

UNIVERSAL DECLARATION ON THE RESPONSIBLE USE OF ARTIFICIAL INTELLIGENCE IN THE LEGAL PROFESSION

We, lawyers coming from 26 countries across the globe, have gathered here in Geneva to sign this pledge on the responsible and fair use of Artificial Intelligence (“AI”) in our daily practice.

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We have considered that:

- AI like many new technologies can change the world and the usual way to provide legal services;
- This change can be for worse or better, and we have the responsibility to lead it for the latter;
- It is our duty to serve the interests of justice;
- We aim to contribute to creating a better world, removing or lowering barriers to access to justice;
- It is our aim to develop a work environment based on equality, diversity, trust and mutual respect among all human beings, despite any differences of opinion, culture, gender, health, wealth, age, nationality or ethnicity;
- We strongly believe in a cross-cultural exchange of knowledge and mutual respect among individuals and groups because all human beings share the same dignity;
- It is our goal to use AI to remove or lower barriers between developed and least developed countries because everyone – whenever it is – has the right to fair access to justice;
- AI can be a useful tool to respect the environment and the ecosystems, lower emissions, and fight climate change;
- We strongly believe that all laws and decisions shall be drafted by human beings and AI shall be subject to regulations securing the human factor in the decision-making process;
- We believe that development of the AI to the level of AI singularity should be subject to regulation carefully addressing all ethical and legal aspects of modern society with a clear priority of the well-being of humans.

We have also considered:

- the 2030 Agenda for Sustainable Development, adopted by the United Nations General Assembly on 25th September 2015; and, in particular,
 - SDG 5 (“Achieve gender equality and empower all women and girls”),
 - SDG 16 (“Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels”), and
 - SDG 17 (“Strengthen the means of implementation and revitalize the global partnership for sustainable development”)
- the UNESCO Recommendation on the Ethics of Artificial Intelligence adopted on 23rd November 2021
- the European Ethical Charter on the use of Artificial Intelligence in judicial systems and their environment, adopted by the European Commission for the Efficiency of Justice (CEPEJ) on 3-4 December 2018.

In this Declaration, we define Artificial Intelligence as “the use of computer programs that have some of the qualities of the human mind, such as the ability to understand language, recognize pictures, and learn from experience” and the “computer technology that allows something to be done in a way that is similar to the way a human would do it” as well as the “field, which combines computer science and robust datasets, to enable problem-solving. It also encompasses machine learning and deep learning sub-fields, frequently mentioned in conjunction with artificial intelligence. These disciplines are comprised of AI algorithms which seek to create expert systems which make predictions or classifications based on input data” in their broadest meanings.

To make justice accessible to everyone, we hope that AI programs and systems can be free of charge or – in the alternative – the States can develop a system of compulsory licensing like the one provided for in the TRIPs about pharmaceuticals. We shall work together to ensure that AI systems are accessible in all countries and educate other countries about their experiences and knowledge of AI applications to legal practice. We hope that nobody will be left behind.

We also hope that every local Bar Council (or any other independent body) can supervise the responsible and fair use of AI in the legal profession.

We strongly believe that AI can be a useful and powerful tool, but it cannot replace our knowledge, ability, and empathy. The use of AI cannot lead us to lose our critical thinking and analytical skills.

We – signing this Declaration – solemnly promise to respect the following principles:

1. AI can be used in providing legal services, but the ultimate decision on a case must be taken by a human being (lawyer or client, as the case may be). We believe that every case has a margin of unpredictability at the outset and AI cannot determine the outcome of a case with absolute certainty. AI should not replace human judgment, empathy, and ethics which are part of the legal profession.
2. We are aware that AI can promote equality and fair access to justice only if it is based on proper and verified materials and is designed to promote universal values.
3. AI training and databases shall always be approved by human beings and AI shall not be allowed to use unauthorised data in any legally sensitive procedure.
4. AI must be used fairly. We shall use AI in a transparent, responsible, and ethical way to promote access to justice and to give better services to our clients, respecting the human rights of any party involved.
5. We commit ourselves not to use AI to promote, support or abet illegal or unethical activities and not to take advantage of such behaviour.
6. AI should be used to support the standards of the legal profession, and its results or outcomes should always be verified by the lawyers using it. We shall be accountable in this regard.
7. In any article, opinion, brief, presentation or submission, where the drafter has used the assistance of AI, the drafter shall identify and inform the readers by way of index or footnote that the source of certain information in the said document was obtained from AI source or that the document is entirely AI-generated. This includes disclosure of AI algorithms, data sources, and the purpose of their application.
8. We commit ourselves to not using AI-generated texts, arguments, citations, judgments, or any other content without evaluation by legal professionals. Rigorous review and cross-verification of any AI-generated content should be conducted.
9. In litigation or any ADR proceedings, the above information shall be given to each party involved, the decision maker included.
10. We shall give prior information to our clients about the use of AI in handling their matters. The client has the right to refuse such use. This does not apply to invoicing,

conflict checks and using current databases on legislation and case law or commonly used search engines.

11. In using AI, we value our client's right to privacy, and we make our best endeavours to ensure that their data are appropriately safeguarded and their privacy respected.
12. We commit ourselves to use only AI programs that provide transparent information about their sources of data inputs (including past cases, demographic information, or any other information the algorithm is trained on), how computer scientists and Legal AI ethicists train the programs, and the algorithm understand how decisions are reached to ensure that programs do not discriminate against any group. We shall prefer such AI programs that will regularly undergo audits of their internal workings to ensure that there is consistency in decisions and that there are no elements of the program that are discriminating against any group or reinforcing any existing biases or inequities against any group.
13. We commit ourselves to informing relevant authorities and AI tools provide about observed irregularities that hinder any aspect of fair access to justice.
14. We commit ourselves to an ongoing duty to learn and adjourn our knowledge in the AI field.
15. Any risk of professional liability due to the use of AI shall be covered by an appropriate insurance policy.
16. We promise to collaborate cross-borders to optimize the use of AI to represent clients, promote access to justice, and advocate for systems that embed anti-discriminatory practices and protocols.
17. We shall use AI to reduce business travel, whenever possible, fostering the use of a reliable network of lawyers in different jurisdictions, bearing in mind that – sometimes – face-to-face meetings or in-presence hearings cannot be replaced by online platforms.
18. We strongly encourage cooperation among legal practitioners and institutions, sharing best practices and lessons learned regarding AI in the legal field, to promote the development and standardization of the industry and better access to justice.
19. We commit ourselves to properly training our employees and external collaborators to respect and adopt the above principles, without any discrimination and promoting diversity and inclusivity.

20. We are aware that the use of AI can lead to redundancy in some job positions. We try our best to give our employees appropriate training or other job opportunities.

21. This Declaration can be signed by any lawyer admitted in any jurisdiction of the world.

Signed in Geneva, Palais des Nations, on the 26th of June 2023

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