



## **Submission: High-level Advisory Body on Artificial Intelligence's Call for Papers on Global AI Governance**

This submission is made by the Campaign for AI Safety in response to the High-level Advisory Body on Artificial Intelligence's Call for Papers on Global AI Governance, by the Office of the Secretary-General's Envoy on Technology. We trust this submission is of assistance. Please do not hesitate to contact us to discuss this submission.

The Campaign for AI Safety is a not-for-profit association established in Australia with members in Australia and other countries. We are concerned about the dangers AI poses to people and advocate for a stop on the advancement of certain AI capabilities. We also advocate for regulation that promotes and mandates ethical AI. We are not affiliated with any political group. Please visit [campaignforaisafety.org](https://campaignforaisafety.org) for more information or contact Sue Anne Wong, Policy Lead at [sueanne.wong@campaignforaisafety.org](mailto:sueanne.wong@campaignforaisafety.org).

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# Key issues

We raise the following issues for the Multistakeholder Advisory Body's consideration:

- An indefinite and worldwide **moratorium on further scaling of AI** models is needed until safety can be dependably demonstrated. AI developers are locked in a race to release increasingly powerful and intelligent general-purpose AI systems which many experts believe pose a clear threat to people's safety, livelihoods and rights. There should not be any exceptions for government research or national security.
- Appropriately allocating accountability and responsibility for the third party impacts of AI models will **make it easier for consumers to seek redress when things go wrong**. It will also incentivise developers to mitigate risks to consumers and innovate towards safer AI technologies.

# Establish a moratorium on new large training runs

The AI race is heading towards highly capable foundation models that are increasingly shown to have potentially dangerous capabilities that pose severe societal risks. These capabilities could arise unexpectedly, could proliferate and it is difficult to prevent misuse once a very powerful and intelligent model is deployed.<sup>1 2</sup> Despite becoming increasingly integrated into every part of the economy and in our daily lives, AI developers still do not know how they work inside. Examples of dangerous capabilities include:

- In 2022, researchers tweaked an existing biochemical research AI product<sup>3</sup> to reward toxicity: it produced molecules that could be deadlier than existing biochemical weapons.
- Similar risks come from ChemCrow<sup>4</sup> in relation to dangerous chemicals.
- Some systems are capable of self-improvement, such as Voyager<sup>5</sup>.
- Some AI products have the ability to systematically deceive human users. The CICERO program<sup>6</sup> from Meta achieved tournament-level results at Diplomacy by lying to human players.
- Attempts have been made to develop AI capable of hacking, such as WormGPT<sup>7</sup>.

Once a dangerous technology is deployed, it is difficult to stop its misuse and proliferation. **Arresting the development of more powerful and intelligent AI is a view shared by leading AI researchers and computer scientists**<sup>8</sup>. An internationally coordinated response to halt development indefinitely is essential to protect citizens against the potential harms and risks that can emanate across borders.

We urge the United Nations to work with nations to develop a legally binding treaty or global agreement to indefinitely stop businesses, governments, and any individual from further development of more powerful and intelligent AI, until at least appropriate international governance and legal structures are in place to ensure its safe and responsible development.

This would be on a scale **similar to existing non-proliferation treaties on nuclear, biological and chemical weapons**, with nations agreeing to accept universal safeguards on current use, share knowledge of beneficial AI technologies and stop misuse.

It could have the following provisions:

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<sup>1</sup> ["An Overview of Catastrophic AI Risks"](#), Dan Hendrycks, Mantas Mazeika and Thomas Woodside (11 September 2023).

<sup>2</sup> ["Model evaluation for extreme risks"](#), Toby Shevlane, et al. (Updated on 22 September 2023).

<sup>3</sup> ["Dual use of artificial-intelligence-powered drug discovery"](#), Fabio Urbina, Filippa Lentzos, Cédric Invernizzi & Sean Ekins (7 March 2022): Nature Machine Intelligence volume 4, pages 189–191.

<sup>4</sup> ["ChemCrow: Augmenting large-language models with chemistry tools"](#), Andres M Bran, Sam Cox, Andrew D White, Philippe Schwaller (21 Jun 2023).

<sup>5</sup> ["Voyager: An Open-Ended Embodied Agent with Large Language Models"](#), Guanzhi Wang, et al. (2023).

<sup>6</sup> ["Research: CICERO"](#) Page, Meta AI.

<sup>7</sup> ["WormGPT: What to know about ChatGPT's malicious cousin"](#), Charlie Osborne, ZDNET (20 July 2023).

<sup>8</sup> ["Pause Giant AI Experiments: An Open Letter"](#), Future of Life Institute (published on 22 March 2023, signed by 27,000+ technologists and other individuals); ["The Godfather of AI' Quits Google and Warns of Danger Ahead"](#), New York Times (1 May 2023).

- Shutting down large GPU and TPU clusters (the large computer farms where the most powerful AIs are refined).
- Prohibition of training ML models (or combinations of models) greater than  $10^{23}$  FLOP in compute (approximately the amount of compute used for the original GPT-3 175B)<sup>9</sup>.
- Prohibition of the use of quantum computers in any AI-related activities.
- A general moratorium of large-scale AI capabilities research and development.
- Passing of national laws criminalising the development of any form of Artificial General Intelligence (AGI) or Artificial Superintelligence (ASI).
- Establishment of an international body to oversee the treaty.
- Effective mechanisms for enforcement of the treaty.
- The treaty should not expire until it is universally agreed that it is safe and ethical to resume large-scale AI capabilities research and development.

AI models are trending to become larger (e.g. GPT-3 has hundreds of billions of parameters<sup>10</sup>) to be more capable which requires substantial computational resources. We propose **prohibiting the development of models above the level of Open AI GPT-3 or GPT-4 series of models** as they are currently in existence and we do not know the level of capability a model or system can be considered overly capable. The specific threshold can be revised as new safety research is published and if models become smaller. In practice that means banning training runs using more than  $10^{23}$  FLOP in compute (approximately the amount of compute used for the original GPT-3 175B)<sup>11</sup>. Developers could be required to disclose computational power and authorities could monitor computational infrastructure.

To aid efforts in treaty development, the Campaign for AI Safety ran an international law student competition in April-August 2023 to draft a treaty on moratorium of large-scale AI capabilities research and development, overseen by a judging panel of academicians and legal practitioners. The winning treaty proposal contains the above provisions and is in Appendix A and on our website (copyright waived by the authors).

In our view, there are still **great benefits to harness from the current level of capability** for many years to come. But making state-of-the-art AI smarter is too risky at present and requires safety research that has not yet taken place.

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<sup>9</sup> Stop AGI: Proposals: <https://www.stop.ai/proposals>

<sup>10</sup> "Language Models are Few-Shot Learners", Tom B. Brown, et al. (22 Jul 2020).

<sup>11</sup> "Proposals", Stop AGI (2023).

# Strengthen liability rules for harms caused by AI

AI developers have little private incentive to account for third-party impacts, prioritise safety and ensure accuracy and quality in the race to develop more advanced AI. At the same time, existing laws like product safety, tort, or those relating to negligence provide inadequate protection due to the complexity of the AI supply chain and the opaque and autonomous nature of AI models' behaviour and decision making which makes it very challenging for individuals to seek redress for damages or harms incurred.

**Strengthening liability rules would help drive innovation towards more carefully developed and safer AI** and make it easier to obtain compensation for damages like breaches of privacy, physical or mental damage caused by safety issues or, for example, discrimination in a recruitment process involving AI technology. We refer to initiatives in the European Union and United States to address this problem.

## 1. European Commission's AI Liability Directive<sup>12</sup> and Product Liability Directive<sup>13</sup>:

- alleviating the burden of proof for victims of AI-enabled products or services in liability claims<sup>14</sup>
- giving victims right to access evidence from AI developers to help victims identify who is responsible for causing damage
- expanding product liability rules to define AI systems or software as products and the concept of "defectiveness", "loss or damage" and others to include digital products

2. **Bipartisan Framework for U.S. AI Act** developed by Senator Richard Blumenthal & Senator Josh Hawley<sup>15</sup> to establish liability for AI developers for privacy and civil rights violations and other harms, requiring disclosure of essential information about how AI systems work and other consumer protection measures.

AI developers are in a position of deep resources and scientific and technical understanding of their complex products to bear the onus of proof to refute the presumption that their models caused harm. It is a fair way to seek compensation for victims.

We call on member nations taking up these initiatives to adapt liability laws to ensure their citizens have the same level of protections from damage caused by AI-enabled products and services as other products based on traditional technologies.

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<sup>12</sup> "[Artificial intelligence liability directive](#)", Tambiama Madiega, European Parliamentary Research Service, EPRS (February 2023).

<sup>13</sup> "[New Product Liability Directive | European Parliament](#)", Stefano De Luca, European Parliamentary Research Service, EPRS (May 2023).

<sup>14</sup> "[Proposal for a Directive of the European Parliament and of the Council on adapting non-contractual civil liability rules to artificial intelligence \(AI Liability Directive\)](#)", The European Commission (2023).

<sup>15</sup> "[Blumenthal & Hawley Announce Bipartisan Framework on Artificial Intelligence Legislation](#)", U.S. Senators Richard Blumenthal and Josh Hawley (9 August 2023).

# Appendix A: The Winning Treaty Proposal

## EXPLANATORY STATEMENT TO THE TREATY ON THE MORATORIUM OF LARGE-SCALE AI CAPABILITIES RESEARCH AND DEVELOPMENT

### PART I. SCOPE, PURPOSE, AND DEFINITION OF TERMS

#### Article I. Scope and Purpose

Article 1 defines the scope of application of the Treaty and the purpose to be served. With the primary consideration of the ethical and human rights implications associated with the development of Artificial Intelligence (AI) technologies and systems, the Treaty aims to cease the further development of large-scale Artificial Intelligence capabilities research and development.

#### Article II. Definition of Terms

##### *Paragraph 1*

Paragraph 1(a) provides for the definition of "Artificial Intelligence Compliance and Monitoring Body or the Body" which shall pertain to the international body composed of the heads of each State Party's National Task force which shall ensure the implementation, compliance, and monitoring of the obligations under the Treaty.

Paragraphs 1(b), (c), (d), and (e) define the different forms of Artificial Intelligence contemplated under the Treaty and are given both broad and specific definitions in order to encapsulate any and all kinds of system or computer which mimics human intelligence.

Paragraphs 1(f) and (n) which define Graphics Processing Unit or GPU and Tensor Processing Unit or TPU, respectively, shall cover all processing units which are capable of deep learning algorithms. This includes but is not limited to Graphics Processing Units and Tensor Processing Units.

Paragraph 1(g) defines “International Joint Venture” in a general sense to include agreements between State Parties, or those between a State Party to the Treaty and a State that is not a party to the Treaty. The Joint Venture also includes those agreements between a State Party and non-State players at the international level. This aims to cover all forms of ventures where the aim is the development of Artificial Intelligence.

Paragraph 1(h) which defines Machine Learning Model shall include all systems and algorithms which are capable of making decisions from unseen datasets. This includes both supervised and unsupervised Machine Learning Models.

Paragraph 1(i) which defines Quantum Computer shall not be limited to superconducting qubit quantum computers, but also photonic, those utilizing neutral atoms, trapped ion quantum computers, quantum dot quantum computer, and all other types of quantum computers being developed capable of using the principles of quantum mechanics to perform calculations more efficiently.

Paragraph 1(j) which defines Research and Development shall include all acts aimed at the development and utilization of Artificial Intelligence capabilities which includes, but is not limited to applied and experimental research, prototype testing, product design and testing, and results analyses.

Paragraph 1(k) which defines Research and Development (R&D) facility/ies shall comprise both privately-owned and government-owned facilities engaged in the research and development of Artificial Intelligence systems with large-scale capabilities

Paragraph 1(l) which defines Server Farms or Data Centers shall encompass all places or establishments where computer servers are used jointly. The Treaty does not provide for a limit as to the size or number of computers working jointly to be considered as a Server Farm or Data Center.

Paragraph 1(m) which defines National Task Force shall refer to the unit or group established by a State Party whose function shall include addressing the ethical and human rights considerations associated with the research and development of Artificial Intelligence systems with large-scale capabilities. It shall



not, however, be given the power to exercise legislative functions of the government nor serve as an adjudicating body to oversee infractions.

## **PART II. OBLIGATIONS ON THE MORATORIUM OF FURTHER DEVELOPMENT OF ARTIFICIAL INTELLIGENCE**

### **Article III. Rights and Obligations**

#### ***Paragraph 1***

Paragraph 1 imposes upon all States party to the Treaty the obligations necessitated for the fulfillment of the objectives of the Treaty to cease and prohibit the further development and operation of Artificial Intelligence systems.

Paragraph 1(a) imposes upon the State Parties the obligation to cause the cessation and prohibition of acts constituting research and development of AI systems, as contemplated in Part I of this explanatory note, within their territory and jurisdiction. The prohibition under Paragraph 1 includes, but is not limited to the further use, integration, and development of Artificial Intelligence systems. The Treaty employed the words “cessation” to pertain to research and development already ensuing within the territory and jurisdiction of a State Party, and “prohibition” to pertain to those that haven’t been established and to proscribe future.

Paragraph 1(b) imposes the obligation upon State Parties having within their territory and jurisdiction any existing facilities accommodating Graphics Processing Units and Tensor Processing Units performing deep learning algorithms to teach Artificial Intelligence systems to cause the cessation of its operations. In parallel, paragraph 1(c) imposes the obligation to prohibit the establishment, installation, and further development of such facilities within its territory and jurisdiction.

Paragraph 1(d) imposes the obligation to cause the cessation and prohibition of using and training Machine Models with a configuration variable exceeding 500 million parameters in any system or data center within a State Party’s territory and jurisdiction. Paragraph 1(e) similarly enforces the obligation to prohibit the use and development of quantum computers in training Machine Models under the same configuration.

## ***Paragraph 2***

Paragraph 2 confers upon the State Parties rights and prerogatives in their enactment and implementation of the obligations imposed by the Treaty within their territory and jurisdiction.

Paragraph 2(a) confers upon the State Parties the right to identify facilities engaged in the research and development of AI systems with large-scale capabilities existing in other State Parties, provided the sovereignty and national autonomy of such State Party are not encroached upon and mechanisms for the exercise of this right are in consonance with statutorily established parameters.

Paragraph 2(b) contemplates two (2) concepts. First, with respect to the character of the Artificial Intelligence Compliance and Monitoring Body, it has the function of ensuring the compliance of State Parties to the Treaty through enactment of policies. It also has the function of overseeing the National Task Force of each State Party in their performance of the obligations imposed by the Treaty. Second, paragraph 2(b) also confers upon the State Parties, in the fulfillment of their obligations, the right to adopt, implement, and incorporate such policies through their respective National Task Force.

Paragraph 2(c) is to be construed in connection with Article VI, paragraph 4 of the Treaty which, in part, obligates all State parties to submit a report, during every meeting of State Parties, comprising the procedures and methods the National Task Force of each State Party has organized in the fulfillment of the obligations under the Treaty. Each State Party has the right to adopt, implement, and incorporate such procedures as their own within their territory and jurisdiction.

## ***Paragraph 3***

Paragraph 3 serves as a safeguard from acts which may be constituted as an encroachment to a State Party's sovereignty and national autonomy. The rights and obligations under Article III of the Treaty shall, in no way, be construed so as to vest upon a State Party the right to investigate controversies in another State's territory and jurisdiction. The Article also proscribes any interference in the implementation and enforcement of another State Party's mechanism without consent.

## ***Paragraph 4***

Paragraph 4 also serves as a safeguard against any encroachment to a State Party's sovereignty and national autonomy. This paragraph elucidates that no provision in the Treaty vests to a State Party the right to impose unto another State Party or outside its territory and jurisdiction its mechanisms and procedures in the proscription in the use, integration, and development of Artificial Intelligence systems.

#### **Article IV. The Artificial Intelligence Compliance and Monitoring Body and the National Task Force**

##### ***Paragraph 1***

In the fulfillment of the obligations under the Treaty, and to ensure compliance by all State Parties, an independent international body shall be established and shall be known as the Artificial Intelligence Compliance and Monitoring Body, also referred to as the Body. It shall be an independent international body in the sense that it shall not be under the control and guidance by any of the State Parties to the Treaty. It shall be composed of the heads of the National Task Force established by each State Party under their jurisdiction.

##### ***Paragraph 2***

Paragraph 2, which is to be construed in conjunction with Article VI, paragraph 4 of the Treaty, provides for one of the main functions of the Artificial Intelligence Compliance and Monitoring Body which is to review all reports containing the procedures and progress on the implementation and enforcement of the obligations under the Treaty submitted by State Parties, as required under said Article. The Artificial Intelligence Compliance and Monitoring Body shall verify within each State Party whether all procedures stated in their reports are being carried out within their territories and jurisdictions and whether actual progress is evident.

This paragraph also vests upon the Artificial Intelligence Compliance and Monitoring Body the prerogative to issue recommendatory plans of action to State Parties.

The Artificial Intelligence Compliance and Monitoring Body, in the performance of this function, shall devise its own method of ascertaining and investigating progress in each State Party, as well as any recommendatory acts. The mechanism devised shall in no way permit the head of a National Task Force to review the progress of the State Party to which it belongs or serves as the sole source of such data.

### ***Paragraph 3***

Paragraph 3 serves to expound the function of the Artificial Intelligence Compliance and Monitoring Body as a reviewing and monitoring body on the progress of each State Party in their compliance with the obligations under the Treaty. The Artificial Intelligence Compliance and Monitoring Body, upon determination of a State Party's inefficiency, delay, or bad faith in the implementation and enforcement of its procedures and policies, may obligate the State Party, represented by the head of its National Task Force, to appear before it and present an explanation on the cause of delay and inefficiency in carrying out the obligation under the Treaty.

The Artificial Intelligence Compliance and Monitoring Body, in its discretion, is also vested with the power to establish an investigatory board, its composition limited only to members of the Artificial Intelligence Compliance and Monitoring Body but shall exclude the head of the National Task Force of the State Party subject to investigation.

### ***Paragraph 4***

Paragraph 4 emphasizes the need for national autonomy, alongside with global cooperation, in the fulfillment of the objectives of the Treaty. Each State Party shall, within its territory and jurisdiction, establish a National Task Force which shall serve as the implementing body within the State Party in carrying out the obligations of the State Party under the Treaty. Each State Party shall also be given the prerogative to determine its composition, mandate, and operational procedures and the formalities required to establish it.

### ***Paragraph 5***

One of the functions of the National Task Force, in upholding national autonomy, is propounded in paragraph 5 which is to establish safeguards and mechanisms for the protection and preservation of ethical and human rights affected and endangered by the research and development of Artificial Intelligence systems within its territory and jurisdiction.

### ***Paragraph 6***

In consonance with paragraph 4, paragraph 6 provides for the agencies and bureaus which the National Task Force shall be primarily composed of or derived from. The National Task Force shall consist of, but is not limited to relevant government agencies, experts, stakeholders, and civil society representatives fostering interdisciplinary collaboration and inclusiveness.

### ***Paragraph 7***

Paragraph 7 provides for the functions of the National Task Force, in fostering global cooperation, which is to cooperate, coordinate, and collaborate with the Artificial Intelligence Compliance and Monitoring Body and other relevant bodies, such as, but is not limited to the Human Rights Committee, the Organisation for Economic Co-operation and Development, and other key players in international field to ensure coherence and synergy in addressing ethical and human rights challenges associated with the research and development of Artificial Intelligence systems with large-scale capabilities.

The National Task Force of a State Party shall also be given the freedom to cooperate, coordinate, and collaborate with the National Task Force of other State Parties with the consent of the concerned heads of State or heads of Government.

## **Article V. Declarations**

### ***Paragraph 1***

Paragraph 1 emphasizes the need for collaboration among States Parties and recognizes that it would be more efficient if each contracting state were to submit the list enumerated under Paragraph 1. In this regard, each States Party is obliged to submit a declaration within thirty (30) days after the Treaty enters into force.

Paragraph 1(a) imposes an obligation upon all States Parties to notify the Depository through a declaration within thirty (30) days from the effectivity of the Treaty of whether any Research and Development facility is operational or have been previously operational within its territory and jurisdiction. Each party shall explicitly declare, classify, and specify each and every facility according to their purpose, nature and period of its operation and the effects of its operations within their respective jurisdiction. By way of necessary implication, the provision shall be understood as to include the obligation to notify the Depository in case where no Research and Development facilities are operational or have been operational within its jurisdiction.

With respect to any organization, agency, body or individual engaged in any form of activity contemplated in Paragraph 1(b), each States Parties shall submit in a separate instrument the list of any organization, agency, body, or individual, whether forming part of the national government or not, indicating their nature, purpose and effects to the Depository. In the absence thereof, the State Party shall explicitly declare that none of the enumerated entities are existent within their jurisdiction.

Paragraph 1(c) requires each Party to notify the Depository, by way of a Declaration, of whether any international joint ventures exist with another State Party or Parties, or with a non-State Party, in the pursuit of further developing AI systems with large-scale capabilities.

## ***Paragraph 2***

The inclusion of Paragraph 2 emanates from and is pursuant to Article 3(2) of the Treaty which essentially vests upon another State the right to adapt policies enacted by National Task Force of each Contracting State which necessarily includes the right to make use of any and all research, references, instruments or other effects which may be beneficial to the implementation and enactment of the prohibition of the use of AI systems. It requires each States Parties to furnish a copy of the declaration in favor of the other States Parties within the date specified.

## **Article VI. Moratorium on the research and development of AI systems with large-scale capabilities and the operations of Research & Development facilities**

### ***Paragraph 1***

Paragraph 1 contains the operative clause of the Treaty insofar as each State Party is concerned. Accordingly, each contracting State that holds, employs, controls, or has within its territory and jurisdiction any organization, agency, body, corporation, or individual who utilizes or operates any facility that is engaged in the research and development of AIs with large-scale capabilities (R&D facility) shall immediately cause the cessation of the same. It bears stressing that the Treaty merely requires that each State Party engaged in any activity referred to in the preceding sentence cause its cessation within the time agreed upon. The silence of the Treaty as to the mechanism effecting such cessation shall be construed as to impose upon each States Parties the duty to implement legal measures in carrying out or causing the cessation of the same. With respect to the deadline for such cessation, a meeting intended for that purpose shall be determined. It shall be decided by the majority of all the States Parties who are present during such meeting.

### ***Paragraph 2***

Paragraph 2 describes two types of facilities that operate, uses, and develops any quantum computer and/or machine learning mode. First is that which is in contravention of the tenor of the Treaty and the other is that which is not otherwise appearing to be prohibited under this Article. With regard to the first classification, each State Party shall cause its cessation and dismantling under the same timeframe provided for in the preceding paragraph. Otherwise, each State Party may utilize it for other purposes not prohibited under the Treaty.

### ***Paragraph 3***

Paragraph 3 requires each State Party to cause the termination of international joint ventures and other similar endeavors with other State Parties or non-State Parties for the research and development of Artificial Intelligence systems with large-scale within the same timeframe provided for in the preceding paragraph.

#### ***Paragraph 4***

Paragraph 4 imposes a duty upon each State Party to submit a report to the Body every regular meeting, the frequency and dates of which shall be determined during the first meeting, indicating the procedures and measures taken to carry out its obligations and the progress of its implementation.

### **Article VII. Implementation**

#### ***Paragraph 1***

Since the primary purpose of the Treaty is to introduce legal measures in order to mitigate the risks and potential ethical and human rights problems, challenges, and dilemmas arising from the continued advancement of AI systems, Paragraph (1) shall serve as the implementation or enforcement clause which, in essence, ensures that each State Party shall adhere and cause the fulfillment of all obligations contemplated under the Treaty. Each State Party may enact, implement, and adopt legal measures including, but is not limited to, the imposition of penal and administrative sanctions to ensure adherence to the provisions under the Treaty.

#### ***Paragraph 2***

Paragraph 2 requires each State Party to subject any act contemplated therein to a domestic penal law which shall define and regulate the crime, prescribe its corresponding penalties, and provide for its procedural aspect.

#### ***Paragraph 3***

The introduction of Paragraph 3 is to further the objective of the Treaty to bridge the gap between the further development of AI and the establishment of human rights safeguards and ethical frameworks by way of global collaboration. Accordingly, each State Party shall submit to the Body a copy of the legal measures of whatever nature implemented for the fulfillment of the obligations imposed by the Treaty. A copy may be furnished to other States Parties upon their request, or if the Body deem it necessary.



## **PART III. PROCEDURES OF COOPERATION**

### **Article VIII. Dispute Resolution**

#### ***Paragraph 1***

Paragraph 1 contains the arbitration clause or the dispute resolution clause. It provides that, whenever there is a controversy or dispute in the interpretation, application, or implementation of the provisions of the Treaty, the parties shall seek to resolve the dispute through negotiation and consultation in good faith. Negotiation and consultation in good faith shall be made at the instance of the State Party seeking to resolve the dispute, or upon the order of the Artificial Intelligence Compliance and Monitoring Body.

For this Article, good faith shall be construed as the absence of any malicious intent as to cause delay in the resolution of the dispute, or to employ fraudulent machinations which would otherwise result in an unsatisfactory resolution.

#### ***Paragraphs 2 & 3***

Paragraphs 2 and 3 provides that, where the States Parties are unable to reach a satisfactory resolution, the parties may refer the resolution of the controversy to the Body established under Article 4 of the Treaty. This provision is intended to facilitate a speedier disposition of a controversy or dispute relating to the interpretation, application or implementation of the Treaty. Consequently, the Body shall hear, determine and decide based on the merits of the controversy and may, if it deems it necessary, request additional instruments or effects to ensure a just and well-informed decision-making process.

#### ***Paragraphs 4 & 5***

Paragraphs 4 and 5 is intended to apply to States Parties that opts to resolve by mutual consent the dispute which remains unresolved through mediation or when the parties do not agree to refer the dispute to the Body. In such a case, the Parties may submit the dispute to the Permanent Court of Arbitration (PCA) established for that purpose for binding arbitration. The award rendered by the PCA shall be final and binding on the parties involved.

#### ***Paragraphs 6 & 7***

Paragraphs 6 and 7 pertains to the right of the Body or PCA to compel the parties involved to submit any documents, instruments or other effects and the obligation of the parties involved to cooperate and comply with the demands of the Body or PCA to ensure a speedy and just resolution of the dispute. Additionally, any costs arising from the dispute resolution process, including, but are not limited to the expenses of the Body and the PCA, shall be borne by the parties.

***Paragraph 8***

Paragraph 8 is a compatibility clause which is intended to provide other reliefs or measures from competent courts, appropriate to the nature of the dispute, to ensure that the rights or interests of the States Parties involved are protected and respected during the pendency of the proceeding. The compatibility clause shall be understood as to grant to each State Party the right to seek appropriate injunctive relief or interim measures pending the resolution of the dispute.

**Article IX. Amendments and Review**

***Paragraph 1***

Paragraph 1 provides that the provisions of the Treaty are without prejudice to any subsequent Amendments during the life of the Treaty. The State Party or State Parties who aim to make amendments to the Treaty shall initiate it by setting forth a proposal with the Artificial Intelligence Compliance and Monitoring Body who shall then be the one to communicate the proposal to all other State Parties.

***Paragraph 2***

Paragraph 2 provides for the conduct of a meeting for the purpose of determining the merits of the proposed amendments. The State Parties shall decide whether the proposed amendments are substantial enough to undergo the amendment process. The process for the determination of the merits of the proposed amendments shall be determined by the Artificial Intelligence Compliance and Monitoring Body.

The meeting for this purpose shall be conducted not later than thirty (30) days after all State Parties have received transcripts of the proposed amendments.'

### ***Paragraph 3***

During the meeting contemplated in the preceding paragraph, upon determination of the State Parties that the proposed amendments are justified, the Artificial Intelligence Compliance and Monitoring Body shall proceed with determining a manner of votation, subject to the absolute condition that the proposed amendments shall only be adopted by a concurrence of at least two-thirds vote of all the State Parties present, while also excluding from the votation process the State Party which proposed the amendments.

### ***Paragraph 4***

Paragraph 4 provides that after a concurrence of at least two-thirds of all State Parties present and voting, the adopted amendment shall be communicated by the Artificial Intelligence Compliance and Monitoring Body to all State Parties within thirty (30) days from the conclusion of the meeting.

### ***Paragraph 5***

Paragraph 5 provides when the adopted amendments shall enter into force within each State Party. The adopted amendments shall enter into force within a State Party after one hundred twenty (120) days after its receipt of the transcript and instruments of the adopted amendments.

### ***Paragraph 6***

Paragraph 6 provides that the Artificial Intelligence Compliance and Monitoring Body shall deposit with the Secretary-General of the United Nations the instruments for the adopted amendments within a reasonable period.

Failure of the Artificial Intelligence Compliance and Monitoring Body to perform such function within a reasonable time shall not prejudice the entry into force of the adopted amendments within each State Party.

### ***Paragraph 7***

Paragraph 7 provides a limitation to the frequency of proposing amendments to the Artificial Intelligence Compliance and Monitoring Body. Within six (6) months after a vote has been cast to adopt an amendment, regardless if the vote has resulted in the needed concurrence, no amendment may be proposed.

A similar prohibition is imposed within eighteen (18) months immediately after entry into force of the Treaty.

## **Article X. Meetings**

### ***Paragraph 1***

Paragraph 1 provides that the first meeting shall be conducted within one year from entry into force of the Treaty. The date of the meeting shall be determined by the Body which, pursuant to Article 4 of the Treaty, is composed of the heads of the National Task Force established by each State Party under their jurisdiction. Subsequently, the Body shall notify each State Party sixty (60) days prior to such meeting. The meeting shall discuss, identify, and determine material dates comprising the deadlines for the submission of instruments and declarations enumerated under Article 6 of the Treaty, dates and frequencies of regular meetings, the procedure and mechanism for subsequent meetings and assemblies not specified in the Treaty and other matters which the Body or each State Party deemed necessary. For purposes of determining the aforementioned dates and other relevant matters, the approval and ratification of the majority of all present State Parties during the meeting shall be binding as among all States Parties.

### ***Paragraph 2***

Regular meetings, as contemplated in Paragraph 2, are established to ensure the adherence of each State Party in the fulfillment of the obligations imposed under the Treaty. Accordingly, each State Party must submit a report indicating the procedures and measures taken to carry out its obligations and the progress of its implementation. Likewise, all relevant matters which include, but are not limited to, plans of actions and issues and challenges on the application and implementation of the Treaty shall be discussed.

Paragraph 2 also provides for the number of State Parties necessitated for a meeting to be deemed valid. At least two-thirds of all State Parties must be in attendance for the meeting to be valid. All decisions therein shall also be binding to all State Parties, provided they meet the required concurrence provided under the provisions of the Treaty.

### ***Paragraph 3***

Paragraph 3 intends to grant and allow the Body, upon the concurrence of at least one half of the State Parties, to convene an extraordinary meeting to discuss matters which the latter deem necessary. The Body must notify each State Party thirty (30) days prior to such meeting.

### ***Paragraph 4***

Paragraph 4 is intended to allow competent authorities not covered by the Treaty to participate in the meetings of State Parties on the grounds of relevance, but shall not be allowed to partake in the decision-making procedures of the State Parties, such as, but not limited to the conduct of votes. They may, however, upon the request of a State Party, offer expert information or opinions based on practical implications and policy considerations to assist and or provide an extensive range of arguments to ensure just and well-informed decision-making processes.

## **PART IV. FINAL PROVISIONS**

### **Article XI. Signature, Ratification, Acceptance, and Approval**

#### ***Paragraph 1***

Paragraph 1 provides that the signature of States in signing the Treaty shall be in the character of a Simple Signature as contemplated in the *United Nations Treaty Handbook* and does not immediately bind the State. The Simple Signature merely expresses the State's intent to take actions to be bound through its own internal procedures.

Paragraph 1 also provides for the parties who may sign the Treaty in representation of the State. Signatures in the Treaty may be made only by the hand of the Head of State, Head of Government, or Secretary of Foreign Affairs or its equivalent.

Paragraph 1.1 provides for exceptions wherein the Treaty may be signed by the hand of a person other than the Head of State, Head of Government, or Secretary of Foreign Affairs or its equivalent, provided that said person is in possession of a valid instrument of full powers which must follow the guidelines and

formalities under paragraphs 1.1(a) to (e), which provides that it must contain a signature by the Head of State, Head of Government, or Secretary of Foreign Affairs which expressly empowers the specific person to sign the Treaty; the instrument must empower the specific person to sign only one Treaty, with the full name of the Treaty specified in the instrument; the instrument must contain the full name and title of the specific person; the instrument must indicate the date of signing and the place where the signing of the Treaty is held; and the instrument must bear the official seal of the State in addition to the signatures of the Head of State, Head of Government, or Secretary of Foreign Affairs. The Seal shall not serve as a replacement of such.’

### ***Paragraph 2***

Paragraph 2 provides that the signature of a State in the Treaty shall be followed by ratification, acceptance, and approval. The procedures and mechanisms for ratification, acceptance, and approval shall be made through the internal procedures of the signing State.

### ***Paragraph 3***

Paragraph 3 provides that the Treaty will be open for signature to all States as of 14 November 2023.

### ***Paragraph 4***

Upon completion of the internal procedures for ratification, acceptance, and approval, paragraph 4 obligates the signing State to communicate its ratification, acceptance, and approval to other States and to deposit its instruments of ratification, acceptance, and approval with the Secretary-General of the United Nations.

Deposit of instruments of ratification, acceptance, and approval with the Secretary-General of the United Nations shall be open to all signing States as of 30 December 2023.

### ***Paragraph 5***

Paragraph 5 provides that upon completion of all the requirements stated in Article XI of the Treaty, the State shall officially be bound by the Treaty.

## **Article XII. Entry into force**

### ***Paragraph 1***

Paragraph 1 provides that the Treaty shall enter into force on the first day of the month immediately after the 10th instrument of ratification, acceptance, and approval is deposited with the Secretary-General of the United Nations. Consequently, the ten Signatories which have deposited their instruments of ratification, acceptance, and approval to the Treaty will become States Parties and be bound by the Treaty. However, if the date of deposit of the 10th instrument of ratification, acceptance, and approval falls on the first day of a month, the Treaty shall enter into force on the first day of the following month.

### ***Paragraph 2***

Paragraph 2 intends to address Signatories that have ratified, accepted, or approved the Treaty after the deposit of the 10th instrument. Accordingly, the Treaty shall enter into force insofar as that State Party is concerned within thirty (30) days after the date of the deposit of the instrument or instruments of ratification, acceptance, and approval with the Secretary-General of the United Nations.

## **Article XIII. Reservations**

The Articles of and the Explanatory Note attached therein shall not be subject to reservations. However, nothing in the Treaty shall be understood as to circumvent any treaties, laws, or statutes relating to the protection and promotion of human rights.

## **Article XIV. Termination**

### ***Paragraph 1***

Article XIV provides that the Treaty may be terminated with the consent of all the State Parties as well as through a subsequent Treaty repealing the former. All State Parties of the former Treaty must be parties to the subsequent Treaty.

### ***Paragraph 2***

Paragraph 2 sets out, by way of necessary implication, another ground for the termination of the Treaty. Accordingly, the State Parties, at the instance of the Body, may convene a meeting for the purpose of terminating the Treaty should they deem that large-scale AI capabilities research and development no longer poses a threat to ethical and human rights standards. This Paragraph also provides for the method of causing the Treaty's conclusion on the ground contemplated in the preceding paragraph. The Body may call upon a special meeting intended for that purpose where at least three-fourths of all State Parties must be present. The determination for the Treaty's conclusion shall be voted upon during such meeting and the decision must acquire a concurrence of at least four-fifths of all State Parties that are present in the meeting and are allowed to vote

## **Article XV. Duration and Withdrawal**

### ***Paragraph 1***

This Paragraph provides for the general rule that the Treaty shall be deemed to exist perpetually subject to the provisions in the preceding paragraphs. Accordingly, where no termination is effected based on the valid grounds contemplated in the Treaty, that is termination on the basis of mutual consent by all the State Parties, a subsequent Treaty repealing the former, or when it is deemed that large-scale AI capabilities research and development no longer poses a threat to ethical and human rights standards, the Treaty shall remain effective and binding.

### ***Paragraph 2***

Paragraph 2 states that withdrawal to the Treaty may be made by any State Party by means of a notice together with an instrument of withdrawal, made twelve (12) months prior to the date in which the State Party intends to withdraw, addressed to the Body. The Body is given sixty (60) days after receipt of such notice to communicate such withdrawal from the Treaty to all State Parties.

### ***Paragraph 3***

Paragraph 3 states the Body has the obligation to deposit the instrument of withdrawal with the Secretary-General of the United Nations three (3) months prior to



the date in which the State Party intends to withdraw from the Treaty, provided that, the instrument shall specify the grounds for withdrawal enumerated in paragraph 3.1 of this Article. Only the grounds enumerated in paragraphs 3.1(a) to (c) shall validate a withdrawal: the Treaty is infringing on the national sovereignty of the State Party; the Treaty has become contrary to the interests of the State Party; or the Treaty has resulted in great economic losses for the State Party.

#### ***Paragraph 4***

Paragraph 4 states that State Parties may rescind at any time, their intention to withdraw from the Treaty, before the instrument of withdrawal is deposited with the Secretary-General of the United Nations by revoking the notice and instrument of withdrawal.

#### ***Paragraph 5***

Paragraph 5 states that the State Party shall no longer be bound by the Treaty on the date of intended withdrawal upon satisfactory compliance with paragraph 2 and 3 of this Article, otherwise, they shall remain bound by the Treaty.

### **Article XVI. Depositary**

#### ***Paragraph 1***

Paragraph 1 states that the Secretary-General of the United Nations shall serve as the Depositary of the Treaty.

#### ***Paragraph 2***

Paragraph 2 provides that the capacity of the Secretary-General of the United Nations as depositary is limited only to those functions specified by the Treaty.

### **Article XVII. Authentic Texts**

Article XVII of the Treaty provides for two precepts. First is the obligation of the Artificial Intelligence Compliance and Monitoring Body to deposit with the Secretary-General of the United Nations the original of the Treaty. Second is the

authenticity of Chinese, French, Russian, and Spanish texts to the same extent as that of the English text.

# **TREATY ON THE MORATORIUM OF LARGE-SCALE AI CAPABILITIES RESEARCH AND DEVELOPMENT**

The State Parties to this Treaty,

Acknowledging the ethical and human rights implications associated with the development of Artificial Intelligence (AI) technologies, particularly the further research and development of Artificial Intelligence (AI) systems with large-scale capabilities,

Acknowledging that furthering Artificial Intelligence capabilities is inherently risky, creating substantial negative impacts such as job displacement, erosion of personal liberties, and reducing human intelligence,

Recognizing the rapid progress of AI systems surpassing the establishment of comprehensive ethical frameworks and guidelines, resulting in ethical dilemmas,

Recognizing the benefits of AI development and, at the same time, the responsible practices to uphold human rights and ethical principles,

Concerned by the further research and development of Artificial Intelligence systems with large-scale capabilities overtaking the ability of humans to develop safeguards and precautions for ethics and human rights,

Emphasizing the need for collaboration among states in bridging the gap between the further development of AI and the establishment of human rights safeguards and ethical frameworks by establishing a body that shall oversee this Treaty,

With the intention of establishing policies and safeguards to insulate ethical standards and human rights from the rapid development of AI systems with large-scale capabilities,

Have agreed as follows:

## **ARTICLE I**

### **Scope and Purpose**

Each State Party shall cease and prohibit the further development and operation of Artificial Intelligence systems through global cooperation, international governance and enactment of national laws to address ethical and human rights challenges associated with the research and development of Artificial Intelligence

systems with large-scale capabilities while preserving the State Parties' national autonomy.

## **ARTICLE II**

### **Definition of Terms**

1. For the purpose of this Agreement:
  - a. "Artificial Intelligence Compliance and Monitoring Body or the Body" shall refer to the organization that shall monitor compliance by the State Parties with their obligations under the Treaty.
  - b. "Artificial Intelligence System" shall refer to, in the general sense, any system that stimulates or approximates human intelligence; in a specific sense, it shall refer to any system or machine capable of cognitive functions associated with humans through deep learning algorithm;
  - c. "Artificial General Intelligence" shall refer to the representation of generalized human cognitive abilities in software;
  - d. "Artificial Superintelligence" shall refer to any Artificial Intelligence system capable of surpassing human intelligence by manifesting cognitive skills and developing thinking skills of its own;
  - e. "Artificial Intelligence systems with large-scale capabilities" shall refer to Artificial Intelligence systems that use deep learning techniques and massively large data sets to understand, summarize, and predict new content;
  - f. "Graphics Processing Unit or GPU" shall refer to any computer system that has parallel processing ability suitable for deep learning and other compute-intensive workloads;
  - g. "International Joint Venture" shall refer to an agreement between two (2) or more States with the aim of developing, operating, integrating, or innovating Artificial Intelligence systems;
  - h. "Machine Learning Model" shall refer to a program capable of making decisions based on data without requiring predetermined equations;
  - i. "Quantum Computer" shall refer to any device or program utilizing qubits and operating non-linearly to increase the speed, efficiency, and accuracy of Artificial Intelligence systems;

- j. "Research and Development" shall refer to activities aimed at advancing the understanding, design, and implementation of large-scale AI capabilities;
- k. "Research and Development (R&D) facility/ies" shall refer to a server farm or data center that is engaged in the research and development of Artificial Intelligence systems with large-scale capabilities, including GPU and TPU server farms or data centers;
- l. "Server Farm" or "Data Center" shall refer to a collection or a place of computer servers used jointly to perform functions related to running or operating Artificial Intelligence systems;
- m. "National Task Force" shall refer to a unit or group established by a State Party to enforce and implement this Treaty within its territory and jurisdiction; primarily, it shall address the ethical and human rights considerations associated with the research and development of Artificial Intelligence systems with large-scale capabilities;
- n. "Tensor Processing Unit or TPU" shall refer to Application Specific Integrated Circuits (ASICs) which perform tensor operations, the core building blocks of neural network computations;

### **ARTICLE III**

#### **Rights and Obligations**

1. Each State Party undertakes to:
  - a. Cease and prohibit the research and development of AI systems with large-scale capabilities which include the further use, integration, and development of such Artificial Intelligence systems;
  - b. Cease the operations of existing facilities performing deep learning algorithms used by Artificial Intelligence systems;
  - c. Prohibit the establishment, installation, or further development of R&D facilities within its territory and jurisdiction;
  - d. Cease and prohibit the use, development, and training of Machine Learning models with a configuration variable exceeding 500 million parameters;

- e. Prohibit the use of quantum computers in training machine learning models and other applications to Artificial Intelligence systems, especially those with large-scale capabilities.
2. Each State Party confers to the other State Parties the following rights with regard to the enactment and implementation within their jurisdiction the prohibitions referred to in the preceding paragraph:
  - a. The right to identify, based on international standards for AI systems and its statutorily established parameters, any facility that is engaged in the research and development of AI systems with large-scale capabilities;
  - b. The right to adopt, implement, or incorporate policies enacted by the Artificial Intelligence Compliance and Monitoring Body created for the purpose of operating, managing, and overseeing the National Task Force of each Contracting State as their own;
  - c. The right to adopt, implement, or incorporate policies created by the National Task Force of each Contracting State as their own within their respective States;
3. The right provided for in Article III, paragraph 2(c) shall not be understood as to vest upon another State the right to investigate on its own and by its own terms controversies arising within the jurisdiction of another State Party without the consent of the latter;
4. Nothing in this Treaty shall be construed to confer upon another State Party the right to implement policies on the proscription in the use, integration, and development of Artificial Intelligence systems outside of their jurisdiction.

#### **ARTICLE IV**

##### **The Artificial Intelligence Compliance and Monitoring Body and the National Task Force**

1. The State Parties shall establish an independent body, the Artificial Intelligence Compliance and Monitoring Body or the Body, that shall oversee the implementation, compliance, and monitoring of the provisions of this Treaty and shall be composed of the heads of the National Task Forces established by the State Parties;

2. The Body shall monitor compliance of the reports required under Article VI, paragraph 4, submitted by each State Party and shall verify whether the procedures are being carried out. The Body shall also verify whether actual progress is effectuated in between submission of reports by each State Party. The Body shall also have the directive to recommend plans of action to State Parties upon its discretion.
3. If a State Party is found to be inefficient in carrying out the procedures and policies despite the recommendations given by the Body, the latter may, in its own discretion, summon such State Party and have it explain the reasons for its failure to implement and carry out policies agreed upon in this Treaty. In default of such State Party, or should the Body deem it necessary, an investigatory board may be established for the purpose of investigating such State Party.
4. Each State Party shall establish a National Task Force to carry out the obligations provided for under this Treaty in their respective territories and jurisdiction, the composition, mandate, and operational procedures of which shall be determined and formalized by the competent authorities of the State Parties.
5. The National Task Force shall primarily address the ethical and human rights considerations associated with the research and development of Artificial Intelligence systems with large-scale capabilities within its territory and jurisdiction.
6. The National Task Force shall consist of relevant government agencies, experts, stakeholders, and civil society representatives, fostering interdisciplinary collaboration and inclusiveness.
7. The National Task Force shall cooperate, coordinate, and collaborate with the Body and other relevant bodies, such as the Human Rights Committee and the Organisation for Economic Co-operation and Development, to ensure coherence and synergy in addressing ethical and human rights challenges associated with the research and development of Artificial Intelligence systems with large-scale capabilities.

**ARTICLE V**  
**Declarations**

1. Each State Party shall submit to the Body, within thirty (30) days after this Treaty enters into force for that State Party, a declaration stating:
  - a. Subject to Article III paragraph 2(a), whether any Research and Development facility is operational or has been previously operational within its territory and jurisdiction;
  - b. Whether any organization, agency, body, or individual is in the field of research and development of AI systems with large-scale capabilities, or integrating or developing quantum computers and/or machine learning models;
  - c. Whether any international joint venture exists with another State Party or with a non-State Party in the pursuit of further developing AI systems with large-scale capabilities.
2. The Body shall transmit such declarations to the State Parties.

## **ARTICLE VI**

### **Moratorium on the research and development of AI systems with large-scale capabilities and the operations of Research & Development facilities**

1. Each State Party that holds, employs, controls, or has within its territory and jurisdiction any organization, agency, body, corporation, or individual who utilizes or operates any R&D facility shall immediately cause the cessation of the same. A deadline for the cessation shall be determined upon the first meeting of the State Parties;
2. Each State Party who has in its territory and jurisdiction any R&D facility, and any facility that operates, uses, and develops any quantum computer and/or machine learning model, whether or not for the same purpose as that of an R&D facility, shall cause its cessation and dismantling under the same time-frame provided for in the preceding paragraph, or may cause it to be utilized for other purposes not prohibited under this Article;
3. Each State Party in international joint ventures and other similar endeavors with other State Parties or non-State Parties for the research and development of Artificial Intelligence systems with large-scale capabilities shall cause the termination of such joint ventures or endeavors. The State Party shall also cause the cessation of the development or operation of



Artificial Intelligence systems generated by the joint venture or endeavor, in relation to the mandates provided for in Article VI, paragraphs 1 and 2;

4. Each State Party affected by any or all of the mandates of this Article shall, during every meeting of State Parties, submit a report to the Body comprising the procedure and progress of its implementation of the mandates and obligations provided in this Article. This obligation shall subsist until the mandates and obligations under this Article are fulfilled.

## **ARTICLE VII**

### **Implementation**

1. Each State Party shall cause the fulfillment of all obligations under this Treaty through the adoption and implementation of appropriate legal measures, which includes, but is not limited to the imposition of penal and administrative sanctions to ensure compliance and prohibit any activities proscribed by this Treaty;
2. Each State Party shall ensure that all acts which purports to establish, install, operate, use, or further develop Artificial Intelligence Systems with large-scale capabilities, or that which tends to promote the same, be regarded as offenses under its criminal laws;
3. Each State Party shall submit to the Body at the first meeting of State Parties a copy of the laws and other measures to be implemented for the fulfillment of the obligations imposed by this Treaty in a comprehensive plan of action, as contemplated in the preceding paragraph.

## **ARTICLE VIII**

### **Dispute Resolution**

1. In the event of any dispute arising between parties regarding the interpretation, application, or implementation of this Treaty, the parties shall, in the first instance, seek to resolve the dispute through negotiation and consultation in good faith;
2. If the parties are unable to reach a satisfactory resolution through negotiation and consultation, they may agree to refer the dispute to the Artificial Intelligence Compliance and Monitoring Body established under Article IV of this Treaty;

3. The parties may jointly request the Body to mediate the dispute, facilitate dialogue, and provide recommendations for resolving the dispute;
4. If the dispute remains unresolved through mediation or the parties do not agree to refer the dispute to the Body, they may, by mutual consent, submit the dispute to the Permanent Court of Arbitration (PCA) for binding arbitration in accordance with the PCA's rules and procedures;
5. The decision or award rendered by the PCA shall be final and binding on the parties involved and shall be promptly implemented;
6. Parties shall cooperate fully with the Body and the PCA, providing all necessary information and assistance to facilitate the resolution of the dispute;
7. Any costs related to the dispute resolution process, including the expenses of the Body and the PCA, shall be borne by the parties as determined by the respective bodies or as mutually agreed upon by the parties;
8. Nothing in this Article shall prevent the parties from seeking interim measures or injunctive relief from competent courts to protect their rights or interests pending the resolution of the dispute.

## **ARTICLE IX**

### **Amendments and Review**

1. During the effectivity of this Treaty, any State Party may propose an amendment to the Body. The Body shall communicate any proposed amendment to all State Parties;
2. A meeting shall be held for the purpose of deciding upon the proposed amendments, not later than thirty (30) days after all State Parties have received transcripts of the proposed amendments. The meeting shall be for the purpose of determining the merits of the proposed amendments;
3. Amendments to this Treaty shall only be adopted by a majority of two-thirds of the State Parties present and voting during the meeting stipulated in the preceding paragraph. The manner of conducting the votation shall be determined by the Body. The State Party which proposed the amendments shall be excluded from voting;
4. The adopted amendments shall be communicated by the Body to all State Parties within thirty (30) days from the conclusion of the meeting;

5. The adopted amendments which have acquired majority concurrence by means specified in Article IX, paragraph 3 shall enter into force within each State Party one hundred twenty (120) days after its receipt of the transcript and instruments of the adopted amendments;
6. The instruments for the adopted amendments shall be deposited with the Secretary-General of the United Nations;
7. No amendments may be proposed within six (6) months after a vote referred to in Article IX, paragraph 3 has been held, regardless of the outcome, or within eighteen (18) months immediately after entry into force of this Treaty.

## **ARTICLE X**

### **Meetings**

1. All State Parties shall conduct the first meeting within one (1) year from entry into force of this Treaty to all State Parties which shall be presided by the Body. The first meeting shall be for the purpose of determining deadlines contemplated in Article VI of this Treaty, as well as for the submission of plans of action by each State Party contemplated in Article VII, paragraph 2 of this Treaty. The first meeting shall also be for the purpose of determining the rules of procedure for subsequent meetings and assemblies not specified in this Treaty. It shall also be for other purposes deemed necessary and relevant by the State Parties;
2. All State Parties shall conduct regular meetings, the frequency and dates of which shall be determined during the first meeting, for the purpose of reviewing and discussing plans of actions and to address issues and challenges on the application and implementation of this Treaty. Meetings shall be deemed valid, and decisions therein deemed binding, subject to the required concurrence provided for under the provisions of this Treaty, upon attendance of at least two-thirds of all State Parties;
3. Extraordinary meetings other than those specified and scheduled under the rules in the preceding paragraphs may be conducted upon approval of at least one half of the State Parties;
4. Parties and entities not covered by this Treaty may be invited to participate in the meetings of State Parties on the grounds of relevance, but shall not be

allowed to partake in the decision-making procedures of the State Parties, such as, but not limited to the conduct of votes.

## **ARTICLE XI**

### **Signature, Ratification, Acceptance, and Approval**

1. Each State shall express its intention to partake steps to be bound upon signing this Treaty by the hand of its Head of State, Head of Government, or Secretary of Foreign Affairs;
  - 1.1 A person other than the Head of State, Head of Government, or Secretary of Foreign Affairs may sign this Treaty if in possession of a valid instrument of full powers containing the following information:
    - a. The instrument must contain a signature by the Head of State, Head of Government, or Secretary of Foreign Affairs which expressly empowers a specific person to sign the Treaty;
    - b. The instrument must empower the specific person to sign only one Treaty, with the full name of the Treaty specified in the instrument;
    - c. The instrument must contain the full name and title of the specific person representing the Head of State, Head of Government, or Secretary of Foreign Affairs in signing this Treaty;
    - d. The instrument must indicate the date of signing and the place where the signing of this Treaty is held;
    - e. The instrument must bear the official seal of the State in addition to the signatures of the Head of State, Head of Government, or Secretary of Foreign Affairs, and shall not serve as a replacement of such.
2. The signature of each State must be ratified, accepted and approved through its own internal procedures for the State to be bound by this Treaty;
3. This Treaty shall be open for signature to all States until the 14th of November, 2023;
4. The ratification, acceptance, and approval must be communicated to other States to signify its consent to be bound and the instrument of ratification, acceptance, and approval must be deposited with the Secretary-General of the United Nations by 30th of December, 2023;
5. Fulfillment of these requirements shall officially bind the State to this Treaty.

## **ARTICLE XII**

### **Entry into force**

1. This Treaty shall enter into force on the first day of the month immediately after the 10th instrument of ratification, acceptance, and approval is deposited with the Secretary-General of the United Nations;
2. For the States which deposit its instrument of ratification, acceptance, and approval with the Secretary-General of the United Nations after the 10th deposit is made, this Treaty shall enter into force with respect to it within thirty (30) days after the date of such deposit.

## **ARTICLE XIII**

### **Reservations**

No reservations may be made to this Treaty.

## **ARTICLE XIV**

### **Termination**

1. This Treaty may be terminated with the consent of all the State Parties or by a subsequent Treaty expressly repealing this Treaty to which all the State Parties of the former Treaty are also parties to the subsequent Treaty;
2. This Treaty may also be terminated on the ground that large-scale AI capabilities research and development no longer pose a threat to ethical and human rights standards. The determination for the termination of this Treaty on said ground shall be made during a special meeting called by the Body, chiefly held for such purpose, and with at least three-fourths of all State Parties present, through the conduct of a vote with a concurrence of at least four-fifths of all State Parties present and voting.

## **ARTICLE XV**

### **Duration and Withdrawal**

1. This Treaty shall exist perpetually unless terminated on the grounds provided in the immediately preceding Article.
2. Any State Party may withdraw by giving a notice to the Body twelve (12) months prior to the date in which the State Party intends to withdraw from this Treaty. The notice shall be accompanied by an instrument of withdrawal, both

of which shall be communicated by the Body to all State Parties sixty (60) days after receipt;

3. The Body shall deposit the instrument of withdrawal with the Secretary-General of the United Nations three (3) months prior to the date in which the State Party intends to withdraw from this Treaty;
  - 3.1 The Instrument shall specify the grounds for withdrawal which shall be limited to the following:
    - a. The Treaty is infringing on the national sovereignty of the State Party;
    - b. The Treaty has become contrary to the interests of the State Party; or
    - c. The Treaty has resulted in great economic losses for the State Party.
4. The State Party may rescind its intention to withdraw by revoking its notice and instrument of withdrawal within any time before such is deposited by the Body with the Secretary-General of the United Nations;
5. Any State Party who has satisfied the requirements in paragraphs 2 and 3 of this Article shall no longer be bound by this Treaty on the date of intended withdrawal. A State Party who has failed to fulfill these requirements shall remain bound by this Treaty.

## **ARTICLE XVI**

### **Depositary**

1. The Secretary-General of the United Nations shall be designated as the Depositary of this Treaty;
2. The capacity of the Secretary-General of the United Nations as Depositary shall be limited only to the acts specified by this Treaty.

## **ARTICLE XVII**

### **Authentic texts**

The original of the present Treaty, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations.

IN WITNESS WHEREOF the undersigned Plenipotentiaries, being duly authorized thereto by their respective Governments, have signed the present Treaty.

DONE at San Francisco, United States of America this fifteenth day of July, two thousand and twenty-three.