




Legal and Comparative Analysis of Civil Liability of Artificial Intelligence in Automated Decision-Making

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E d i t o r	R e v i e w e r s
Saman Kamari Songhorabadi  Department of Psychology and Cognitive Sciences, University of Trento, Trento, Italy s.kamarisonghorabadi@unitn.it	Reviewer 1: Masoud Mirmoezi  Department of Physical Education and Sport Sciences, Islamic Azad University, Central Tehran Branch, Tehran, Iran. Email: massoudmirmoezi@live.com Reviewer 2: Seyed Mohammad Hosseini  Assistant Professor, Department of Health and Rehabilitation in Sports, Shahid Beheshti University, Tehran, Iran. Email: moh_hosseini@sbu.ac.ir

1. Round 1

1.1 Reviewer 1

Reviewer:

The phrase "In Iran, the absence of specific regulations in this area may lead to significant legal ambiguities and enforcement challenges in AI-related lawsuits." should be supported by a specific example or a comparative reference to another jurisdiction that has adopted clear AI liability laws.

The reference "(Katouzian, 2011)" is used in the discussion of civil liability in Iranian law. However, the specific work by Katouzian should be identified in the reference list to ensure clarity. Also, consider adding a sentence explaining why this source is authoritative in Iranian civil law.

The sentence "The draft AI Act (2021) suggests that any organization or company utilizing automated decision-making systems should be liable for all resulting damages, even in the absence of fault." needs a citation from an official EU document to confirm its accuracy. Also, clarify if the reference is to the Artificial Intelligence Act or another regulation.

The Black Box Theory is introduced to explain AI decision opacity, but it would be beneficial to briefly discuss existing legal solutions proposed to address this issue, such as AI auditing requirements or transparency obligations in the EU AI Act.

The comparative legal section focuses on the U.S., EU, and Iran, but China's evolving AI regulatory framework is briefly mentioned in the conclusion. Consider incorporating China's approach into this section, particularly given its AI-driven regulatory developments.

The claim "In a relevant case in the United States, a court ruled that a trading robot was merely a tool and that final decision-making rested with the developing company (Bryson et al., 2017)." needs a specific court decision reference to establish its validity.

The discussion on granting AI limited legal personality presents Germany's proposal but does not provide counterarguments against this approach. Consider including critiques, such as the potential ethical and legal complexities of treating AI as a legal entity.

Author revised the manuscript and uploaded the updated document.

1.2 Reviewer 2

Reviewer:

The methodology mentions that "credible sources, including domestic laws, international regulations, academic articles, and legal books, have been utilized." It would strengthen the credibility of the study to briefly discuss the selection criteria for these sources. Were they chosen based on relevance, citation frequency, or another factor?

The sentence "For instance, if a self-driving vehicle causes an accident due to a failure in its path recognition system, who should be held liable for the damages?" could be improved by briefly mentioning legal precedents (e.g., the Uber 2018 case) to illustrate how different legal systems approach this issue.

The discussion on the U.S. legal system states "In the U.S. legal system, certain judicial precedents recognize the liability of AI developers and manufacturers." This statement should specify which court decisions or legal doctrines were analyzed, providing case citations beyond the Uber case.

The comparative analysis discusses Germany's stance but does not mention how other EU jurisdictions, such as France and Spain, have responded to AI liability. Adding brief references to these countries would strengthen the breadth of the comparison.

The article states that Iranian law does not yet have AI-specific liability rules but does not analyze any Iranian court decisions that have dealt with AI-related issues indirectly. If no such cases exist, consider discussing related Iranian rulings on emerging technologies.

The recommendation "In high-risk domains, such as autonomous vehicles, medical AI systems, and cybersecurity AI, it is recommended that a strict liability model be implemented." should be supported by examples of industries where this has already been implemented or where discussions are underway.

Author revised the manuscript and uploaded the updated document.

2. Revised

Editor's decision after revisions: Accepted.

Editor in Chief's decision: Accepted.