Committee on Employment, Education and Training as referred by Minister for Education, the Hon Jason Clare MP on 24 May 2023, pursuant to the inquiry into the use of generative artificial intelligence in the Australian education system including consideration of the current and future impacts of generative AI for education systems, the international and domestic practices and policies in response to the increased use of generative AI and the recommendations to manage the risks, opportunities and potential development of this area;

**ACKNOWLEDGING** that this document herby establishes an international organisation to be known as the International Artificial Intelligence Council;

**HAVE AGREED** as follows:

**Article 1**

**Definitions**

(a) “Artificial Intelligence” means any artificial system that performs tasks under diverse circumstances without significant human management, or that can learn from experience and adapt performance when exposed to data sets, of which would normally require human intelligence.

(b) “Artificial General Intelligence” means a subset of artificial intelligence that can perform the same tasks as humans including learning, reasoning and problem solving.

(c) “Artificial Super Intelligence” means a subset of artificial intelligence that is able to perform artificial intelligence, potentially possessing machine consciousness and surpassing human intelligence in the competition of tasks.

(d) “Generative Artificial Intelligence” means any artificial system that performs tasks under diverse circumstances without significant human management, in which focuses on creating and adapting new content or ideas based on existing data, operating as a subset of Artificial Intelligence.

(e) “Graphic Processing Unit Clusters” means a computer cluster in which each node is equipped to harness computational power for specific tasks including image and video processing, neural network training and further machine learning algorithms.

(f) “Machine Learning Models” mean a type of artificial intelligence model or combination of models, that allows software applications to become more accurate at predicting and adapting outcomes without being explicitly programmed, using the historical data as input to predict new output values.

(g) “Quantum Computer” means any type of computer that uses the laws of quantum physics to perform tasks that are difficult for classical computers to perform.

(h) “Tensor Processing Unit Clusters” means an application specific integrated circuit developed to accelerate machine learning workloads, and therefore adaptation.

**Article 2**

**Moratorium**

(Unsure how to incorporate/write this)

**Article 3**

**Purposes of the International Artificial Intelligence Council**

The purposes of the International Artificial Intelligence Council are:

1. To maintain regulation of the application of artificial intelligence in the suppression of risk and promoting ethical and safe application of artificial intelligence;
2. To create programs of development and research of current capabilities of large-scale artificial intelligence;
3. To achieve international co-operation in solving issues of an economic, social, cultural or humanitarian application to such technologies;
4. To be a centre for cohesion of the actions of nations to attain the common goals.

**Article 4**

**Organisation of the International Artificial Intelligence Council**

The Organisation and its Parties, in pursuit of the Purposes stated in Article 2, shall act in accordance with the following principles.

1. The Organisation is based on the principle of the sovereign equality of all its Parties.
2. All Parties, in order to ensure to all of them the rights and obligations resulting from membership, shall fulfill in good faith the obligations assumed by them in accordance with the present Covenant.
3. All Parties shall settle their international disputes by peaceful means in such a manner that cohesion and obligations are not endangered.
4. All Parties shall refrain in their international relations from the threat or use of force against the territorial integrity of political independence of any state, or in any manner inconsistent with the purposes of the International Artificial Intelligence Council.
5. The Organisation shall ensure that states which are not Parties of the International Artificial Intelligence Council act in accordance with these Principles so far as may be necessary for the maintenance of international cohesion in artificial intelligence regulation.
6. Membership in the International Artificial Intelligence Council is open to all state which accept the obligations contained in the present Covenant and, in the judgement of the Organisation, are able and willing to carry out these obligations.

**Article 5**

**Functions and Powers**

The International Artificial Intelligence Council may discuss any questions or any matters within the scope of the present Covenant relating to the powers and functions as provided as follows in this Article.

1. The International Artificial Intelligence Council may consider the general principles of cooperation in the maintenance of international regulations including the principles governing the prohibition of Graphic Processing Unit Clusters, Tensor Processing Unit Clusters and Machine Learning Models containing more than 500 million parameters.
2. The International Artificial Intelligence Council may consider the principles governing the research and prohibition of the development of Artificial General Intelligence and Artificial Superintelligence.
3. The International Artificial Intelligence Council considers the principles in the prohibition of quantum computers to be used in any artificial intelligence related activities.

**Article 6**

**Enforcement**

(Unsure how to incorporate/write)

**Article 7**

**Entry into Force and Duration**

1. This Agreement shall be open for signature by all Parties.

2. Each Signatory shall notify the other in writing of the completion of the constitutional formalities by its law for the entry into force of this Agreement. This Agreement shall enter into force on the date of the later of the two notifications by the International Artificial Intelligence Council, on one part, and any one of the Parties, on the other. The Agreement shall enter into force subsequently for each other Party on the date of notification by that Party.

3. Expiry of this Agreement shall not affect any liabilities, rights and obligations arising out of the Agreement, and any immunity relating to actions taking place during the period of the Agreement.

5. This Agreement shall prevail over any existing agreement as between any of the Parties to this Agreement to the extent necessary to give effect to this Agreement.

**Article 8**

**Depository**

The International Artificial Intelligence Council shall be the depository for this Agreement.

IN WITNESS WHEREOF the undersigned being duly authorised by their respective Governments have signed this Agreement.

DONE at (location) this (date).

This for Australia will be ratified in “An Act to approve the International Covenant on the Regulation of Artificial Intelligence, and to enable Australia to apply sanctions giving effect to certain decisions of the (body)”.