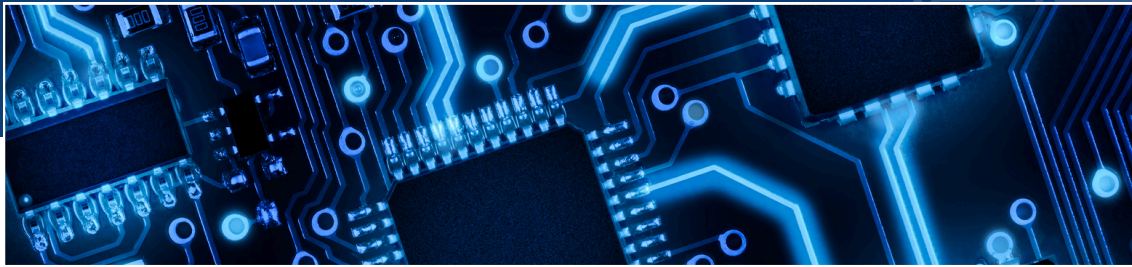# Artificial Intelligence & Technology
In International Law
News Update | May 2025

BRICS+ Nations Sign Declaration on AI Governance

In a significant move following their meeting in Rio de Janeiro on April 29, 2025, the foreign ministers of the expanded BRICS+ group signed a joint declaration outlining their commitments to AI governance. The declaration stressed the BRICS+ focus on establishing inclusive and international governance for AI, emphasizing that AI systems must be developed and deployed in adherence to both national regulations and international principles. Furthermore, the declaration highlighted the importance of ensuring transparency, ethical standards, data protection, and equitable development outcomes are central to AI governance frameworks. The nations underscored the critical need for global AI governance to mitigate potential risks and specifically address the requirements of all countries, particularly those in the Global South.

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Report on Governance of the Transition to Artificial General Intelligence (AGI) by UNCPGA

On 28th May, 2025, the Council of Presidents of the United Nations General Assembly (UNCPGA) published a report that highlights the imminent emergence of Artificial General Intelligence (AGI), projected to rival or surpass human intellect within this decade. While AGI offers transformative benefits, such as accelerating scientific discovery and boosting global productivity, it also presents unprecedented and potentially catastrophic risks, including autonomous harmful actions and threats to critical infrastructure. The report urgently calls for coordinated international action through the United Nations, advocating for a special UN General Assembly on AGI, the establishment of a global AGI observatory and certification system, a UN Convention on AGI, and an international AGI agency. Without such proactive global governance, competitive development among nations and corporations risks undermining security, exacerbating geopolitical tensions, and hindering the secure and equitable realization of AGI's immense potential.

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EU Committee Recommends Rejecting AI Liability Directive

On May 20, 2025, the European Parliament's Committee on Internal Market and Consumer Protection (IMCO) adopted an opinion recommending the rejection of the proposed AI Liability Directive. This directive aimed to establish a new fault-based liability regime for damages caused by AI systems. IMCO's decision was based on the view that the directive is unnecessary, citing existing stricter duties on AI providers and deployers under the EU AI Act and the revised Product Liability Directive. The committee also raised concerns about the lack of empirical market data, the European Commission's reliance on hypothetical scenarios in its impact assessment, and unresolved definitional and procedural issues within the proposal.

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Switzerland Issues Guidance that Data Protection Act applies to AI

On May 8, 2025, the Swiss Federal Data Protection and Information Commissioner (FDPIC) released guidance confirming that the existing Swiss Data Protection Act (DPA) directly applies to data processing operations within AI systems. This guidance emphasizes the DPA's requirement for transparency in AI, mandating disclosure of an AI system's purpose, operational mechanisms, and data sources. This transparency is closely linked to data subjects' rights to object to automated processing or demand human oversight of automated individual decisions. For instance, users interacting with AI must be informed they are communicating with a machine and whether their input will be used for system training. Furthermore, any "deepfake" AI system that fabricates or alters identifiable individuals' faces, images, or voices must be clearly labeled. Finally, high-risk AI systems that process data are now required to undergo data protection impact assessments.

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US Department of Commerce announces rescission of the Biden administration's AI Diffusion Rule

On May 13, 2025, the US Department of Commerce announced the rescission of the Biden administration's AI Diffusion Rule, just two days before its scheduled implementation. This rule would have significantly restricted chip exports to certain nations like China, Russia, Iran, and North Korea, while also limiting exports to approximately 120 other countries, with 18 key allies exempted. Concurrently, the Bureau of Industry and Security introduced stricter export controls on overseas AI chips. These new measures include warnings to the industry about the risks of using Chinese advanced computing integrated circuits, alerts regarding the potential use of US AI chips for training Chinese AI models, and guidance for US companies on protecting their supply chains from diversion tactics. The US Government stated that a replacement rule is expected to be issued in the future.

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US House Passes 10-Year Moratorium on State AI Regulation

On May 22, 2025, the US House of Representatives advanced a bill proposing a 10-year moratorium on state-level AI regulation, aiming to centralize AI oversight at the federal level. This proposed Moratorium, a component of the Trump administration's budget reconciliation process, seeks to prevent individual states from enacting or enforcing laws pertaining to AI models, systems, or automated decision-making. Republican proponents argue that this measure is crucial for protecting US investment in AI and maintaining competitive advantage against nations like China, contending that disparate state regulations would stifle innovation, particularly for smaller AI startups. While the Moratorium includes narrow exceptions for laws that remove AI "impediments" or streamline licensing, its passage in the Senate – where it will undergo Byrd rule compliance review – would significantly impact states like California and Colorado, which have been proactive in developing their own AI regulations.

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EU Publishes Draft Report on AI in Financial Sector

On May 14, 2025, the European Parliament's Committee on Economic and Monetary Affairs released a draft report assessing the impact of AI within the EU's financial sector. The report concludes that AI adoption in financial services has been generally cautious, with limited high-risk applications and no immediate signs of the financial system becoming heavily reliant on autonomous AI models that could jeopardize market stability or consumer interests. However, the report highlights existing complexities, noting overlapping and unclear interactions between the EU AI Act and current financial services regulations, along with a lack of authoritative guidance on their combined interpretation. It also points out that certain GDPR requirements, specifically data minimization and purpose limitation, may restrict AI applications in this sector.

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Indonesia Issues AI Adoption Framework for Banks

On April 29, 2025, Indonesia's Financial Services Authority (OJK) released a new, non-binding framework to guide banks in the responsible adoption of AI. This comprehensive guidance outlines principles and best practices for the entire AI lifecycle, from development to oversight. It aims to encourage the use of predictive, generative, and agentic AI to boost productivity and innovation in areas like credit scoring, fraud detection, and customer service. However, the OJK also cautions banks against unchecked AI usage, emphasizing the importance of audit trails, risk classification, and human oversight. Notably, the framework mandates that all AI systems used in Indonesian banking must align with national values, particularly Pancasila, the state philosophy.

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Japan Passes AI Promotion Bill

On April 24, 2025, Japan's House of Representatives passed the Bill on the Promotion of Research, Development and Application of AI-Related Technologies, marking the nation's first comprehensive AI law. This new legislation mandates state and local governments to establish policies and guidelines to advance AI, defining AI-related technologies as those replicating human cognitive abilities through artificial methods. While private sector entities using AI are expected to cooperate with government initiatives, the Bill doesn't impose strict obligations or penalties for non-compliance. To guide implementation, the government will establish an AI Basic Plan and an AI Strategy Headquarters to oversee AI policy across all government sectors. The Bill also covers crucial areas such as research promotion, responsible AI use, talent development, AI education, and trend monitoring, setting a national framework for Japan's AI future.

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Colorado's AI Act Remains Unchanged as Amendment Bill Fails

Colorado's AI Act will proceed as originally enacted, following the failure of a proposed amendment bill to pass the state's General Assembly before the April 7, 2025 deadline. Senator Robert Rodriguez introduced the "AI Bill" on April 28, 2025, aiming to narrow the scope of last year's comprehensive AI legislation and reduce the compliance burden on businesses. The proposed changes included revised definitions for terms like "developer" and "high-risk AI system," broader exemptions for AI used in recruitment, and modified obligations for deployers focusing on high-risk systems with no human involvement in consequential decisions. It also sought to delay enforcement of the Act until January 1, 2027. However, with the AI Bill not passing the Colorado House of Representatives in time, the original Colorado AI Act will now officially come into force on February 1, 2026, as initially planned.

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UK House of Lords Pushes for Stronger AI Copyright Protection in Data Bill

On May 20, 2025, the UK House of Lords moved to amend the Data (Use and Access) Bill, aiming to bolster copyright protections for rights holders against AI developers. This marks the third attempt by peers to introduce measures requiring transparency from AI companies regarding their training data sources. The core concern is the current lack of safeguards for the UK creative sector against their works being used to train AI models without notification, consent, or compensation. The proposed amendment mandates AI companies operating in the UK to disclose detailed information about all materials used during AI model development, ensuring clarity, relevance, accuracy, and accessibility for copyright holders. While the House of Commons has previously rejected similar amendments to avoid "piecemeal" legislation ahead of an ongoing AI and copyright consultation, the Bill, with this latest amendment, has returned to the Commons for consideration. The government has previously offered concessions, including a commitment to publish a report on the consultation and an economic impact assessment within 12 months.

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UK Rejects Full EU AI Act Application in Northern Ireland

On April 30, 2025, the UK government declined the European Commission's request to fully implement the EU AI Act in Northern Ireland under the Brexit Withdrawal Agreement. While certain provisions of the Act (like Articles 103-107 and 109) are already in effect there, and the Act is set to fully apply across the EU by August 2026, the UK rejected a March 2025 EU decision to amend the Windsor Framework to include the entire Act. The UK government stated the EU AI Act is "complex and requires further scrutiny," indicating a preference for continued dialogue with the EU on the matter.

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China Launches Campaign Against AI Misuse

On April 30, 2025, the Cyberspace Administration of China (CAC) initiated a nationwide campaign to combat the misuse of AI. This initiative aims to address various issues, including the infringement of intellectual property and privacy rights through AI-generated content. The campaign will unfold in two phases: the first focusing on removing illegal AI applications, strengthening regulations on deepfakes and other AI-generated content, and improving online platforms' ability to identify violations and properly label AI-powered material. The second phase will specifically target the use of AI to create and spread misinformation, rumors, obscene content, and for impersonation or "internet trolling," leading to the removal of harmful content and penalties for offending accounts, multi-channel networks, and online platforms.

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UK and EU Boost AI Collaboration for Innovation and Research

Building on a recent agreement, the UK and the EU are launching a collaboration to accelerate AI innovation and research across Europe. This initiative, announced on May 27, 2025, invites UK public research organizations to apply to host the AI Factory Antenna, a facility designed to link British research expertise with advanced European supercomputers. This move is set to unlock breakthroughs in areas like healthcare treatments and clean energy technologies by providing UK scientists, startups, and public institutions with access to cutting-edge compute power. Minister for AI, Feryal Clark, highlighted that this partnership will enhance Britain's role at the forefront of global AI development, enabling researchers to build more complex AI models, shorten development cycles, and create high-skilled jobs. This initiative, which includes a potential €5 million in funding, is part of the UK government's broader "Plan for Change" and builds on recent investments in compute infrastructure, with further AI Growth Zones and a comprehensive Compute Strategy on the horizon.

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US Judicial Panel Proposal to Regulate AI-Generated Evidence in Courtrooms

A U.S. federal judicial panel has advanced a proposal to regulate the introduction of AI-generated evidence in courtrooms. The U.S. Judicial Conference's Advisory Committee on Evidence Rules voted 8-1 to seek public comment on a draft rule. This proposed rule aims to ensure that evidence produced by generative AI meets the same rigorous reliability standards as evidence presented by human expert witnesses, a crucial step given the rapid evolution of AI technology. While existing rules scrutinize expert witnesses using such technology, the new proposal would extend these reliability standards to AI-generated evidence presented without an accompanying expert, excluding "basic scientific instruments." The proposal will now move to the Judicial Conference's Committee on Rules of Practice and Procedure in June for a vote on public dissemination.

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UAE launches World's First AI-Powered Regulatory Intelligence Office

The UAE has launched the world's first Regulatory Intelligence Office, leveraging AI to revolutionize its legal processes. This initiative aims to craft, monitor, and evolve the country's legislation in real-time, marking a strategic shift towards evidence-based, forward-thinking governance. The AI-driven system will significantly enhance the speed and efficiency of lawmaking, with officials anticipating a reduction in legislative timelines by up to 70% by automating research and cross-referencing. The office will monitor the real-time impact of legislation on the economy and society, providing data-driven recommendations for timely adjustments.

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EU Strengthens Digital Security with New Vulnerability Database

The European Commission, through the EU Agency for Cybersecurity (ENISA), has launched the European Vulnerability Database (EUVD), a significant step to enhance Europe's digital security. This new database will assist organizations in meeting the supply chain and vulnerability management mandates of the NIS2 Directive, which aims to improve cybersecurity across critical sectors like energy and health. It will also support the Cyber Resilience Act, ensuring digital products are protected from cyber threats. Henna Virkkunen, Executive Vice-President for Tech Sovereignty, Security and Democracy, emphasized that the EUVD will raise cybersecurity standards by centralizing vulnerability information relevant to the EU market, empowering both public and private sectors to better safeguard digital spaces with increased efficiency and autonomy.

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UK FCA to Introduce Live AI Testing for Financial Firms

The UK's Financial Conduct Authority (FCA) announced on April 29, 2025, its plan to launch a live AI testing service in September 2025. This initiative aims to support financial firms in developing and deploying AI models. The service will offer regulatory guidance to companies preparing to implement consumer or market-facing AI tools, allowing them to collaborate with the FCA before deployment to ensure compliance with relevant regulations. The testing service is to run for 12-18 months, and the FCA is currently inviting feedback from firms, with the consultation period closing on June 10, 2025.

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