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In the context of artificial intelligence and the governance of global trade, the concept of pluralist agendas may be considered.

Nagarajan. G, S. Sivakumar[2], Kishor R[3]
[1,2,3]Professor & Head
Department of Artificial intelligence

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Abstract
This article is the first of its type to map out the obstacles that the World Trade Organization (WTO) is now experiencing as a consequence of the development of artificial intelligence. The WTO is currently confronting a number of concerns that were expected throughout the recent years. In order to do this, it performs a comprehensive examination of the normative ramifications that artificial intelligence has for four distinct issue areas. These problem areas include computer-generated works, automated decision-making processes, automated driving systems, and robot lawyers. The purpose of this article is to provide an illustration of the underlying economic, social, cultural, and political interests in a variety of jurisdictions by analyzing the several governance approaches that have been introduced in attempt to address these issues. In addition to this, it highlights the growing normative significance of the variety of legal systems throughout the world. The objective of this article is to rethink the link between artificial intelligence and the regulation of global trade by presenting three ideas and two cautions. This is done with the understanding that the nature of international law is always altering, and its purpose is to take this into account. It is of the utmost importance that the World Trade Organization (WTO) expand its institutional flexibility in order to promote rigorous and dynamic cross-sectoral debate and cooperation. This is the first and most important step. However, rather than putting more of a focus on the precision and predictability of the rules themselves, it is necessary to place a larger emphasis on the flexibility and optimal design of the rules. Second, despite the fact that we acknowledge that the human rights-based approach to AI governance offers a promising foundation for many, it is of the utmost importance to emphasize that the global trade system needs to be more respectful of local values and cultural settings in order to address the concerns that are associated with artificial intelligence. The level of caution that is necessary is far higher, and it is imperative that one refrain from pursuing undertakings that are especially aggressive in character. As an additional point of interest, the third idea sheds light on incrementalism, minilateralism, and experimentalism. It is necessary for the global trading system to be able to acknowledge and encourage the development of governance activities pertaining to artificial intelligence and trade governance, as we aim to propose these things. That being said, it is essential to keep in mind that there are two conditions attached to this. Keeping in mind the "pacing problem" that the legal system and society are now confronting in order to keep up with the rapid growth of technology is the first thing that has to be taken into consideration. Furthermore, the evolving power dynamics and interest group landscape in the age of artificial intelligence are not something that can be disregarded. This is something that must be overlooked. In contrast to the conventional power dynamics in international law, it is anticipated that governments that are in possession of more sophisticated technology and data of a better quality would be in a position to dominate. Additionally, it is conceivable that a new North-South split might occur, which would result in a shift in the chronological sequence of the world economic system.

Introduction

"Artificial intelligence" (AI) is a term that was coined by John McCarthy and his collaborators in 1955, but it has been dormant for half a century. The rapid technological development of computing power, advancements in algorithms, and the availability of vast amounts of data have all contributed to the reanimation of "AI." AI not only promises a new wave of industrial revolution, but it also has the potential to generate significant social, economic, and political ramifications.1. Artificial intelligence is no longer only a concept only found in science fiction. Rather, it has arisen as a technology that has the potential to transform the actual world in which we live. Some examples of this technology include self-driving vehicles, digital assistants, robo-advisors, and automated legal processes, to mention just a few. Artificial intelligence will soon have a profound influence on the economics of the whole planet.6. It is estimated by McKinsey that artificial intelligence would generate over $13 trillion in new global economic activity by the year 2030.7 The results of yet another macroeconomic analysis conducted by Accenture reveal that by the year 2035, the yearly economic growth rate of twelve developed nations is anticipated to significantly rise as a direct result of artificial intelligence.8 Additional sources also claim that artificial intelligence has the potential to boost economic efficiency and promote international commerce in a variety of different ways.9 Because artificial intelligence (AI) presents unprecedented hurdles in terms of size and complexity, it has already triggered or is likely to spark a variety of domestic regulatory reactions across continents. This is despite the fact that AI may be very promising.There is a high probability that a variety of regulatory approaches, which are supported by distinct local values and public morals in various cultures, may arise and result in trade frictions that were not anticipated by the individuals who drafted many of the international trade agreements that are in place today.111 Big data and complex algorithms are controlled by a small number of tech giants, the most of which are located in developed nations. However, the use of these technologies has gradually spread to the rest of the globe via cross-border economic operations, whether they take place online or offline.a 13 Not only is the distribution of wealth and power that has resulted from this changing the interaction between various social groups inside a country, but it is also calling into question our trust—faith in governments, trust among nations, and, further, trust in our rules-based international economic system.

There are significant concerns that the rise of artificial intelligence presents to the setup and reconfiguration of global trade governance. Nevertheless, despite the fact that there is a growing body of work in both international law and global governance that investigates the difficulties posed by artificial intelligence,14 very little attention has been paid to these concerns from the perspective of international trade law. At this point, the article begins to take effect. The purpose of this article is to make a number of assertions by means of a comprehensive analytical framework that allows for the resolution of these concerns. To begin, artificial intelligence is neither a word from science fiction, nor has it hit its tipping point.a 15 The potential of artificial intelligence is still being unlocked, and as a result, policymakers at both the domestic and international levels are facing increasingly difficult difficulties. The unique characteristics of artificial intelligence have presented new issues that many trade attorneys have never seen before, despite the fact that AI often interacts with cyberspace and has certain parallels with the Internet.16 While there are governments that have shown their capacity to adapt to the ever-changing socio-techno landscape, there are other governments that struggle to capture such a dynamic target.a 17 In this article, the author believes that multi-speed advancements across nations are arising as a response to the implications of artificial intelligence. These variations are a reflection of, on the one hand, the institutional capacity and resources of a country to manage the notoriously difficult "pacing problem"—the fact that technological development advances at a faster rate than the ability of policymakers to keep up with it—and, on the other hand, the power struggles among interest groups to even out redistributive effects while a society re-orients itself toward automation.a 19 The fact

that these different models may be the deepest embodiment of cultures and moralities that go beyond utilitarian considerations serves to add another layer of complexity to the situation.20. As a result of these processes, we are able to argue that a new wave of global legal pluralism is on the horizon, while nations prepare themselves for the mixed prospects that will be encountered along the passage.

As a result of all of these factors, we are compelled to contemplate the institutional robustness of the current global trading system. In particular, what is the appropriate role that international trade law should play in resolving trade disputes that are caused by the diversity of these factors? A more respectful, non-interventionist attitude toward local values and cultural settings is advocated in this article as part of the process of developing a new agenda to handle these issues. This approach places a greater emphasis on institutional legitimacy and flexibility, and it avoids forceful harmonization. To be more specific, there are a few more general aspects that are significant.

First, despite the growing diversity, a number of governance sites that have the potential to mold or at the very least influence how governments will regulate artificial intelligence are already in the process of being developed. particular pioneering nations, most notably the United States of America, China, and the European Union (EU), have made efforts to regulate artificial intelligence (AI) and other disruptive technologies in particular domains.21. When it comes to latecomers, these new solutions may serve as a template for them to follow, in whole or in part, via legal trans-plant, regulatory competition, or any other means. It is necessary for governments in other countries to make contact with their counterparts in order to bring the current framework up to date. This may include loosely structured trans-governmental networks or mechanisms that are based on treaties.22. In addition, numerous industry stakeholders have collaborated with one another or even formed partnerships with regulatory bodies in order to coordinate their operations.[23] According to one line of reasoning, these initiatives may bring to a convergence of various regulatory methods by means of dynamic interactions with a number of different government sites, which would in turn moderate worries over trade. In spite of the fact that such a confluence exists, it is still possible to anticipate and anticipate some degree of regulatory variability. The remaining discrepancies are unavoidable; they are a reflection of the many political, cultural, religious, and spiritual traditions that exist. It is necessary to adopt a more cautious stance when it comes to harmonization and the application of relevant international standards in order to resolve conflicts when acting on the advancements of artificial intelligence in order to reconfigure the norms via the process of negotiation and adjudication.a 24 It is important to note that our intention is not to dismiss the role that regulatory collaboration plays in easing trade processes. This article, on the other hand, argues for the argument that regulatory cooperation may and should be done in a gentler, less invasive fashion. This would enable nations to look for an ideal regulatory model that better meets their local requirements while exploring the uncharted terrain generated by breakthroughs in artificial intelligence. Therefore, this article advocates for the proposition.

A few notes of caution are necessary before we go on. A specific set of new global standards for the World Trade Organization (WTO), which is the major subject of this article, is not something that this article intends to argue for at this juncture. Nor does it attempt to exhaust all of the normative implications that artificial intelligence has."25" However, the purpose of this article is to provide a narrative about the emerging challenges to the institutional resilience of the international trade system. Additionally, the article aims to map the major agenda items for academics, negotiators, and practitioners alike by conducting a critical analysis of four major issue areas that are more suitable for discussion. Obviously, the concerns that have been chosen are only illustrative and do not even come close to capturing the full complexity and diversity of the difficulties that artificial intelligence is posing to the global trade system.26.

The remainder of this article will continue in the following manner, keeping this in mind. Part II starts by elucidating the concept of artificial intelligence (AI) from both a

technical and a normative point of view. Whenever there is a constructive discussion amongst policymakers, these terms are the building blocks that are necessary. It is necessary to have an understanding of how artificial intelligence (AI) differs from other technologies, particularly digital technologies, in order to comprehend the reasons why we need to be concerned about the normative implications that AI may have for the global trade system. In Part III, we choose a number of case examples to highlight the possible consequences that artificial intelligence might have on the present framework of the World Trade Organization (WTO). We map out the basic aspects of AI along the technological, social, and economic dimensions. The following four problem areas are taken into consideration since they not only exhibit such features but also are more suitable for conducting in-depth research. These areas include the blurred boundaries between services and goods in the classification of artificial intelligence, such as robot law-yers, automated driving systems, and the normative significance of plural morality in reshaping the global trading system, computer-generated works and intellectual property rights, and automated decision-making process and its legitimacy concerns. In Part III, after having unpacked major legal and policy issues and critically examined prominent options to manage these ramifications, the author highlights the major challenges and opportunities that lie ahead. Additionally, the author maps out three fundamental dimensions and two caveats for future institutional designs in response to the new wave of global legal pluralism and the demand for good AI and trade governance. Part V is when we come to a conclusion.

A Contextual Analysis of the Concept of Artificial Intelligence

We begin by elucidating the idea of artificial intelligence (AI) and determining the fundamental components that regulators need to comprehend in order to establish methods for evaluating and governing AI. In addition to being a technical explication, the process of unpacking the concept of artificial intelligence is of normative importance. Multiple facets are included in this normative value. To begin, defining artificial intelligence has been a challenging endeavor for scientists and engineers for a very long time.27, a It is just as difficult, if not more so, for nations to arrive at a definition that is suitable via the use of law or normative or policy papers. Some governments, on the other hand, have made an effort to include the most influential academic works on the concept of artificial intelligence into their law.28, a For the purpose of this process, some nations are sufficiently adaptable to pay attention to the dynamics of the sector. They do this by classifying artificial intelligence (AI) into two broad categories: narrow AI and general AI. This classification is based on the current level of technology.29. These normative developments at the domestic level will, in turn, have repercussions for international trade law. This is because a dispute at the World Trade Organization (WTO) often begins with parties fighting over the ordinary meaning of the relevant words of a commitment. Naturally, the capacity of a nation to describe artificial intelligence (or the lack thereof) will have an impact on whether or if trade negotiators are able to construct a common language for the next generation of trade disciplines, as well as how they do so. We will now analyze the following.

Defining Artificial Intelligence as a Moving Target: Previous Attempts by Scholars

When it comes to gaining an understanding of the common meaning of a phrase, a dictionary is an excellent place to begin for trade attorneys.30 % The term "intelligence" refers to the capacity to "acquire and apply knowledge and skills," whereas the term "artificial" refers to anything that is created by "human beings rather than occurring naturally," as stated by the Oxford Dictionary.It is generally accepted that the term "artificial intelligence" refers to the "theory and development of computer systems that are able to perform tasks that normally require human intelligence, such as visual perception, speech recognition, decision-making, and translation between languages."32: As can be seen from the preceding, artificial intelligence (AI) is a term that is used to describe man-made systems that

possess a certain degree of the ability to acquire and apply information. It is far from apparent, nevertheless, what level of capability is necessary for this phrase to apply: can we argue, for instance, that those activities like as voice recognition and translation serve as an ade-quate yardstick to establish if a system exhibits “human intelli-gence”? The answer is probably not going to be yes since the phrases "such as" and "normally" suggest that there is some degree of openness, and technology may change over the course of time. Therefore, it is possible that the dictionary not only does not provide much assistance but also has the potential to create more questions than it answers. It is necessary to conduct a contextual study of the idea of artificial intelligence in order to improve dialog among members of the international trade community and to build up a common lexicon.

A well-known example of this is Talos, a murderous android that was constructed by Hephaeus-tus to defend the island of Crete. The concept of building an artificial man can be traced back to around 2,500 years ago, when the ancient Greeks considered the possibility of developing machines that might behave in a manner similar to that of humans.After 33 millennia, technical advancements have progressively made it possible for such ideals to become a possible reality. Additionally, Alan Turing and John McCarthy were among the pioneers that created the foundation for the artificial intelligence that exists today. After Alan Turing's seminal work in 1950, which posed the question "Can machines think?" and the renowned "Imitation Game" (also known as the "Turing Test") to address this issue, the concept of machine intelligence became even more crystallized.a 34 The purpose of the Turing Test is to determine whether or not a computer is capable of producing reactions analogous to those of a human being to the extent that its behavior cannot be differentiated from that of a human.a 35 While the Turing Test does a good job of avoiding the thorny concerns about the definition of "intelligence," it is arguable that even in modern times, it has been difficult to pass.36 In spite of the fact that Turing is often considered to be the "father" of current intelligent computers, the term "artificial intelligence" was first used in the year

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Why should We Be Cofcerfed About AI afd Trade?

Not only does the study presented above demonstrate how challenging it is to capture the idea of artificial intelligence (AI), but it also suggests where we are at in terms of the progress of AI. Artificial intelligence (AI) is still developing, and some of its uses have already had repercussions that are not

normative. The following are some of the qualities that separate artificial intelligence from the conventional digital commerce discourse. While certain problem areas are the result of an existing socio-techno continuum, where differences (and therefore challenges to the current legal framework) seem to be a question of degree rather than type, other problem areas exhibit the characteristics listed below.

For starters, limited artificial intelligence systems are now able to accomplish a particular job in an optimal way with exceptional performance, accuracy, and efficiency. This is made possible by the availability of large amounts of data, sophisticated algorithms, and fast computing.58: When compared to their human counterparts, they are incapable of doing this amount of effort and competence successfully.59: A wide range of human activities will be carried out, in part or in their whole, by limited artificial intelligence systems on a scale that has never been seen before.Sixty Artificial intelligence (AI) is not only capable of enabling, aiding, and amplifying human occupations, but it can also do these professions on its own. This is just as revolutionary and disruptive as the Internet and global digitalization.61 This kind of artificial intelligence replacement impact has significant repercussions for society and the economy, especially when a system takes the form of a physical object—not necessarily a humanoid robot—that is capable of interacting with the existing environment.62:

Second, there seems to be a widespread, if not absolutely universal, knowledge among governments and industry members all over the globe of the vital roles that this general-purpose technology plays in terms of the development of technology, the expansion of the economy, and the implementation of geopolitical strategy.63 The development of artificial intelligence (AI) systems that are capable of executing orders and reacting to conditions via programming with or without human intervention has received a flood of tremendous amounts of cash and investment from a variety of industries.64 The design and development of artificial intelligence systems always reflect local values, social preferences, and other factors since these systems are strongly dependent on the availability of big data sets that are contextual and of high quality.

cultural characteristics, as well as the current population structure.A 65 In point of fact, artificial intelligence (AI) systems are developed by people, despite the fact that they are capable of interacting with the physical world and behaving intelligently. More precisely, they are trained using data that is generated, selected, categorized, and input by humans.Is 66 In terms of how artificial intelligence reacts to its surroundings, having such a characteristic makes it far more diversified, dynamic, and unpredictable. It also has the potential to alter the manner in which a government reassigns obligations and the risks that are connected with them via public and private regulation.Is 67

Lastly, and in a similar vein, artificial intelligence systems have a great degree of autonomy when it comes to making judgments and moving toward the world.68 In spite of the fact that there is no consensus about the development of artificial general intelligence in the long term, the public's image of artificial intelligence has been based on anthropomorphizing even limited AI systems.69th There are times when people project their feelings onto artificial intelligence (AI), and this kind of social valence makes it difficult to differentiate between "things" and "humans." For the time being, the legal and societal repercussions of artificial intelligence systems that are now in use and operating in a semi- or fully-autonomous manner are relatively difficult to predict and include a great deal of complexity.71% The question is whether we should regard it as a tool, a legal person, a non-biological autonomous agent, or even construct a new ontological category somewhere in the middle. This is for the sake of regulatory requirements.73 In conclusion, the three separate but mutually interacting characteristics that were discussed earlier serve as the basis for our selection of the case studies that are presented below. These case studies provide new issues within the framework of conventional digital commerce and put the very fabric of international economic law under the WTO to the test. Now we will analyze each in turn.

Putting artificial intelligence in comparison to the traditional goods-services dichotomy

Both the General Agreement on Tariffs and Trade (GATT) and the General Agreement on Trade in Services (GATS) are considered to be among the most important accords that form the basis of the World Trade Organization (WTO).73 () The former regulates international commerce in products, while the latter pertains to services that are classified into four modes: Mode 1 (distribution across international borders), Mode 2 (consumption in other countries), and Mode 3 (commercial transactions). presence), as well as Mode 4 (the mobility of natural people serving as service providers across international borders).74% These disciplines, which were developed at a period of time when many of the activities that are now carried out online did not exist, are, for the most part, agnostic about the medium through which commerce is performed.75% Under the GATT-GATS framework, it has proved to be difficult to differentiate between the many types of "digital products" that have traditional characteristics of both commodities and services. This has been brought to light by the expansion of e-commerce over the last two decades, which has shown their shortcomings.Is 76 For example, there have been ongoing discussions on whether or not a company that offers content-based items such as mp3s or e-books via the internet ought to be subject to the General Agreement on Tariffs and Trade (GATS), the General Agreement on Tariffs and Trade (GATT), or both with the former adopting the positive-list approach and having no guaranty for market access.77% Within the framework of its Electronic Commerce Work Program, the World Trade Organization (WTO) has tried to address the problem that is provided by the progression of socio-technological change; nevertheless, the effort has mostly been fruitless.(78) Despite the fact that some gaps have been closed through the efforts of WTO Members in the context of preferential trade agreements (PTAs), particularly those concluded amid mega-regionalism such as the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP),79 and by WTO adjudicators in landmark decisions, most notably the United States-Gambling Agreement and China-Publications and Audiovisual Products Agreement, there are still many issues that have not been resolved.(80)

Artificial intelligence (AI) integrated goods or services may further complicate the situation, making it exceedingly difficult (if not impossible) to identify an object based on a fixed and formalistic foundation. This is because technologies are growing at a fast pace.81% It could be preferable to have a more comprehensive strategy that is also adaptable. For the sake of illustrating this point, let us take into consideration robot attorneys, sometimes referred to as automated legal advice tools (ALATs).82 ALATs can be classified into the following categories, according to the level of sophistication they possess: (1) specialized standalone technologies (for example, legal chatbots); (2) enablers of legal advice (for example, automated document review); (3) additional enablers of legal advice (for example, legal data analytics); and (4) smart contracts that do not require the involvement of a human.83 A progressive transformation of the landscape of legal service sectors has been taking place as a result of these ALATs. Some of them, for example, have been a part of court systems and large business legal companies in the past.Is 84 According to a recent survey, between 2017 and 2018, more than half of American law firms with more than fifty lawyers have utilized technologies to replace human resources.85 It is anticipated that artificial intelligence will further eliminate human lawyers, particularly paralegals and first-year associates, over the next five to ten years.86

A number of factors are responsible for these shifting sands: on the one hand, the development of technology over the course of the last few years; on the other hand, the requirements and expectations of customers with regard to cost-effectiveness and alternative technological solutions provided by competitors.87 By progressively unbundling services, a number of alternative legal assistance technologies (ALATs) have steadily changed practically every part of the legal value chain.(88) As a result, this presents

additional problems to the regulatory authorities, which in turn has a variety of implications for the international trade system. As an example, the question of whether or not non-verbal communication can

When do legal service providers join the market for legal services?89: Whether or whether these ALATs are being used to offer "legal information" and "legal advice"90—the former is normally not subject to laws, but the latter may result in professional qualifications and particular obligations in accordance with the framework of the GATS and the WTO?(91)

On the other hand, the ever-present issue of classification is of more significance for our current purpose. Take, for example, ROSS Intelligence, a prominent artificial intelligence-powered tool that use natural language processing to assist in the process of doing legal research and document review on American legislation.92: Access to a vast corpus of case law from all levels of courts, a selection of administrative boards, and more may be gained by almost anybody who registers for a ROSS account, which costs just $69 per month in the United States.(93) Despite the fact that its creators refer to ROSS as a "AI lawyer" that is based on IBM's cognitive computer system,94 it is in no way comparable to a human attorney.95% At least for the time being, it appears to be a more sophisticated and sophisticated version of legal research services such as Westlaw or LexisNexis; consequently, the manner in which we treat this system under the WTO will most likely bring back old debates: is there any tangible medium involved (determining whether it is subject to either GATS or GATT)?96 Given that it is a service, should it be categorized as Mode 1 or Mode 2? There is not much of a distinction between artificial intelligence and regular digital conversation when seen through this restricted lens.97%

It is possible that, as artificial intelligence continues to develop, a situation might emerge in which ROSS (or its counterparts) could grow to create replies that are well-structured and human-like, similar to those provided by a lawyer who provides legal services. Consequently, this might give rise to a number of important problems. To begin, is it possible for a member of the World Trade Organization, such as China, to completely prohibit ROSS's website due to the fact that ROSS is not really a lawyer? While it is indeed the case that China inscribes “None” in relation to legal services under Modes 1 and 2, it is equally true that one should take into account the overall context in search of the ordinary meaning of these commitments: foreign lawyers under China’s Mode 3 concession can consult on the laws of the jurisdiction where “the lawyers of the law firm are permitted to engage in lawyer’s professional work.”(98) This may provide some insight into China's commitment to either Mode 1 or Mode 2 modes of transportation. One may argue along the same lines by asking further questions, such as: Does ROSS acquire legal education and training (whatever it is defined) to be qualified for appearing in a state bar exam? This position can be further developed by asking additional questions.98 Is it subject to any ethical norm or code of professional responsibility, which ensures that the client's interests are protected and allows for the punishing of those who engage in inappropriate behavior?"100" Are there any worldwide standards, guidelines, or suggestions that are pertinent, or are there any recognized international standard-setting agencies that

What should governments look to when deciding whether or not to implement regulatory measures for AI lawyers?

Let's say, however, that a state bar association decides to alter its statutes and legally acknowledges artificial intelligence attorneys under certain circumstances. In such a scenario, how far can an advanced ROSS go under the framework that is now in place at the WTO? In order to include ROSS-like artificial intelligence systems into the ranks of qualified practitioners, it would not be too difficult to make certain changes to the legislation. The problems that arise, on the other hand, are those that are associated with the concept of providing "personhood" to certain AI systems (not necessarily AGI ones). For instance, Japan mandates that in relation to its Modes 1 and 2 obligations, foreign legal consultation must be provided by a "natural

person" who is a licensed lawyer in the relevant jurisdiction. This restriction applies to both domestic and international clients.1001 Therefore, schedules of this sort leave very little opportunity for ROSS-like artificial intelligence systems, even if their professional qualifications or even personhood are properly given.

Whatever the answer may be, ROSS cannot neatly square with Japan's commitments under Mode 1 or 2.

To take this a step further, let us take into consideration a resolution that was recently passed by the European Parliament on February 16, 2017. This resolution proposes that artificial intelligence-enabled robots may one day be awarded by law a status such as "electronic personalities" under specific circumstances.No. 102 In accordance with this proposition, artificial intelligence systems that are similar to ROSS may be granted a more formal recognition under the law, either as a corporate person or as a new type of person, allowing them to acquire legal rights and responsibilities.No. 103 It is possible that granting digital personhood may further complicate matters on several levels and will lead to arguments over the distribution of legal rights and duties for autonomous, self-learning computers in the context of future economic operations.No. 104 Particularly noteworthy is the fact that, in reaction to the resolution passed by the European Parliament, more than 150 computer scientists, attorneys, and other experts from a variety of fields sent an open letter to the European Commission. In this letter, they claimed that it would be "inappropriate" to provide personality to robots that are empowered with artificial intelligence legally and morally.Is 105 With the ongoing policy disputes on whether or not artificial intelligence should be recognized as having a legal standing inside the United States and, if so, how this should be done, the implications of awarding legal personhood to AI systems for the international trade system are significant. For example, artificial intelligence may take the form of a humanoid robot, although this is not required. Such a robot might potentially be able to travel across borders and offer legal services in the same manner as its human counterparts.It is not appropriate to consider Mode 1 or Mode 2 in this context; the issue that arises is whether trade planners should approach such systems according to Mode 3, Mode 4, or neither of these conditions. Additionally, it would seem that Mode 4 is not relevant either, since it regulates "natural persons who are service providers of a Mem-

"ber," or "natural persons of a Member who are employed by a service supplier of a Member, in respect to the supply of a service," are examples of individuals who fall under this category.No. 107 Modification 3 is the sole remaining choice. But this is not even close to being perfect. The establishment of a local presence in the host country is often a component of Mode 3, which may take the form of an associated firm, a subsidiary, or a representative office inside the host nation. When it comes to robot law-yers, however, this is not the case. As it turns out, none of the four different types of service suppliers are capable of precisely satisfying the requirements of attorneys who are embedded with AI. In order to solve the issues that are provided by artificial intelligence systems, it seems that it is required to establish additional new modes of service providing.

One other problem that is connected to this one is. In the event that a highly developed artificial intelligence system that is similar to ROSS gets embodied in a physical form, should it still be controlled by GATS or GATT? In the case of China—Publications and Audiovisual Products, the Appellate Body (AB) made it abundantly clear that China's restrictions will "inevitably regulate who may import goods for the plain reason that the content of a film is expressed through, and embedded in, a physical good." This is because the AB stated that "where the content of a film is carried by a physical delivery materials," China's restrictions will be implemented.Is 108 Therefore, the General Agreement on Tariffs and Trade (GATT) is also possibly relevant in the event that the physical medium is involved.No. 109 It is possible that this outcome is not optimum due to the fact that, on the one hand, the value of such a robot lawyer is created by the services that they provide, rather than by the medium

carrier. However, if a robot were to be granted personhood, it would be a paradox since it would be difficult to understand how an object (for want of a better phrase) could be considered as a legal person while still being subject to the agreement on commerce in products. The concept of "Mode 5," which has been presented by a few individuals in recent years, would seem to have a role to play in this situation, although a pretty restricted one.1100 However, as we will argue further down, obstacles still exist. The personhood question is of the utmost importance to them.

B. The Design of AI and Public Morals

Free trade agreements, such as the World Trade Organization (WTO) and the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP), contain a standard clause that permits parties to deviate from their obligations on the basis of public morals. For example, the General Agreement on Tariffs and Trade (GATT) Article XX (a) permits members to maintain trade-restrictive measures if they are "necessary to protect public morals." Similar clauses can be found in other free trade agreements, such as the General Agreement on Tariffs and Trade (GATS) Article XIV (a) and Article 2.2 of the Trade.

ment.113 The public moral exception had been sitting in limbo for years until Antigua and Barbuda in 2003 lodged a complaint against the U.S. for certain measures concerning online gambling.114 The WTO adjudicator in this case read the term “public morals” as “standards of right and wrong conduct maintained by or on behalf of a community or nation” and hence “Members should be given some scope to define and apply for themselves the concepts of ‘public morals’. ....according to their own systems and scales of values."115 Since then, there have been several disputes involving public morals,116 and the growing number of disputes indicate that striking a balance between trade and non-trade concerns (in the name of public morals) has emerged as an important battleground in the World Trade Organization (WTO).

Keeping this delicate balance will become much more difficult in this era of artificial intelligence. The emergence of artificial intelligence raises a number of challenging ethical questions regarding the manner in which such technologies can be designed and applied in a manner that protects fundamental human rights as well as the public interests and moral integrity of society.117 One concrete example of this is the impending challenge that policymakers in an increasing number of jurisdictions will face when automated vehicles begin to be used on the road to transport people. For years, there has been an arms race among major players like Baidu, General Motors, Google, Mercedes, and Tesla to compete for the future of transportation markets.118 The trendy term “self-driving car” is predicted to save 600,000 lives by 2045 and boost the global economy by some US$7 trillion over the next few decades.119 While these automated vehicles offer huge benefits, they come with ethical, legal, and social challenges.120 The notoriously difficult “trolley problem”—a tough call for the driver of a run-away car to choose between killing one person through action or five through inaction, or other even more complicated scenarios—is a telling

In order to avoid becoming bogged down in the specifics, it is vital to have a conversation about the technical elements first.

According to the United States Department of Transportation, the term "self-driving cars" is often used on social media platforms; but, in reality, it refers to automobiles that are equipped with automated driving systems (ADS). There are six levels of automation that are positioned on a continuum from Level 0 (no automation at all) to Level 5 (full automation), according to the Department of Transportation and the National Highway Traffic Safety Administration (NHTSA).123 A level 1 vehicle that is equipped with systems can sometimes assist a human driver with either steering or braking or accelerating, but not both simultaneously.124 A car that has conventional cruise control is a prime example of this. At Level 2, cars are able to simultaneously steer and brake or accelerate under certain situations; nonetheless, a human driver is needed to pay full attention at all times. This capability is only available under certain circumstances. There is a watershed moment at level 3. Al-though a vehicle fitted

with any features of automation between Levels 1 to 5 can be called a "automated vehicle," the term ADS only describe those vehicles at or above Level 3, as they require only limited human interven-tion.125 Constant human supervision is needed at Level 3, but far less so at Level 4.126 At Level 5, cars are equipped to engage in "all aspects of the dynamic driving task under all roadway and environmental conditions" without human interference.127 This categorization is based on the standard "Taxonomy and Definitions for Terms Related to On-Road Motor Vehicle Automated Driving Systems" maintained by SAE International.128 Strictly, it is only Level 5 that can be called "self-driving cars." From a normative perspective, the more autonomy the vehicles have, the more

There are several obstacles that must be overcome in order to scale ADS on the worldwide market. For instance, Articles 8 and 39 of the Vienna Convention on Road Traffic stipulate that human drivers must be able to control the vehicles.129 Despite the fact that there are already amendments in place to relax this requirement in order to encourage the development of automated vehicles, it is still unclear how governments will reshape the concept of drivers in this new environment.130 Another significant issue pertains to the ethical aspect of algorithmic decision-making. Typically, in order for a vehicle to be able to move itself from one location to another in a secure manner, its automated driving system will operate through a "sense-plan-act" pattern. This pattern is supported by technologies such as cameras, lasers, radar, GPS, and algorithms.131 The design of algorithms is decisive: whereas human drivers may speed or jump a red light due to their habits, emotions, health condition, and so on, automated vehicles will act upon the programs. In an ideal scenario, these autonomous cars would be able to be formed by algorithms that are totally compatible with the law, so eliminating the possibility of human mistakes. Not a single universe, however, is flawless. To begin, the law is determined by people, and as a result, it is weighted with value. Translation of the law into a code is not a straightforward and mechanical process.132 For another, although embedded algorithms are used to combat human bias, these algorithms, and more importantly, the dataset, are provided by humans, and they may contain bias as well.133 The design of ADS is problematic because it is based on a complex web of values, whether they are monetary, ethical, or religious.

There are a variety of responses that may be made to the trolley dilemma, which can represent the complexity described above. In late 2018, scholars at the Massachusetts Institute of Technology (MIT) published "The Moral Machine Experiment," exploring the answers of the public to a series of trolley dilemma questions designed to examine people's ethical preferences for male, female, young, elderly, low-status, or high-status pedestrians upon a fictional car crash.134 Based upon the 40 million decisions made by millions of individuals from 233 jurisdic-tions, this MIT team mapped global moral preferences, recorded demo-graphic variations, and most importantly, showed that public moral diversity exists along "modern institutions" and "deep cultural traits."135 Respondents from East Asian countries influenced by hierarchical norms like Confucianism, such as China, Japan, Taiwan, and South Korea, for in-stance, prefer saving the elderly over the young; by contrast, in much of the West, including the U.S. and Europe, the result is the opposite.136 Setting aside the ethical dilemmas, for a practical reason, the anchoring effect of varying tort systems in different jurisdictions can play a crucial role in the design of algorithms, too.137 As one commentator has remarked, the dis-

There is a high probability that the path of action regarding the trolley dilemma will not be determined by ethical ideals, but rather by probable legal responsibilities that can easily be translated into realist constraints on automated automobile makers that are motivated by profits.138

It is reasonable to assume that these intricate ethical conundrums and immoral circumstances might very well be translated into a variety of regulatory measures that could become a source of worry. Under what circumstances is it possible for the World Trade Organization (WTO) to allow a country

like China, in the name of public morality, to condition the sale of fully autonomous cars on the redesign of the algorithms to reflect the local values (for example, saving the elderly rather than the young)? To avoid making matters more complicated than they already are, let us assume that this measure is a technical regulation in the meaning of the Trade-Blocking Treaty (TBT) and that China applies it in a fair and impartial manner,139 regardless of whence it originated. Of particular concern for our purpose are two elements under the TBT: “like-ness” and “necessity.” The non-discrimination under TBT Article 2.1 ap-plies only to “like products.” As the AB expounded in U.S.—Clove Cigarets, likeness is a “determination about the nature and extent of a com-petitive relationship between and among the products at issue.”140 Underly-ing regulatory concerns “may play a role” only if “they are relevant to the

examination of particular 'likeness' criteria and are reflected in the competitive relationship between the products.141 As a result, the question of whether two different types of automated vehicles that take different approaches to the trolley problem will be considered to be similar products is evaluated in the market based on certain factors (such as end-uses, consumer preferences and routines, etc.).142 The manner in which Chinese consumers evaluate the morality of these systems will therefore have an effect on the similarity between "youth-friendly" and "aged-friendly" vehicles.

According to the AB in the United States—Tuna II (Mexico) case, the need requirement under TBT Article 2.2 requires a comprehensive weighing and balancing exercise among a number of variables, including the degree of contribution, trade restrictiveness, and

The dangers of not being able to achieve the goals that were specified) and a "comparison of the challenged measure and possible alternative measures."143 We believe that the search for alternatives that are "reasonably available" might be a key battleground. As stated by the AB in U.S.—COOL (Article 21.5—Canada and Mexico), a reasonably available alternative cannot be "merely theoretical in nature," nor can it impose "an undue burden" on the party that is responding to the proposal.144 Leaving aside the administrative costs of implementation, a liability insurance scheme or strict liability that is applied to all individuals who wish to place their automobiles on the Chinese market appears to be a promising candidate. In spite of the fact that this may very possibly compensate for the destruction of material goods, it is in no way capable of compensating for the loss of human life. Can the World Trade Organization (WTO) adjudicators, as some American commentators argue, consider this dilemma to be a straightforward mathematical question, employing the law and economic analysis to investigate the less restrictive measure145? For instance, can we accept the claim that it results in lower legal costs, based on tort law, for run-away cars to kill a homeless person rather than a billion-dollar corporation?

the air?). With regard to this particular scenario, what are the implications of the diverse institutional structures of the tort law systems used by WTO Members in the process of conflict resolution? Alternately, as a potential option, may we take into consideration the certification and labeling arrangements such as "Certified Elderly-Pedestrian-Friendly"?146 Who, therefore, is responsible for determining which automobiles adhere to such moral standards while others do not, or which automobile manufacturers are recognized for their ethical standards? What are the extents to which various certification methods have the potential to make significant contributions to the goal that is desired? At the systemic level, what would happen if other members adopted comparable measures along the same lines? For instance, would the European Union be able to prohibit Chinese-made autonomous cars that are built to make judgments that have significant consequences based on its "Social Credit System"?147 How is it possible for the World Trade Organization adjudicator to resolve thoroughly tested ethical concerns of this sort across the board without causing further implications that might further erode our faith in this already fragile global trading system? In light of all of these factors, it is necessary to adopt a more comprehensive and institutional approach, which necessitates a

productive dialog between policymakers and industry players before potential consequences become apparent. This matter will be discussed at a later time.

148 The Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPs) is the first of its kind that requires Members to take positive steps toward harmonization by creating a "often costly system of IP registration and enforcement that meets minimum standards."149 TRIPs does not define the term "intellectual property rights," but it does specify several types of IPR that are covered by it, such as copyright and patents.149 As with other WTO disciplines that are facing the challenges posed by artificial intelligence, TRIPs may find it difficult to keep up with evolving technologies.150

Some of the fundamental concepts in intellectual property rights, such as "inventor," "owner," "author," and the length of protection, are being called into question as a result of the emergence of disruptive technologies. For example, artificial intelligence has become a tool for journalism. The Washington Post introduced Heliograf, its robo-writing system, in order to generate coverage of the 2016 Rio Olympics.151 Other players, such as Forbes, Bloomberg, Reuters, the Associated Press, and the Guardian, have also leveraged machines for a variety of tasks in their newsrooms.152 Similar tools have been used elsewhere to generate music, film, artwork, and scientific and technological innovations.153 The fact that AI has teamed up with a high degree of autonomy to replace humans in industries that rely on creativity, curiosity, and critical thinking may very well reshape our understanding of "authorship" (in relation to copyright) and "inventorship" (in terms of patent) of non-human-generated outputs.154 If this is the case, how can we protect these outputs even if they are not created by humans? What, if any, answers have the members of the World Trade Organization (WTO) made to this altering paradigm, and what are the implications of these responses for international trade? Let us take, for example, the interaction between artificial intelligence and copyright, which is a developing battleground in the intellectual property rights industry. The present legal framework of WTO Members reveals that there are two different approaches to algorithmically created works. Conceptually, these two methods are different. The first one, which is typified by the Copyright, Designs and Patents Act 1988 (CDPA) of the United Kingdom, is more adaptable and has the potential to easily integrate into the new setting.155 The CDPA contains particular provisions for works that are created by computers.

Section 9(3) of the Computer-Generated Works Act (CDPA) states that the author of a literary, dramatic, musical, or artistic work that is computer-generated must be "the person by whom the arrangements necessary for the creation of the work are undertaken." The term "computer-generated" is defined as the work that is "gen-erated by computers in circumstances such that there is no human author of the work." As a result, the approach taken by the United Kingdom protects algorithmic creations, but it does not allow artificial intelligence to be considered an author. Instead of being credited as the author, the credit will be given to "the person by whom the arrangements necessary for the creation of the work are undertaken."156

In spite of the fact that a few nations that follow common law, such as Ireland, South Africa, India, and New Zealand, have adopted the method taken by the United Kingdom, the United States of America and Australia do not have a comparable system. The U.S. Copyright Office, for in-stance, makes clear that the Copyright Law “only protects ‘the fruits of intellectual labor’ that ‘are founded in the creative powers of the mind’” and therefore it “will not register works produced by a machine or mere mechanical process that operates randomly or automatically without any cre-ative input or intervention from a human author.”161 This view is in line with several court decisions, including Naruto v. Slater, where the Northern District Court of California rejected a monkey’s authorship over selfies it took via an unattended camera.162 The Australian courts in several cases like Telstra Corporation Limited v. Phone Directories Company Pty Ltd also under-scored the need for a human author and “some independent intellectual ef-forts” when readi

The concept that was developed in Britain has also been unsuccessful in gaining momentum in continental Europe. In the European Union, the author is defined as a natural person or group of natural people who produce it, according to Article 2 (1) of the Computer Directive and Article 4 (1) of the Database Directive, respectively. However, national legislation of Member States have the ability to designate the legal person as the right holder in other circumstances.164

6). Clearly, this provision indicates, on the one hand, that a natural person is the default author, and on the other hand, that while it respects different legal traditions by allowing special arrangements, it purposefully uses the language "right holder" rather than "author" to denote legal persons who own the copyright. This is made clear by the fact that it allows for special arrangements.165: Additionally, comparable clauses may be found in the domestic copyright legislation of a number of Member States.No. 166 In the historic decision known as Infopaq, the Court of Justice of the European Union (CJEU) elaborated on the idea of originality as it pertains to the Information Society Directive. The CJEU said that protected copy-right subject matter must be original in the sense that "it is [the] author's own intellectual creation."No. 167

An urgent challenge, from the point of view of trade law, is the establishment of a two-tiered structure inside the World Trade Organization (WTO).168 TRIPs Article 3 establishes national treatment duties on WTO Members with relation to the protection of intellectual property rights. The term "protection" is defined to cover elements that influence several aspects of intellectual property, such as "availability," "acquisition," and "scope," amongst others.(169) As a result, if a Member follows the model of the United Kingdom, which grants copyright of inventions created by artificial intelligence to its own people, then it is required to do the same for nationals of other Members. However, there is no guarantee that reciprocal protection will be provided since only a few nations that follow common law have provisions that are similar to the CDPA. The extent of the subject matter that is protected by copyright would be an important factor in its reversal. Article 9 of the TRIPS Agreement does not provide a definition of it; rather, it makes reference to the relevant articles of the Berne Convention.170- By way of incorporation, these provisions of the Berne Convention "have become part of the TRIPs Agreement" as being applied to all WTO Members, and their negotiation history should serve as a relevant source informing their interpretation in the context of the TRIPs. This was explained by the Panel in the United States—Section 110 (5) Copyright Act.171 Article 2 of the Berne Convention defines "protected works" as comprising, among other things, "literary and artistic work," which includes "every production in the literary, scientific, and artistic domain, regardless of the medium."

"172 It is possible that the style or form of its manifestation is the However, despite the fact that Berne Convention Article 2.1 includes a list of such works that is not complete, it does not provide a great deal of information on authorship and the demand for originality. On the other hand, a number of articles, such as Articles 5 (2) and 14 bis (2) (a), seem to imply that the determination of the author of a work and the originality of the work is a matter of the law of the country in which protection is being sought.173; Additionally, as was disclosed in the history of its negotiation, the parties generally agreed that a certain amount of originality is necessary in a work. This indicates that a work that is eligible for copyright must be an intellectual production.No. 174 Both textual and contextual analyzes seem to show that it is less probable for a Member to reverse this non-reciprocity outcome. Taken together, these two types of analyzes seem to indicate this.

To add even more complication, even across nations that are founded on the model of the United Kingdom, there is a possibility that they may differ in terms of how they interpret the "necessary arrangements" when it comes to assigning authorship. The participation of other participants, such as users or the engineers in charge of the training process, should not be disregarded. For example, it has been stated under English case law that it is probable that the programr of artificial

intelligence will be the creator of the creation.175 However, it is important to note that this view is not universally accepted.176, In point of fact, English case law has the potential to influence the judicial interpretations of other Commonwealth countries177, and as a result, it facilitates the management of its effects on international commerce. It is important to note that this does not imply that a nation with civil law that follows the model of the United Kingdom would also embrace the English case law.

There is a possibility that founding members may be surprised by some of the implications of AI-generated inventions. Within the context of the Trade Related Intellectual Property Rights (TRIPS) discussions, the developed world, headed by the United States, has successfully added copyright protection of computer software.No. 178 It is possible that this will undermine the scope of Article 10 (1) of the TRIPS Agreement, which protects computer programs as literary works under the Berne Convention. Artificial intelligence is now playing a significant role in creative activities.179: Once again, going through the trouble of looking up the texts of the TRIPs or the Berne Convention in order to get a response that is satisfactory is fruitless. At the time of the writing of the Berne Convention, according to Sam Ricketson, "there was a basic agreement between contracting states as to the meaning it [was] thought unnecessary to define it." This resulted in a significant number of the fundamental phrases that were not specified.181 The emergence of these consequences has prompted observers to suggest a number of different policy solutions for decision-makers in the domestic policy arena.18,1 Some members of the World Trade Organization, such as the European Union (EU), have also requested that the Commission develop a "balanced approach to intellectual property rights" and the requirements for "copyrightable works produced by computers or robots."Before any new regulations are considered by the World Trade Organization or any PTA, 182 countries will shortly choose the solutions that are most suitable to meet their requirements. In light of this, it is reasonable to anticipate that the updating of TRIPs will result in yet another wave of North-South or even North-North discrimination due to the underlying national interests. Below, we shall discuss this more.

D. Data and Discontent in the Decision-making Process

A significant amount of analytical momentum has been accumulated as a result of the rise of the data-driven approach to international economic law. This approach has the potential to transform existing scholarship by enabling researchers to uncover hidden patterns and structures, clarify theoretical and practical misunderstandings, and predict future developments in a variety of legal instruments. This approach is beyond the methodological competence of its traditional counterparts.183: Researchers in the United States have used big data analytics in order to forecast judgments made by the Supreme Court or to anticipate the percentage of cases that are successful.No. 184 In a similar vein, researchers in the United States and the United Kingdom have been able to uncover hidden patterns that lie underneath the court judgments rendered by the European Court of Human Rights and create predictions with an astounding accuracy of 79% thanks to the use of natural language processing and machine learning.No. 185 For the purpose of providing accurate predictions of optimal texts for treaty negotiations, strategies for consultation processes, or even outcomes of dispute settlement proceedings, it is likely that artificial intelligence will be increasingly deployed in the international arena. This is in light of the fact that it has been pursued in a variety of domestic contexts.

Countries with insufficient skills and resources are confronted with enormous barriers when it comes to actively engaging in negotiations, not to mention achieving a fair deal for themselves. This is because the breadth, depth, and variety of trade agreements have risen tremendously in recent years.No. 186 There are thirty chapters and dozens of subsidiary documents and annexs in the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP), which covers a wide range of topics, including sanitary and phytosanitary measures, e-commerce, intellectual property rights, telecommunications, competition policy, investment regulations, labor rights, and the

environment.No. 187 The sheer magnitude of the trade agreement, in addition to its legal and technical complexity, results in a large increase in the associated costs of trade discussions and slows down the process by which nations arrive at a consensus in a timely manner.188 It is worth noting that an increasing number of efforts are being put into place via the use of artificial intelligence and data analytics in the field of international commerce in order to overcome such difficult challenges. For example, the United Nations Conference on Trade and Development (UNCTAD) has been collaborating with the Brazilian office of the International Chamber of Commerce to build an artificial intelligence-based system with the intention of assisting poor nations in the process of trade talks.(189) Artificial intelligence has the potential to assist decrease the complexity of information and level the playing field between large and small parties in trade discussions, as stated by Bonapas Onguglo, who works in the trade analysis section of the United Nations Conference on Trade and Development (UNCTAD).191 The first prototype of the artificial intelligence-powered Cognitive Trade Advisor (CTA) was formally introduced at the World Trade Organization Public Forum in October 2018, according to this collaborative effort. The CTA was trained using the data of current and continuing discussions between Canada and Mercosur.The 191 Using IBM's Watson system to improve the effectiveness and efficiency of the preparatory work, the CTA provides trade negotiators with a virtual cognitive assistant named "Adam" to answer questions. Additionally, the CTA assists trade negotiators by classifying and interpreting a large number of intricate articles contained within trade agreements in a short amount of time. Furthermore, the CTA offers automated strategy and decision-making analyzes based on previous trade agreements signed by counterpart negotiators.192 The promises that artificial intelligence holds for case prediction and decision-making analysis can easily be transferred to the realm of dispute resolution. Various stages of the dispute resolution process may be subject to a certain level of automation or even autonomy. These stages include notice, consultation, discovery, panel establishment, adjudicative proceedings, report circulation and adoption, as well as Appellate Body review, implementation, and arbitration.The 193 Despite the fact that the World Trade Organization's (WTO) dispute resolution process has been mainly successful and has been referred to as the "crown jewel" of the multilateral trading system,194 the current blockade by the United States on the appointment of new members of the Appellate Body has severely hampered the institution's ability to perform its functions.issues over piles of unresolved trade disputes, frequent and substantial delays in the already long procedures, and extravagant expenditures paid in different stages have been intertwined with this development. 195 These issues have been intertwined with this development throughout its whole.194 It is possible that the combination of all of these difficulties will produce a substantial political momentum to "speed up" or "modernize" the system for the resolution of disputes in the most creative ways possible, or even to build alternative models. Considering the difficult obstacles that must be overcome in order to negotiate a resolution to the deadlock in Appellate Body appointments, it would seem to be feasible to use AI approaches in order to facilitate a dispute resolution process that is both more efficient and effective. According to Lucas Bento, who serves as the Chair of the Artificial Intelligence and International Law Subcommittee at the New York City Bar Association, artificial intelligence has the potential to be exploited to improve legal representation, as well as to increase adjudicative and institutional services within the framework of arbitration.No. 197 In a similar manner, members of the World Trade Organization (WTO) could reach an agreement to use an artificial intelligence (AI)-powered system for certain aspects of the dispute settlement process. This would allow for the reduction of time and costs, the creation of ad hoc procedural rules (for example, an alternative and expeditious arbitration under DSU Article 25), the distillation of key legal issues, the prediction of the likelihood of success for various claims, and the management and streamlining of disputes.

However, what may potentially be contentious

is the situation in which the World Trade Organization bureaucracy itself employs AI-driven systems as a means of conflict resolution based on an efficiency narrative, even if this is not yet a conceivable scenario in practice.No. 198 A "robot panelist" or a "virtual Appellate Body Member" that is powered by artificial intelligence is not what we are referring about here. To be more specific, we are talking to the institutional usage of artificial intelligence technologies by the DSB in order to partially or completely automate the decision-making process.

in the past, only panelists and members of the Appellate Body were allowed to participate. The potential harms regarding accountability deficit, legal and technical blackbox, and amplified human bias cannot be ignored if the DSB deploys AI systems in certain aspects of the dispute settlement process in order to automate "objective assessment of the matter" in front of a panel and evaluate "the facts of the case and the applicability of and conformity with the relevant covered agreements" in order to promote a speedy resolution of the dispute.199 All of these potential harms have been pointed out by the existing legal scholarship.The recent case of State v. Loomis, which took place in the United States, is a good example of how the unfettered and unregulated outsourcing of judicial tasks to complicated statistical algorithms and artificial intelligence technologies may be detrimental to the rule of law and the concept of due process.202 The United States of America has modernized various aspects of government decision-making in law enforcement agencies, corrections officials, and judges by applying data analytics, algorithms, and other artificial intelligence systems. This is based on two interrelated narratives: the first is that the data-driven approach promises a cost-effective solution to prioritize government resources, and the second is that evidence-based tools may help reduce human biases in the criminal justice process.There are 204 controversies that have surfaced about the opaque nature of such programs, the inadvertent bias against and damage to those who are underrepresented, and the wider legal, social, and ethical repercussions.No. 205 If the WTO Dispute resolution Body (DSB) uses efficiency and convenience as a justification for moving toward a "smarter" dispute resolution mechanism by reinventing infrastructure via the use of big data and algorithms, then problems of this kind continue to be significant. In the context of the World Trade Organization (WTO), what kinds of choices may governments delegate to machines (for example, value-based judgments to machines, or merely non-discretionary decisions)? The question is, to what extent may automated technologies be utilized to complement or replace human discretion, interpretation, and judgment that is exercised by panelists and Ap- pellate Body Members in practice, without causing a contradiction with the regulations that have been established in the DSU? Exist the possibility of discrimination and unfair treatment occurring within the framework of a dispute between states? How can we ensure a proper level of accountability and explainability in algorithmic decision-making employed by the DSB? Is a human-in-the-loop approach required to ensure adequate control of the dispute settlement process? Given the concerns regarding the opacity of machine learning and natural language processing technologies,207 what are some ways that we can ensure this? In the event that artificial intelligence is used to automate decision-making in the processes of the panel or the Appellate Body, is it possible to strike a balance between the pursuit of efficient and fast dispute resolution and the democratic and rule-based legitimacy of the World Trade Organization (WTO)?

In order to provide a brief summary of Part III, our overarching analytical objective is to determine the emergent and regulatory variety that occurs when governments respond to the fast development and changes of artificial intelligence. If one takes into consideration what has occurred in other law and technology contexts, such as the earlier regulatory challenges posed by the advent of the Internet and cyberspace, as well as the scholarly debates that were noted by Jack Goldsmith, Tim Wu, and various other scholars more than a decade ago, then one can say that such diversity is not exactly new.208: Therefore, some of the implications of artificial

intelligence may be reminiscent of the obstacles that are well known to trade attorneys and are the subject of passionate discussion on their behalf in connection to digital commerce concerns.In point of fact, the Internet and artificial intelligence have certain continuous linkages and commonalities in common. While they do cut the costs of transactions, they may also pose a variety of issues since they mediate economic, social, and political interactions. Both of these occurrences provide possibilities that are not entirely positive. There is a degree of overlap between them in other situations; for example, activities that take place online create enormous quantities of data that contribute to the development of artificial intelligence.210 It is possible that existing case law, such as the United States-Gambling and China-Publications and Audiovisual Products cases, might be of assistance in the management of trade frictions in the context of artificial intelligence. This is because the manner that AI functions raises comparable problems in the digital world.No. 211

However, as was discussed earlier, artificial intelligence contains at least three distinctive characteristics that set it apart from other digital technologies in terms of the social, economic, and political repercussions that it may have, as well as the governance techniques that are now accessible. As a result of these qualities, it is clear that the difficulties that artificial intelligence (AI) presents, which are shown in our four in-depth case studies, have the potential to take the discussion among trade policymakers to the next level. Therefore, it is important to pay attention to all of these challenges, both in a practical and academic sense, in order to guaranty the advantages of artificial intelligence systems while avoiding the adverse effects of diminished legitimacy and public confidence.

New Global Legal Pluralism if the Age of AI

In response to some of the repercussions that were discussed in Part III, there are already recommendations that have been made. In order to convey the larger implications of the ongoing advances, some of them are special to artificial intelligence, while others are general. How governments respond in the age of artificial intelligence will be determined by the economic, social, and political foundations upon which they are built. This is especially true due to the fact that the design of artificial intelligence, as shown by the trolley issue, is dependent on the decisions made by many religious, cultural, and ethnic groups that exist inside contemporary nation-states. One such example of global legal diversity is seen in the wide range of reactions to local regulatory requirements. We are of the opinion that it will be difficult for trade negotiators and adjudicators to effectively manage the trade frictions that are a result of this setting while also effectively harmonizing the opposing ideals. In the following, we will evaluate some of these suggestions on substantive grounds, and then we will also discuss various legal venues and the function of adjudicators moving ahead. This will allow us to get a better understanding of the rising difficulties.

A Critical Analysis of New Policies and Procedures for Regulatory Compliance

Let's start with the categorization conundrum, which is a problem that has been bothering governments for years—long before artificial intelligence showed up on their radar—due to the fact that technologies are constantly improving and the global value chain is becoming deeper and more complicated. In the midst of a changing environment, the GATT and GATS disciplines that are now in place do not adequately represent the reality of business. It is possible to regard software that is provided electronically as GATS Mode 1 without being subject to tariffs. On the other hand, the identical item that is embodied in a physical carrier and traded internationally may be subject to taxes. Due to the fact that many innovations are software-intensive and involve a variety of research and development operations across a number of nations, such discrepancies may become even more noticeable in this age of artificial intelligence. As a result of this paradox, some people have advocated for "Mode 5," which is an innovative method of incorporating services into the manufacturing process of a product in order to better capitalize on the true value of "services in boxes."212 For the fact that Mode 5 is ex-

This idea is still in the process of being developed, and it does not yet have a definition that is commonly recognized. It is anticipated that it would bring about economic efficiency and establish a clearer border between trade in commodities and services.Furthermore, despite the fact that it is referred to as Mode 5, it does not necessarily imply an increase of the regulations that are already in place for the GATS.No. 214 Instead, there are many who think that it would be more beneficial to place the policy discussions on how to improve the existing legal framework that is applicable to the import and export of commodities by increasing certain laws that are conducive to Mode 5.

The provisions of Article 8.1 (b) (iv) of the Cus-toms Valuation Agreement (CVA) and the 1995 Decision on Valuation of Carrier Media Bearing Software for Data Processing Equipment are among the Mode 5-friendly rules that are perhaps the most pertinent to our topic. Certain sorts of "intangible assists," such as engineering, development, artwork, design work, blueprints, and drawings, are eligible for duty-free treatment under the former, provided that they are obtained in the country of importation.215, The latter gives members of the World Trade Organization the option of calculating the value of imported software by taking into account either the value of the carrier alone or in addition to the value of the program in question.No. 216 These two instruments, in their current configuration, are not even close to being able to represent the issues that artificial intelligence presents. For example, while it is true that purchasers have the ability to make their machines more intelligent or customized via their post-sale interactions,217 it is noteworthy that not all purchasers may be able to aid the manufacturers by providing the services that are offered when acquiring artificial intelligence from abroad. In addition, the area of aid is carefully defined, and it may be difficult to differentiate between "development" and "research" in reality. The latter is purposefully excluded from the scope of support by the GATT negotiators.216: Additionally, the 1995 Decision has a restricted reach, since it is typically applicable to software that is stored on a disk or another media of a comparable kind.Software that is embedded in autonomous cars or other devices that are empowered with artificial intelligence is not included in this decision. In the past, some members, like as the European Union, attempted to engage other economic partners who shared similar values about servification.

despite the fact that Uruguay has shown interest in revising the 1995 Decision,220 there has been no progress made as of yet. It is not surprising that any ideas that result in a reduction in the amount of income collected by the government might be considered sensitive.No. 221 It is much more important for developing nations that depend largely on customs taxes as a significant source of revenue to have this situation.No. 222 A limited role, if any at all, is played by the idea of Mode 5 in the management of the repercussions of artificial intelligence.

Even if we are able to update these Mode-5-friendly standards, it will still be difficult for them to completely capture artificial intelligence if these machines are granted legal personhood and earn professional credentials in one of the WTO Members. This is taking into account the obstacles that have been encountered throughout the negotiating process. The majority of governments have, up to this point, controlled the conduct of artificial intelligence as if it were a human tool. However, the ship has already set off. Whether or whether artificial intelligence should be granted legal personhood has been the subject of intense discussion, which has spanned the spectrum between permissivism and restrictivism.232: It is argued that, on one end of the spectrum, it is possible to provide legal personality to artificial intelligence inside the legal system.No. 224 Permissivism often bases its claim on "fictionalism" by making references to historic events such as the history of businesses, ships in maritime law, the Whanganui River in New Zealand, churches, and other similar topics.252 Restrictivism, on the other hand, is a stance that opposes the concept of artificial intelligence (AI) as a person since it does not contain certain characteristics that are held by biological humans, such as a soul, awareness, and free will. This viewpoint contends that AI should be considered a property.226 This

academic discussion has received additional traction after the European Parliament, as was said before, sent an invitation to the Commission to "explore, analyze, and consider the implications of all possible legal solutions," which included the idea of "applying electronic personality."227 The search for a solution to the question of whether or not artificial intelligence is legally recognized may be just as difficult, if not more so, than the process of negotiating trade agreements. This response is shaped by a variety of factors that extend well beyond utilitarian interests. These factors touch on cultural, philosophical, and metaphysical foundations that are deeply ingrained in each civilization (for example, should the concept of "soul" be a benchmark, and if it is, how do we evaluate its presence across various religious groups?).No. 228 It is possible that Ugo Pagallo is correct in his assertion that in the middle term, one need to "skip any hypothesis" of providing artificial intelligence "full legal personhood."No. 229 Our recommendation is that trade policymakers should, in anticipation of the emerging ramifications of artificial intelligence, on the one hand, keep track of global legal pluralism when WTO Members enter new terrain of human experience, and on the other hand, plan ahead to consider the possibility of expanding Mode 4 to include "electronic persons," thereby creating a sui generis category that would sit somewhere between Modes 3 and 4, or otherwise, given the limited reach of the proposed Mode 5.

IPR reallocation in the era of artificial intelligence presents trade policymakers with yet another significant hurdle. From a policy standpoint, the authorship of works generated by artificial intelligence may be addressed in a number of different ways, as was mentioned above. Either the person who uses the computer or the person who writes the software might be considered the author; both of them can be joint authors. To believe artificial intelligence to be the author is the most advanced viewpoint.At this point, it is reasonable to anticipate another North-South rift. In the absence of institutional capability, developing and least-developed nations are more likely to be downstream consumers than they are to be programmers. According to a poll conducted in 2018, there are only two developing economies that are ranked among the top 10 nations in terms of their total artificial intelligence performance benchmark. These countries are China and South Korea.231, a Additionally, according to a different source, high-tech businesses originating from developed countries, and the United States in particular, own the majority of the market share in both the hardware and software sectors connected to big data worldwide.(232) It is possible that placing the software programr in the role of default author of works created by artificial intelligence might not be in the best interest of nations that are not as technologically advanced as their developed counterparts. It is intriguing to consider the possibility of a North-North division that is twice as wide. To begin, it may originate from the fundamental rationale behind the protection of copyright. It is generally accepted that states that adhere to civil law tend to view it as the natural rights of the author, whereas the world of common law is centered on the incentives to create and invest in creativity for the benefit of society as a whole.various legal traditions may have various justifications for the protected production, and these justifications may play a role in the reshaping of copyright rules in the management of intellectual property.

These are the difficulties of AI. As can be observed in the drafting history of removing moral rights on the basis of Article 6bis of the Berne Convention from the TRIPs, the process of searching for a common ground to organize AI-generated inventions at the international level may turn out to be a déjà vu experience for trade negotiators.234 In addition, it is important to note that even within the realm of common law, nations might have different opinions about this matter. As was seen before, the Common Law Protection Act (CDPA) of the United Kingdom is only attracting a few common law nations to follow suit. The complexity of the worldwide legal plurality that results from both instrumental and non-instrumental values is shown by all of these examples. This occurs when policymakers are determining new legal frameworks that control artificial intelligence.

There are also ideas on other topics that are of

a substantial nature. In 2017, the Federal Ministry of Transport and Digital Infrastructure of Germany took the initiative to provide an explanation of the fundamental ethical principles that were included in its report on "Automated and Connected" automobiles. This was done in response to the moral issue that arises from self-driving vehicles that are able to drive themselves without being controlled.No. 235 It stipulates, among other things, that the protection of individuals must "take precedence over all other utilitarian considerations," and that "technology must be designed in such a way that critical situations do not arise in the first place." This includes a predicament in which an automated vehicle must "decide" between two different types of evil.246, When a predicament becomes inescapable, it is completely forbidden to create "any distinction based on personal features (age, gender, physical or mental construction)" under any circumstance.237 In light of this, it is abundantly evident that the German approach places the utmost importance on the safeguarding of human life, and that in the event of a life-threatening situation, all individuals are of equal significance, regardless of their individual characteristics. Although it is not yet clear how other members of the World Trade Organization would proceed, the German approach offers light on at least two elements of the situation. Initially and most importantly, the pragmatic viewpoint that has been presented by a few academics from the United States will be completely rejected in Germany. The second point is that while it is not quite evident how German engineers will solve the trolley issue, the ethical principles that have been mentioned may be used to enhance the autonomous cars that have already been put into operation. For example, if Uber's algorithm, as has been claimed, identified pedestrians as unknown objects rather than persons, then it is possible that it would not be accepted in Germany.p. 238 Given the current level of technology, it is possible to argue that we do not have any need to be concerned about the trolley dilemma; yet, ethical concerns have already surfaced.

the front and center. The manner in which Germany is approaching this situation is indicative of the impending trade frictions.249.

Concerns have been raised concerning the use of artificial intelligence in the decision-making process. The method taken by the European Union is instructive. Recital 71 and Article 22 of the General Data Protection Regulation (GDPR) include a provision known as "the right to explanation." This provision grants the individual whose data is being processed the right to not be subject to a decision that is "based solely on automated processing."244 Article 7.12 of China's draft "Information Security Technology—Personal Information Security Specification" stipulates that the information controller is obligated to provide the data subject with various avenues of appeal in the event that a decision that is solely based on automatic machines has the potential to "significantly affect the subject matter."24,1 They take different approaches to this matter, despite the fact that both of them are worried about the automated decision-making. Ex-ante opt-in mechanisms, such as consent and safeguards, are used by the European Union (EU), but the proposed Chinese law offers ex-post remedy, which is subject to the "significantly affect" criteria.242; A draft bill called the "Algorithmic Accountability Act of 2019" was introduced by lawmakers in the United States not too long ago. This bill is centered on the idea of risk and impact assessment, and it requires businesses to evaluate whether the algorithms that power the tools contain bias and whether they pose a risk to the privacy or security of consumers.243 A further illustration of the diverse regulatory philosophies regarding artificial intelligence's mixed potential is provided by the fact that three major trade powers—China, the European Union, and the United States—have followed comparable but distinct courses. Below, we will identify and reflect on the different paths to handle the issues of diversity in the era of artificial intelligence. All of the discussion that has taken place above on the substantive concerns has led us to this point.

Three Recommendations and Two Caveats Regarding the Reconceptualization of Artificial Intelligence and Global Trade Governance

More specifically, we identify three normative dimensions and two normative dimensions based on the critical insights that emerge from our research in all of the parts that came before this one. there are certain qualifications for future academic endeavors and policymaking. The three normative aspects are not separate compartments but rather pillars that are mutually supportive of one another.

It is essential, first and foremost, that the World Trade Organization (WTO) have greater institutional flexibility in order to facilitate rigorous and dynamic cross-sectoral discussion and cooperation on trade concerns connected to artificial intelligence (AI). It is more important to place less emphasis on the specificity, stability, and predictability of rules and more emphasis on their flexibility, consistency, and optimum design capabilities. When one takes into account the one-of-a-kind characteristics of artificial intelligence (AI) challenges and the stagnation in the formation of traditional treaty rules among an expanding group of governments that have varying perspectives on a disruptive technology, it is perfectly possible to envision an alternative paradigm that is shaped by an increasing number of informal rules and standards.24,4 Not only do these informal rules and standards include new players and processes, but they also provide novel deliverables that are superior to those that are based on treaties.245, Underlying this new perspective is the shift away from "thin state consensus" to "thick stakeholder consensus,"246 which resonates with the dynamic growth of artificial intelligence and drives the World Trade Organization to position itself in a manner that is institutionally flexible enough to meet future difficulties. There are a variety of forms and substances of collaboration that might be explored, depending on the desire for political expediency and normative flexibility. An example of a logical solution would be to establish an Artificial Intelligence and Trade Task Force within the WTO Secretariat, the Trade-Blocking Trade Committee, or another organization that not only promotes collaboration and coordination but also makes it possible for a greater number of stakeholders to be informed, participate, and exchange best practices. It is also possible for such a task force to assist the staff of the World Trade Organization in communicating with other international organizations, such as the Organization for Economic Cooperation and Development (OECD), who have already carried out research on the normative implications of artificial intelligence.(247) It may also be helpful to have other institutional designs, such as initiatives, networks, expert groups, informal meetings, or review mechanisms, among other things. In essence, the flexibility and adaptation of institutions serve as a fertile ground for the implementation of our second and third policy proposals.

When it comes to tackling difficulties that are associated with artificial intelligence, the global trade system need to show greater respect for the local values and cultural settings. In order to avoid advocating for major harmonization initiatives, one must use more prudence and abstain from becoming involved. An example of this would be the TBT Agreement, which functions under the assumption that the application of international standards guarantees the coherence of the WTO guidelines. With regard to anything

According to the Appellate Body, in order for anything to be considered a TBT-sense international standard, it must at least adhere to the six principles that were outlined in the decision that was made by the TBT Committee in the year 2000. These principles include transparency, openness, impartiality and consensus, relevance and effectiveness, uniformity, and development dimension.248, These thresholds are of the utmost importance when we are looking for benchmarks from outside the World Trade Organization (WTO) in order to settle trade disputes. They are a reflection of the normative features that are stressed by the study of Global Administrative Law (GAL-249). Within the context of artificial intelligence, we believe that imposing a duty of cooperation on members of the World Trade Organization (WTO) should be understood and enforced in a stringent manner. This is due to the fact that algorithms and data sets are socially built, and WTO members are very different in terms of their political, ethical, moral, cultural, and religious beliefs.Domestically, 250 artificial intelligence has prompted a variety of regulatory reactions,

and such interventions may be politically difficult due to the fact that they project significant distributional repercussions and generate conflicts between ideals and agencies under a variety of legal and political frameworks.The 251 There may be differences of opinion on the structure and implementation of a regulatory framework even among liberal democracies that are generally similar in their political and economic perspectives and have reached comparable levels of economic growth.252 Divergences are extremely certain to occur, and the WTO Dispute Settlement Body (DSB) will have a difficult time resolving AI-related issues within the framework of the current law. In a more basic sense, the key concern extends beyond the jurisprudence of the World Trade Organization (WTO) and switches to the institutional function that this organization ought to play in the age of artificial intelligence in relation to other areas of governance in order to encourage regulatory cooperation.253 A framework of regulatory collaboration or a trans-governmental network that is less stringent and more capable of adapting to changing circumstances is more feasible and desirable than a top-down, hard-law kind of

254 Mechanism for harmonization between An excellent illustration of this is the nascent concept of the "global sandbox" known as the Global Financial Innovation Network (GFIN), which was formally founded in January 2019 by nations who share similar sentiments.No. 255 The essen-tial elements of global legal pluralism,256 and informal international law-making (IN-LAW)257 may be of growing relevance and guidance in such a softer framework of international trade cooperation, which leaves ample room for governments and societies to pursue their social, moral, and eco-nomic objectives, to experiment with alternative visions of AI governance, and to animate a delicate and dynamic compromise in cross-border settings. Equally as significant, the recent introduction of regulatory coherence provisions in new-generation free trade agreements (FTAs) may play a vital role in encouraging countries to design regulations that are rational, consistent, and technologically informed (yet different) in order to address the complexity and ambiguity that artificial intelligence (AI) poses.258

It is important to note that incrementalism, minilateralism, and ex-perimentalism are highlighted in the third dimension. We contend that the global trading system, which is headed by the World Trade Organization (WTO) and other regional trade accords (whether legacy or mega-regional), ought to be able to accept and foster developing sites of governance in respect to trade challenges that are associated with artificial intelligence (AI). Nesting in a strict, multilateral legal framework with formal norms and standards would not allow one to remain free, as was illustrated in the study presented above on the difficulties that artificial intelligence (AI) presents and the regulatory divergence and ambiguity that it also causes. It is not clear how the broader global trade governance regime will interact, both normatively and practically, with other regimes of international law and transnational private ordering in relation to artificial intelligence and trade governance. This is because the World Trade Organization (WTO) possesses distinct characteristics, 259 self-contained mandates, and there is a lack of technical expertise concerning this matter. Softer, market-based, private/hybrid, minilateral, and experimental governance efforts, as opposed to multilateral, more stringent, command-and-control, exclusively public ones, are likely to grow into a multi-centered governance complex and have a negative influence on the World Trade Organization (WTO). Fragmentation and disputes are not insurmountable, despite the fact that it may be challenging for members of the World Trade Organization to work together and actively converge in order to develop shared governance methods. Rather, it seems that there are certain governance efforts that have formed organically and flown slowly into particular centers of convergence that are not associated with the World Trade Organization (WTO) and that pertain to artificial intelligence (AI) and trade concerns on national, regional, and transnational levels.260 Minilateral, experimental, and incremental governance initiatives will not necessarily undermine the multilateral framework of the World Trade Organization (WTO), but they will gain normative reference power for the organization, allowing it to

develop and design more technologically informed institutions and rules through inter-system cooperation, the formulation of best practices, mutual learning, the building of consensus, and the sharing of information.No. 261 The World Trade Organization (WTO) is better equipped to provide legitimacy, responsiveness, and accountability in the context of resolving trade challenges connected to artificial intelligence (AI) since it actively encourages and participates in the developing experimental governance projects.

Having said that, there are two significant exclusions that should be mentioned. The first caution is drawn from the basic "pacing problem" that politicians and society confront when it comes to keeping up with the fast growth of technology and addressing the difficulties that are created by it.There are 262 artificial intelligence approaches that are constantly evolving at an exponential pace and are being quickly incorporated into all aspects of society along a wide variety of technology trajectories. These trajectories have quite distinct rates of development and application possibilities. Furthermore, the convergence of many technologies may be mutually reinforcing and complicate one another's modes of usage, "rendering regulatory oversight difficult at a national level and treaty negotiation perilous at an international one." [Citation needed] [Citation needed]No. 263 In light of this, the three policy aspects that have been discussed so far are not meant to be set in stone and should not remain inflexible and static regardless of the passage of time or the circumstances. Our proposals, on the other hand, should be interpreted with a note of responsive governance and should be in accordance with the spirit of institutional flexibility and normative adaptation. In the era of artificial intelligence, the power dynamic and the terrain of interest groups are always shifting, which is the second caution. The exchanges that take place between states along the North-South continuum often result in the configuration and reconfiguration of international economic law, as well as international law in general. The states that possess the most technical capability and the greatest quantity of high-quality data are likely to be the most dominant in the age of artificial intelligence.264 As a result, a new split between the North and the South may arise and

We propose that the present goals and socio-political foundations, upon which our ideas are founded, be turned upside down. By ensuring that the institutions and norms are structured to serve the greatest number of people rather than just a select few, the primary obstacle may be addressed.

Consclusion

Trade officials, attorneys, and academics have been grappling with the challenges that disruptive inventions and digital technology have presented for a considerable amount of time. A significant number of these persistent problems with digital commerce do not have a straightforward solution. A number of issues have been partially resolved by the implementation of new-generation PTAs like the CPTPP, while others are being temporarily regulated through the process of adjudication. Despite the fact that the World Trade Organization (WTO) has already had challenges in reorganizing itself to suit the virtual world due to the political economy, the emergence of artificial intelligence (AI) is only going to make this work much more difficult. It is true that there is a continuous relationship between digital technologies and artificial intelligence. Furthermore, our previous experiences and methods of handling digital trade difficulties may be of assistance to trade authorities in harnessing the consequences of AI. The consequences of artificial intelligence, on the other hand, will undoubtedly extend beyond what has been discussed in both the legal and policy debate that has taken place up to this point. The intricacy of trade concerns brought up by artificial intelligence has been unpacked and addressed in this article. Not only does this complexity depend on the redistributive effects that occur across socioeconomic classes within a nation and between countries, but it also represents the deepest root of the varied economic, sociocultural, ethical, and political foundations that exist across various states. In this new paradigm, we will soon be able to envision yet another wave of global regulatory diversities, in addition to multi-centric governance networks. When it comes to settling trade issues connected to artificial

intelligence, the WTO policymakers are faced with the challenging challenge of how to accommodate such plurality. In this article, we argue for a pluralist agenda and urge the World Trade Organization (WTO) to restructure itself as a platform to allow gentler, informal, and productive dialogs among many stakeholders in order to support the development of artificial intelligence (AI) and harness the risks associated with it for the good of humanity. Experimentalism to validate different new systems of government, better regard for local values, and institutional flexibility to accept or promote informal norms are all things that are desperately required. In the meanwhile, however, it is important to keep in mind the various capabilities of WTO members to handle the pace issue, and more importantly, the underlying dynamics that change the political economy between those who have and those who do not have in this era of artificial intelligence. Every one of them is an effort on our part to keep the World Trade Organization (WTO) legitimate, accountable, and, more importantly, relevant in the future when it comes to dealing with trade concerns that are connected to artificial intelligence.