



THE NECESSARY ELEMENTS FOR THE ROBOT TO RECEIVE CITIZENSHIP, WHETHER AS A PERSON OR AN OBJECT

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Abstract:

There have been a number of developments at the international level in the field of artificial intelligence, in which the whole world has accelerated its research, due to its dangerous nature for the humankind. What attracts our attention for research is the idea of granting citizenship to the robot. This raises the problem of the availability of citizenship elements in the robot. This leads us to research the possibility for the robot to receive citizenship as a natural, a moral person, or an object. In addition to the need to search for other elements to grant it citizenship, namely the extent to which the State is free to grant the robot citizenship and the link between them. Finally, we end up saying that it is necessary to grant citizenship to the robot, but under certain conditions, after classifying the types of robots, and with a legal system studied in detail by specialists in the legal, and the artificial intelligence fields.

Keywords: Robot, citizenship, artificial intelligence, legal system, elements, automatic, standards.

Introduction:

There have been several developments at the international level that are in continuous and fast evolution. The researcher must strive to put in place the governing controls to apply these developments and try to predict the problems that may result from them, and provide the best solutions to the conflicts that may arise.

Among these developments that the whole world is greatly interested to research in is the field of artificial intelligence with its various applications. Indeed, it is one of the most dangerous occurrences in the human history, as the act is attributed to a machine or the so-called robot. Here, the rights are at risk of being attacked, and then the question arises about who is responsible for this act, whether it is the robot, its operator, its manufacturer, or its programmer. These questions are currently investigated by some researchers.

However, what attracts our attention is another idea that we do not yet find any research related to it, namely the idea of granting citizenship to the robot. This happens even before determining the extent to which the robot is considered to enjoy legal personality or not, as it has rights that only legal persons originally enjoy, whether natural or moral persons.

When looking up the news sites, we find that the idea of granting citizenship to the robot has been materialized on the ground. Actually, Saudi Arabia granted citizenship to the robot named Sophia¹, which enables her to become a full citizen, according to some of these sites. Saudi Arabia is the first country to grant citizenship to a robot².

¹- The robot Sophia was launched on April 19, 2015, and was modelled on British actress Audrey Hepburn. Sophia is known for her human-like looks and behaviors compared to other previous robots. Based on what was expressed by robotics producer David Hanson, Sophia has artificial intelligence, visual data processing, and the ability to distinguish faces. She also simulates human gestures and facial expressions. She also has speech recognition technology from Alphabet (Google's parent company), and the system is designed to become smarter with time (Sophia (Robot), Wikipedia Free Encyclopedia, last modified May 22, 2023, at 12:17, accessed on 25/09/2023, <https://en.wikipedia.org>). Sophia was designed by Hanson Robotics, based in Hong Kong.

²- SA/EA (AFP), Saudi Arabia enters history as the first country to grant its nationality to "Robot", Mad for minds DW, <https://www.dw.com/en>, publication date 27/10/2017, accessed on 25/09/2023.



It is known that every citizen has rights and duties towards society, and it is difficult to accept the robot's benefit from the rights associated with citizenship, but also to fulfill them.

This issue has gained significant attention, outside of Saudi Arabia, as experts look at the type of rights that can be granted to artificial organisms. In turn, we questioned and researched the legal rules and system on the basis of which robots are granted citizenship. As is known, the recipient of citizenship is a person who may be natural, called a patriot, moral person or an object. Will robots obtain citizenship as natural persons, moral persons, or can they obtain citizenship despite being classified as objects?

Is the State free to grant citizenship to the robot as the naturalizing party? What will be the case with the robot-state link? Can the contractual link be excluded and the legal one applied?

To answer these questions, all of which are related to one problematic linked to the availability of citizenship elements of the robot, and due to the lack of references that provide solutions in this field, we had only to resort to the analytical approach, attempting, after studying the general rules governing granting the citizenship, to analyse them and identify the extent to which they may be applied on the robot, and to predict some rules that the international community may consider to grant the robot the said citizenship.

We discussed the subject through two axes. The first axis discusses the possibility of the robot to receive citizenship. It is divided into three sub-axes related to determining the possibility of the robot to receive citizenship as a natural person (first sub-axis), as a moral person (second sub-axis), or as an object (third sub-axis).

As for the second axis, it included researching other necessary elements to grant citizenship to the robot in addition to the recipient of citizenship (robot), in which we will search for the extent of the State's freedom to grant the robot citizenship (first sub-axis), as well as looking for the robot-state link (second sub-axis).

I- Possibility for the robot to receive citizenship

1- Possibility for the robot to receive citizenship as a natural person

As is known, the robot will be the second party in the citizenship bond, and there is no doubt that the main thing that an individual is proud of in this field is that he enjoys the citizenship of his country which protects him³. The eligibility requirement poses a problem for the robot to enjoy citizenship. We have noticed that the robot Sophia has expressed her pride of her citizenship⁴.

Depending on the individual's legal personality, he enjoys a given citizenship, whether he has or lacks eligibility (such as the insane) or has incomplete capacity. Therefore, there is no need to search for the extent to which the robot enjoys eligibility as he can have it whether it is eligible or not.

Yet, is this enough for the robot to receive citizenship as a natural person? Of course not, because the robot is different in nature from the natural person. It is exactly the opposite, as it is characterized by being automated, meaning a set of algorithms that may develop themselves under the so-called artificial intelligence. Thus, the robot is excluded from being a natural person, and not being able to receive citizenship on this basis.

2- Possibility for the robot to receive citizenship as a moral person

Before the invention of the robot, there was a jurisprudential disagreement about the possibility of a moral person to enjoy citizenship. Now the disagreement has been exacerbated if we take into account considering the robot a moral person who receives citizenship.

a- Opinion against the citizenship of the moral person and how to apply it to the robot

Those who deny the idea of citizenship of the moral person believe that citizenship is the tool by which the pillar of the people in the State is determined. It is composed of natural persons only, so it is not conceivable that during the process of census of the State population, moral persons will

³- Makhbat Aisha, Lectures in Private International Law: Module of citizenship, delivered to the students of the third year LMD, Law, sixth semester, Faculty of Law, University of Algiers, Algeria, 2014/2015, p. 12.

⁴- SA/EA (AFP), *ibid.* Paragraph 4.

be included among the citizens⁵. The same applies to the robot. It does not make sense to introduce robots when counting the population of the country. However, we found that the robot Sophia was granted Saudi citizenship as a Saudi citizen. Will this country count the robot Sophia within its population?

Indeed, answering with a “yes” will be a disaster for the human being, as citizens and society as a whole become mixed between the natural human and the robot. It may turn after a while to the robot's attempt to create its own state called the State of robots. This is a fantasy that could become a reality if states continue to grant robots citizenship unconditionally, and without strict rules set by the international community through international bodies, international treaties and agreements.

Thus, the citizenship of the robot is a fictitious or borrowed citizenship and a legal industry, just like the citizenship of the moral person in general, and is not included in the census of the state population.

These opponents add that citizenship entails a set of rights and commitments of a political nature that a moral person cannot perform⁶, and the same applies for a robot, such as participating in governance and elections.

Also, the principles on which citizenship is based such as *jus sanguinis* or *jus soli* are incompatible with the moral person, and more incompatible with the robot, as it cannot have a father or mother. In this regard, the Saudi robot Sophia wishes to have a daughter⁷. Do you know what does this mean? It means that over time, the robot with its superior intelligence can create a family, and its children obtain the nationality of the robot father and mother in a new concept. This is not due to the *jus sanguinis* or *jus soli*, but because they are made as a copy of the robot mother or father. Jurists have previously warned against human cloning, so let alone robotic cloning, and its implications at the level of applying Islamic Sharia, and the law.

b- Opinion supporting the citizenship of the moral person and the extent to which it can be compatible with supporting the citizenship of the robot

This chapter tackles three important opinions, namely, the opinion in favour of the citizenship of the moral person (Section I), the opinion in favour of granting the robot legal personality (Section II), and the opinion granting the robots legal personality while restricting some of the parameters that will affect granting it citizenship (Section III).

Section I: Opinion in favour of the citizenship of the moral person

The majority of jurisprudence believes that there is a confusion between citizenship as a legal system and as a social bond. Nowadays, citizenship is an expression of a person's belonging to a particular state, whether a natural or moral person. The basis of loyalty is not a pillar of citizenship, as we find those who do not have this feeling such as the insane who enjoy the citizenship but not the political rights⁸.

State's strength is not measured by the number of its people, but by its economic strength, in which moral persons contribute. Due to the difference between a natural and a moral person, the basis for granting citizenship will also differ in this regard. For example, we find the citizenship in the State in which it is formed or established, the citizenship in the State in whose territory it exercises its activity, or the citizenship in the State in which the head office is located.

It is then clear that a moral person can receive the citizenship in the State. The question remains: can the robot be considered a moral person who receives citizenship?

⁵- Makhbat Aisha, *ibid.*, P. 13.

⁶- Makhbat Aisha, *ibid.*, P. 13.

⁷- Bayan Al-Satari, Visited Dubai at the Knowledge Summit: Robot Sophia, who was granted Saudi citizenship, wishes to have a child, Al-Bayan, <https://www.albayan.ae/editors-choice/varity/2017-11-26-1.3112218>, published on November 26, 2017, accessed on 25/09/2023.

⁸- Makhbat Aisha, *ibid.*, P. 14.

Section II: Opinion in favour of granting the robot legal personality⁹

This opinion strengthens its position with two clues. The first is the recent trends in foreign countries, where it began to take real positive steps towards changing the perception of the robot. This change, although it has not reached the stage of full recognition of the robot as a personality, is moving in this direction. The second is considerations of legal necessity and a forward-looking view of the future, which requires keeping pace with international legislation in this field.

This is because legal personality is not only a human need, as legal systems have long settled on granting public and private moral persons legal personality within the limits that enable them to carry out the role assigned to them. It is conceivable that legal systems will be forced to recognize the robot as a legal personality that have undoubtedly narrow limits comparing to those of human legal personality.

The emergence of the robot in its various forms (surgical robot, contracting robot, self-driving aircraft) in the relations that require it to commit to some obligations, which requires the existence of a financial liability, is one of the main features of legal personality. What strengthened the position of this opinion is the decision taken by the European Parliament to hold robots responsible for the damage resulting from their actions personally, instead of holding the factory or operator responsible.

In addition, Saudi Arabia has given the name Sophia to one of the smart robots and also granted her citizenship. In fact, Sophia will not be the only robot, nor will Saudi Arabia be the only country that is moving in this direction. Many countries will follow it, thus opening a new door for legal research on the extent to which robots may enjoy non-financial rights such as name, reputation, honour, and the citizenship under study. Then, there won't be many alternatives in front of legal thought. Responding to all these variables will be in the direction of recognizing and determining the legal personality of the robot, and then enjoying the citizenship in the State according to certain legal bases that are determined according to what suits the nature of robots and their role in society.

As a result, a robot with legal personality will also receive citizenship. For a robot to have citizenship, it is not required to have a feeling element, as is the case for the insane, although evolution shows that the robot has begun to develop itself to reach some degree of sensation and feeling.

The State will also be measured in the future by its economic power, to which the robot contributes significantly more than the natural person. We currently find that some countries are trying to make all the roles in a certain entity from the competence of robots without human intervention. For example, the experience of the big hotel whose all services are carried out by robots.

Certainly, the basis for granting citizenship to robots as a legal person will differ from the natural person, as well as from the moral person itself, because new foundations will be sought that are compatible with the legal, formative or technical nature of the robot, as well as according to the goal for which it was made and the role it plays in society.

Section III: Granting robots a legal personality while restricting some features that will affect granting them citizenship

With regard to the criticism of each opinion and the problems that may result from it, the middle opinion emerged, which takes into account the need to respond to the developments in society and avoid the expected problems and in line with the constants of the legal systems.

By analogy with the personality granted to the moral person, it will be necessary to grant the robot the legal personality and citizenship (first); however, this will only be done under certain conditions (second).

First: The need to grant legal personality and citizenship to the robot

⁹- Tahani Hamed Abu Talib, The Robot from the Egyptian Civil Law Perspective (Personality and Responsibility), Journal of Jurisprudential and Legal Research, No. 37, 2022, p. 162.

When applying this opinion by granting it legal personality but with certain restrictions, it will gain citizenship according to obtaining legal personality with certain restrictions as well. What are the restrictions on granting legal personality and thus citizenship?

The supporters of this opinion say that in face of the problems that may result from it, there is a middle opinion that takes into account the need to respond to the developments in society and avoid the expected problems and in line with the constants of the legal systems¹⁰.

By analogy with the legal personality granted to the moral person, where legal jurisprudence has restricted its eligibility to acquire rights with two restrictions, the first of which is its nature. The latter limits acquiring a number of moral rights such as family rights, and the second is the allocation restriction, which requires determining the legal activity of the moral person for the purpose for which it was established. By analogy, granting the robot legal personality will be within the framework of its work, and the obligations that will arise from it. Perhaps the most prominent one is its commitment to financial compensation for the damages resulting from its work, as the purpose of granting the robot personality is not to enable it to separate from the human operator as much as it is to protect society and to define a clear framework for the powers and obligations of this robot. It is the same meaning on which the principle of allocation was based in moral persons¹¹. Based on the above, we will provide an idea about the conditions for granting the robot legal personality.

Second: Conditions for granting the robot legal personality and citizenship

It is necessary to clarify the conditions for granting the robot legal personality (1), and then move on to the conditions and grounds for granting citizenship to the robot (2).

1- Conditions for granting the robot legal personality¹²

Granting legal personality will end up setting determinants for this personality, and the first of these is the controls of granting the robot this personality and then researching its features. However, these conditions, whose importance is well known to legal jurisprudence today, may significantly develop after a few years with the development of technologies applied in this new world, the world of robotics.

Basically, only autonomous robots are given legal personality, which is the type that operates without guidance from its operator after being programmed, as it is independent of its operator and has sufficient intelligence to make decisions in the field in which it operates.

The first condition, then, is the independence of the robot from its operator, and the second one is the robot's enjoyment of intelligence that enables it to respond to those with whom it deals. As for the fact that the robot is physically independent, that is, it has a tangible physical existence and not just an electronic program, this condition is still subject to great controversy.

2- Conditions and bases for granting citizenship to the robot

The first condition for granting the robot citizenship is that it enjoys the above-mentioned legal personality by fulfilling the condition of independence from its operator, and the condition of tangible physical independence that is still controversial, as well as the condition of intelligence that enables it to respond to whoever it deals with, or any conditions that may be added in the future for the robot to enjoy legal personality.

The robot should have special conditions for granting it citizenship, as is the case for a natural and a moral person. Both of them are not granted citizenship just because they are considered natural or moral persons. There are many cases where the person is stateless because of the lack of conditions for granting him citizenship or forfeiture of nationality. There are also natural persons with multiple nationality, and the same applies for a moral person, as we find multinational companies.

This leads us to talk about the grounds for granting citizenship to the robot. Not every robot with a moral personality may have citizenship, but the opposite is true. A robot with a certain citizenship

¹⁰- Tahani Hamed Abu Talib, *ibid.*, P. 162.

¹¹- Tahani Hamed Abu Talib, *ibid.*, P. 165.

¹²- Tahani Hamed Abu Talib, *ibid.* P. 165.

necessarily has a legal personality. These foundations will be studied by international entities and the international community according to certain considerations. The said foundations may change with the development of robots and the technologies applied to them. We will then witness the problem of the statelessness of the robot, as well as the multiple nationality of the robot, which will arrange many problems that require study by jurists.

Among the grounds for granting citizenship to the robot that can potentially be taken is the right of State ownership of the robot. When the manufacturer of the robot cannot impose on the State of which he is a national to obtain the same nationality, but it can obtain the citizenship of its manufacturer by a contract between the manufacturer and his State to transfer property rights to it. He can also transfer property rights to a State other than his own.

After that, the State itself may establish a factory for the manufacture of robots so that the property rights revert directly to it, and therefore it is entitled to grant citizenship to robots that meet the conditions of legal personality. If the manufacturing company does not have the nationality of the country where the robots are manufactured, we may find a basis for granting citizenship in the form of the manufacturing company. This will, of course, be after the consent of the State whose nationality it will hold.

We move to a third basis that jurisprudence can think of to grant citizenship to the robot, which is the place of its activity or the place of performing its role. It may be of Saudi nationality, but it has moved to another country through certain contracts in which there may be someone to represent it and may reach the conclusion of contracts related to its transfer in its original capacity as a robot due to its independence and level of intelligence. For the State to protect itself from the damage it may cause and search for the applicable law, it will prefer to grant its citizenship to the robot that is active in its territory for a period of time so that it can apply the law of the country in which the robot provides the activity, and the law of its State, yet with the availability of other elements to obtain citizenship, such as proving that it provides useful services to that country. The latter will expel the robot if it discovers, for example, that it is a mere spy in the State.

After presenting some possibilities as a basis for the robot to obtain citizenship, it appears that it will obtain it by combining the grounds for granting citizenship to the natural person with those for granting it to the moral person and choosing the most appropriate and closest one, while leaving the addition of conditions that may not exist either in the natural or moral person. As well as controlling and restricting the granting of citizenship by respecting national and international rules and principles in this regard. Therefore, in the future, we will witness in-depth studies related to this topic by jurists with the help of international entities, countries, and specialists in the manufacture of robots, because interests vary among all these, and the goal is to achieve the general interest of society as a whole.

3- Granting citizenship to objects and the extent to which this can be applied to robots

To talk about the possibility for the rules of granting citizenship to objects can be applied to the robot, the robot should first be considered as an object (a), and then investigate the extent to which the robot can be granted citizenship as an object (b).

a- Considering the robot as an object

The legislator in the civil law clarified the provisions of persons, namely the beginning and the end of the personality, those who deserve personality, so it is understood that what is not a person in the law is an object. Accordingly, since the principle is that the legal personality is proven to a person as soon as he is born, and to moral persons under the conditions and controls set by the civil law, the rest remains on its origin, that is not to be considered a person, thus its inability to acquire rights and assume obligations. Therefore, the robot who did not acquire legal personality is treated as an object, and does neither acquire a right nor assume a duty, but rather becomes a subject to in-kind rights, as well as if the acquisition of legal personality was based on certain conditions as will actually happen, then robots in which the conditions are not completed are not granted legal personality and remain objects as they are¹³.

¹³- Tahani Hamed Abu Talib, op. Cit., P. 159.



b- Granting citizenship to the robot as an object

In cases where a robot is considered an object, can it be granted citizenship on that basis? The answer will be according to developments in smart applications and the necessity of obtaining citizenship, as is the case with the ship and the plane.

We have noticed that there are some objects such as ships and planes that have been granted citizenship, not because there is a link between the State and the person, but because of economic, legal and political necessities and considerations. It was necessary to monitor plane flying in international airspace and the consequent dangers that threaten the international community and air navigation. Furthermore, a distinction should be made between foreign and national planes so as not to be confused in the determination of liability¹⁴.

How can citizenship be granted to a pilot plane and not to grant it to a drone? Certainly, the priority is for the drone to obtain citizenship, as its threats to the international community are more serious than the traditional plane.

The same effects are caused by ships. Due to their value and importance and the acts and facts that may occur on board, whether they are roaming an area that is not subject to any sovereignty or within the territorial borders of a particular State, they must be distinguished from other ships¹⁵. The same applies to a ship without a captain transporting goods, for example, from one country to another without the intervention of any human being. There will be urgent necessity to grant it citizenship so that the law of the jungle does not prevail with these smart machines, and the inability to determine who is responsible and determine the applicable law and international rules that must be applied when there are certain agreements between a group of countries on the transport of goods.

Therefore, part of the jurisprudence considers it necessary for these objects to belong to a specific country and to carry its citizenship, flag and enjoy its protection. Since it is impossible for objects to be obligated to compensate for the damages resulting from them, this requires that a State be responsible for what these objects may cause violating the rules in the air or sea, while this can only apply through citizenship¹⁶.

What can also be noted is that a long time ago citizenship was granted only to a few objects according to the role they play. Yet, robots are multi-service, and it is not possible to imagine a role that a robot cannot play. With time and development in the field of robotics, the number of roles played by the latter increases, so it is difficult to identify certain robots and grant them citizenship, such as granting citizenship to the robot ship and the robot plane as a necessary and important object. This rule should be applied to robots that are not legal persons, and classified as objects. In the sense that a robot that is not classified as a robot with legal personality, it will be considered as objects.

However, can all robots be granted citizenship on the basis that they are objects? The answer will be “no”. Citizenship is granted only to robots that have reached a degree of importance and for certain necessities, and have not been granted legal personality as they do not meet the required conditions. So that some important and necessary robots do not escape the application of legal rules to them, and the inability to know the State responsible for the damage they cause.

As for the rest of robots that do not amount to receive legal personality, and do not carry the importance that requests granting them citizenship, they remain mere objects and are subject to the same legal rules that regulate objects and are not granted citizenship. The reason for that is the development that will take place in the robot world will reach a great degree to the extent that the entire everyday life will depend on this new invention, and thus it will need to be classified and divided into types in order to be granted citizenship.

Thus, we do not leave the world of robots without legal rules governing it, and man can control this world by setting legal limits for it in an orderly manner. In this way, international principles and

¹⁴- Makhbat Aisha, *ibid.*, P. 16.

¹⁵- Makhbat Aisha, *ibid.*, P. 16.

¹⁶- Makhbat Aisha, *ibid.*, P. 16.

rules are uniformly respected by the international community, with this new invention that will sweep the world. There is no way to exclude it from the applicable legal systems, as this will lead to evasion of responsibility and the rule of the law of the jungle. Therefore, the best way is to recognize the existence of these new robotic beings and classify them according to the conditions available to them on the basis that they are legal persons, and all that comes out of this robot is classified as an object which may be granted citizenship for certain necessities that will appear later.

Concerning the foundations of granting citizenship to the robot, it is a topic that still needs the appearance of the features of the legal rules that will be applied to the robot, so that jurists can develop the possibilities on the basis of which the object robot is granted citizenship.

II- Necessary elements to grant citizenship to the robot

It is not enough to search for the possibility of the robot receiving citizenship, as before that, there must be a State granting it that citizenship. How free is the State to grant the robot citizenship (1)? And is it necessary to have a link between the State and the robot (2)?

1- The extent of the State's freedom to grant the robot citizenship

The extent of the State's freedom to grant citizenship to the robot is investigated through the well-known rules governing citizenship, which are the principle of the State's freedom to grant citizenship and its applicability to the robot (a), as well as the restrictions on the principle of the State's freedom to grant citizenship and its applicability to the robot (b).

a- The principle of the freedom of the state to grant citizenship and its applicability to the robot

It is inconceivable that a citizenship relationship exists without the presence of a State. Accordingly, it is only the State that establishes citizenship and grants it to the individual¹⁷. It is the State that alone regulates its citizenship relationship. Since the principle of State sovereignty entitles the latter to exercise its sovereignty over a group of individuals, the scope of this practice lies in the determination of this group by the State. Accordingly, the State has the right, in accordance with this principle, to establish appropriate legal norms. Therefore, Article 1 of the Hague Convention¹⁸ of 12/04/1930 stipulates that "Every State has the right to determine its nationals by its internal legislation." If this principle is established, does the State have the absolute freedom to establish its internal provisions in the article of citizenship? Or should it observe some principles¹⁹?

This has happened in some cases, the most important of which is the granting of Saudi citizenship to the robot, Sophia. It is therefore necessary to have restrictions on the principle of the freedom of the State to grant citizenship.

b- Restrictions on the principle of the freedom of the State to grant citizenship and its applicability to the robot

There were several restrictions introduced by the aforementioned Hague Convention in the second part of Article 1, stipulating: "... Each State shall respect this (internal) legislation provided that it is consistent with international conventions, international custom and the principles generally recognized in the article of citizenship. "

Section I: Conventional Restrictions

The State loses its freedom in the field of citizenship if it agrees in this regard with other countries, then it must take into account the obligations it has undertaken. Recent legislation stipulates that the provisions of the Convention must be respected, such as what is stated in Article 1 of the Algerian Nationality Law that "the necessary conditions for the enjoyment of Algerian nationality shall be determined by law and, if necessary, by ratified and published international treaties and agreements²⁰."

¹⁷- Qassem El-Eid Abdelkader, Algerian Nationality Law and its amendments by Order 05-01 dated April 27, 2005, Faculty of Law, Jilali Lyabes University, Sidi Bel Abbes, 2009, p. 5.

¹⁸- The Hague Convention of April 12, 1930 on Certain Questions relating to the Conflict of Laws in Respect of Nationality.

¹⁹- Makhbat Aisha, *ibid.*, P. 10.

²⁰- Makhbat Aisha, *ibid.*, P. 11.

Conventional restrictions will play a master role in preventing or at least regulating the rules for granting citizenship to a robot. Therefore, it is necessary for international entities to work on developing international legislation that helps States to regulate the process of granting citizenship to the robot and to develop ethical rules for granting citizenship in cases where such granting threatens human life.

International entities also contribute to the development of international treaties and agreements that prevent States from granting citizenship to the robot freely, but set rules that make the process of granting citizenship prohibited whenever this threatens humanity.

Indeed, countries will have to accept, ratify and accede to these conventions, otherwise dealing with them internationally is excluded. All this will contribute to creating a comprehending atmosphere at the international level.

Section II: Non-conventional Restrictions

Article 12 of the aforementioned Hague Convention dealt with restrictions, stating that the sovereignty of the State adheres to international custom, and to what is imposed by internationally recognized principles. On this basis, the State, when establishing the rules of its citizenship, does not have the right to violate the rules of other States, and must observe them. The International Court of Justice has recognized the existence of an international custom stating that, in the international sphere, citizenship is considered to be based on a realistic and true link between the individual and the State²¹.

From the aforementioned principle, it can be concluded that granting citizenship to the robot will not be free, but it should be ensured that there is a real bond between it and the State. This is a necessity that any country will have to respect in the future before granting citizenship to the robot. Currently there are no foundations yet upon which the realistic and true link between the robot and the State arises.

2- The Robot-State link

The citizenship relationship generates a set of mutual rights and duties between the individual and the State. If we conclude that citizenship is an individual-State link, and then consider that citizenship is a robot-State link, the jurisprudence has questioned about the legal nature of this bond, is it a contractual one or a link that falls into another legal system?

If this question has been answered by modern jurisprudence as the individual-State link falls within a particular legal system and the contractual link between them has been excluded, so what would be the case with the robot-State link, should the contractual link really be excluded and the legal one applied?

To answer the aforementioned questions, we start by determining the meaning of the robot-State contractual link. It refers to the existence of a contract binding on both sides. This contract is the compatibility of the wills of the State and the robot. Even if the robot's legal personality condition is met, it is not possible to achieve the compatibility of the wills of the State and the robot, as happened with the individual whose relationship with the State was not established through the contract.

There is a response to critics of the idea of the contractual relationship between the individual and the State²², which it makes sense to be applied among robots and the State as well. The response is that the idea of the contract entails a balance in the will of the contractors. The individual, as well as the robot, cannot at any time contract with any country to obtain its citizenship. The State grants its nationality only to those who are integrated into its society. The State then settles on whether to grant its citizenship to the individual or even to the robot or not, and it does so for its own benefit. Moreover, the contractual idea excludes that entry and exit from it depends on the will of the contractors. An individual may be stripped of his citizenship by the State without regard to his will. How is it that a robot cannot be stripped of its citizenship without regard to its will? When establishing rules for granting citizenship to the robot, we will certainly imagine the case of

²¹- Makhbat Aisha, *ibid.*, P. 12.

²²- Qasim Al-Eid Abdul Qadir, *ibid.*, P. 8.

granting the robot the citizenship without regard to its will, but only because of the availability of the foundations that it has established to grant it its citizenship.

As mentioned above, the idea of contractual citizenship has been abandoned, and it is currently prevalent in jurisprudence that the citizenship relationship is an organizational one²³. The State often imposes its citizenship by force of law without the intervention of the individual's will, such as the original citizenship. Modern jurisprudence calls for an organizational relationship in which it sets the rules of citizenship in advance, and when the individual meets the specific legal conditions, he enters into this organizational relationship with the State granting nationality²⁴.

The Algerian legislator dealt with the regulatory relationship in Article 1 of the Algerian Nationality Law, which states that "the conditions necessary for the enjoyment of nationality shall be determined by law ...". Thus, the Algerian State alone determines the rules for granting Algerian nationality.

The same can be applied for robots, so that the State is independent by establishing rules on the basis of which it grants citizenship to robots. However, this is not what happened with the robot Sophia, as the granting of citizenship by the Saudi State was not based on certain rules set by the latter, but was merely a recognition of its capabilities. However, this will make granting citizenship to robots similar to the law of the jungle. There are no rules governing granting citizenship to them. Whenever a country wants to grant citizenship to a robot, it does so, and whenever it wants, it withdraws it. This will put countries in real problems that they face when the process of granting citizenship to robots increases or may increase, as well as when more robots develop capabilities to become smarter than humans. This leads them to claim their rights and consider citizenship as one of the rights that the robot must enjoy. Problems will also arise when these robots cause damage, search for the applicable law, search for compensation for damages, and who compensates the robot or the country granting citizenship. It is much more difficult than granting citizenship to companies, because companies have been considered only moral persons, but robots are more than just people or objects to be granted citizenship, as they have the extraordinary ability to develop themselves, and the possibility of becoming a robot with the intelligence to think about how to enjoy citizenship, how to retain it, how to claim their rights, and perhaps more.

In fact, in order to avoid such ambiguous ways, international regulations should be established, as well as national rules that indicate the basis for granting citizenship to the robot, whether it is considered a moral person, an object, or an entity with any other name.

CONCLUSION:

To end up, we say that granting citizenship to the robot is a necessity from which there is no way to escape because the number of robots will increase little by little. It will become necessary to regulate it legally, so that it does not get out of the control of humans, protecting the damaged and controlling the responsible for the damages they cause. As well as to determine the geographical scope of these robots, including the possibility of determining the State that protects them, the applicable law for acts issued by the robot, and jurisdiction as well.

However, citizenship is granted to the robot only under certain conditions and with certain criteria, after classifying it, and with a legal system studied in detail by specialists in the legal and artificial intelligence fields.

This legal system is not established by a State independently, but by the meeting of the entire international community because granting the robot citizenship is a matter of concern to the international community as a whole and not to a specific State.

A humanoid robot or object robot should be monitored while it is present in a certain country, because of the dangers it may pose to the international community, and its actions, whether harmful or beneficial. Also, a distinction should be made between a foreign and a national robot so that liability is not confused.

²³- Qasim Al-Eid Abdul Qadir, *ibid.*, P. 9.

²⁴- Makhbat Aisha, *ibid.*, P. 17.

We suggest that is necessary for the robot to belong to a certain country, hold its citizenship and enjoy its protection. This country bears responsibility for the damage it may cause. However, this can be done after distinguishing between the robot that obtains personality and thus citizenship, the robot that necessitates to be granted citizenship, and the robot that is considered an object and does not hold citizenship, being subject to the legal rules applicable to objects in general. This happens with the interest of international entities to develop rules and international agreements related to the conditions for granting the robot the citizenship.

As for the extent of the State's freedom to grant citizenship to the robot, it is true that the principle is the freedom of the State to grant citizenship, but conventional and non-conventional restrictions will play a master role in preventing or at least regulating the rules for granting citizenship to the robot. International entities will be considered among the most important interveners to unify or develop internationally accepted rules related to regulating the process of granting citizenship to the robot.

For the robot-State relationship, the State will be independent to establish rules on the basis of which it grants citizenship to robots. In fact, to avoid going through ambiguous ways, international and also national regulations should be developed, clarifying the grounds for granting citizenship to the robot, whether it is considered a legal person, an object, or an entity called differently. It will be a fertile field for researching these foundations in the future, after studying the legal and technical status of the robot and its role in society.

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