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COMPARATIVE STUDY OF AI REGULATIONS IN ASIA: CAN THE PHILIPPINES LEARN FROM ITS ASIAN NEIGHBORS?

Abstract:

Artificial intelligence (AI) has profoundly changed and will continue to change our lives. AI is being applied in more and more fields and scenarios such as autonomous driving, medical care, media, finance, industrial robots, and internet services. The widespread application of AI and its deep integration with the economy and society have improved efficiency and produced benefits (Huang, Zhang, Mao & Yao, 2023). Concerns about AI's rapid evolution and potential dangers have led to the development of regulations in various regions. For instance, the EU has introduced the General Data Protection Regulation (GDPR) and the AI Act. The US has put forward the Blueprint for an AI Bill of Rights. In the case of the Philippines, its National AI Strategy Roadmap prioritizes innovation and ethical practices, addressing challenges like data quality and privacy (Alfiani & Santiago, 2024). AI-based research initiatives in Philippine agencies are anchored on the vision of improving and achieving better healthcare, economic growth, clean energy, smart cities, smart farming and mitigating climate change (Rosales et al, 2020).

It appears that, across the globe, the primary considerations in formulating AI regulations include ethical principles, data privacy, algorithmic bias, transparency, explainability, and international collaboration. While the regulatory approaches differ across regions, they share a common goal: ensuring that AI benefits society while minimizing negative impacts (Alfiani & Santiago, 2024). AI regulations should typically be derived from AI ethics guidelines and principles, which may be summarized as follows: transparency, justice and fairness, responsibility and accountability, nonmaleficence, and privacy (Huang et al., 2023). In Asia, the ramifications of these ethical principles vary from country to country, depending on certain cultural and historical influences, e.g., Pancasila in Indonesia (the foundational state ideology), or the principle of fazhi or yifazhiguo in China ("government based on law" or "governing the country according to law"), and so on (Alfiani & Santiago, 2024). This paper reviews Philippine publications and conference papers on AI Regulations and Laws, and makes recommendations for a robust AI Law in the Philippines, having analyzed and learned from the worthwhile aspects of AI regulations in its Asian neighbors.

Keywords:

Artificial Intelligence, AI Regulations, Asia, Philippines

JEL Classification: M19, M10

1. Introduction

Artificial intelligence (AI) has profoundly changed and will continue to change our lives. AI is being applied in more and more fields and scenarios such as autonomous driving, medical care, media, finance, industrial robots, and internet services. The widespread application of AI and its deep integration with the economy and society have improved efficiency and produced benefits. At the same time, it will inevitably impact the existing social order and raise ethical concerns. Ethical issues, such as privacy leakage, discrimination, unemployment, and security risks, brought about by AI systems have caused great trouble to people. Therefore, AI ethics has become not only an important research topic in academia, but also an important topic of common concern for individuals, organizations, countries, and society (Huang, Zhang, Mao & Yao, 2023).

Recent developments in AI have generated a steep interest from media and the general public. As AI systems (e.g. robots, chatbots, avatars and other intelligent agents) are moving from being perceived as a tool to being perceived as autonomous agents and team-mates, an important focus of research and development is understanding the ethical impact of these systems. What does it mean for an AI system to make a decision? What are the moral, societal and legal consequences of their actions and decisions? Can an AI system be held accountable for its actions? How can these systems be controlled once their learning capabilities bring them into states that are possibly only remotely linked to their initial, designed, setup? Should such autonomous innovation in commercial systems even be allowed, and how should AI use and development be regulated? These and many other related questions are currently the focus of much attention (Dignum, 2018).

In the Philippines, challenges posed by AI should be seen in light of the business ethics challenges identified by business ethics teachers and practitioners, viz.: the country's persistent grinding poverty among so many amidst impressive economic growth. Business ethics professors and practitioners are encouraged to ensure ethical use of AI in business operations, especially how algorithms can produce outcomes that lead to unintended consequences (such as discrimination), job displacement, privacy concerns, and other societal impacts (Teehankee, Racelis & Bulaong, 2024). The Philippines is steadfast in achieving the 17 Sustainable Development Goals (SDGs) until 2030; AI-based research initiatives of its Department of Science and Technology (DOST) are anchored on these visions and goals to achieve better healthcare, economic growth, clean energy, smart cities, smart farming and climate change mitigation (Rosales et al, 2020). However, the Philippines' House Bill No. 7913 simply primarily focuses on establishing the Philippine Artificial Intelligence Council and the AI Research and Development Program: while the bill acknowledges the potential benefits of AI, it falls short in explicitly addressing crucial aspects such as the ethical implications, fairness, potential biases, and the societal impact of AI technologies (Arcilla et al., 2023).

This paper reviews Philippine publications and conference papers on AI Regulations and Laws, and makes recommendations for a robust AI Law in the Philippines, having analyzed and learned from the worthwhile aspects of AI regulations in its Asian neighbors.

2. Literature Review

A.I. Regulation and Laws: Adapting principles and concepts for AI ethics should have an internationally recognized standard. In November 2021, UNESCO adopted the "Recommendation on the Ethics of Artificial Intelligence," marking a significant milestone in developing global standards for AI ethics. Supported by all 193 Member States, this recommendation serves as a normative framework to address ethical concerns related to AI and foster trustworthiness throughout the AI system life cycle. It places transparency, fairness, and

the protection of human rights and dignity at its core. Along with these, the Center for AI and Digital Policy (CAIDP) emphasized addressing the connection between AI and human rights. CAIDP, a non-profit organization, is committed to ensuring that advancements in AI contribute to a more equitable and fair society. It advocates for a world where technological advancements are made harmoniously with respect for human rights, rule of law, and democratic institutions (Arcilla et al., 2023).

Like the EU's General Data Protection Regulation (GDPR) in 2018, the EU AI Act could become a **global standard**, determining to what extent AI has a positive rather than negative effect on your life wherever you may be. The EU's AI regulation is already making waves internationally. In late September, Brazil's Congress passed a bill that creates a legal framework for artificial intelligence. There are, however, **several loopholes and exceptions** in the EU law. These shortcomings limit the Act's ability to ensure that AI remains a force for good in your life. Currently, for example, facial recognition by the police is banned unless the images are captured with a delay or the technology is being used to find missing children (European Union, 2024).

UNESCO's Recommendations in the Ethics of AI seem to present the most robust AI guidelines among the global guidelines. Their recommendations have set the standard and served as a benchmark for developing other AI guidelines. It recommends adapting principles for an ethical framework that promotes the responsible development and use of AI technologies. UNESCO's guidelines emphasize the importance of human rights, transparency, explainability, and accountability in AI systems (Arcilla et al., 2023).

A.I. in the Philippines: Together with other members of United Nation (UN), the Philippines is steadfast to achieve the 17 Sustainable Development Goals (SDGs) until 2030. In order to achieve the vision and objectives of *AmBisyon Natin 2040* ["Our Vision / Ambition" 2040], these SDGs have a wide range of social, environmental, governance and economic goals. AI-based research initiatives of its Department of Science and Technology (DOST) are anchored on these visions and goals to achieve better healthcare, economic growth, clean energy, smart cities, smart farming and climate change mitigation. AI and deep learning will help climate scientists and innovators evaluate their ideas and strategies for mitigating air pollution. Today, technologies such as AI, data analytics, IoT, blockchain, cloud technology, biotechnology, nanotechnology, neurotech, robotics, and 3D printing can bring both innovations and disruptions (Rosales et al., 2020).

In August 2019, the Philippine government began developing an AI roadmap to enhance productivity and economic growth and turn the nation into a more globally competitive country. Such Roadmap prioritizes innovation and ethical practices, addressing challenges like data quality and privacy. Several challenges, however, hinder its effective implementation, including data privacy, technology accessibility, expertise availability, cost implications and overall readiness (Rosales et al., 2020; Alfiani & Santiago, 2024). A few publications have suggested some considerations in formulating AI policy for the Philippines. These include (1) defining ethical principles and values in developing and implementing AI, (2) establishing mechanisms for ensuring fairness and preventing bias, (3) implementing mechanisms to ensure security and mitigating risks in AI systems, and (4) assessing potential impacts on AI technologies (Arcilla et al., 2023).

Although AI guidelines in the Philippines are still in their infancy, House Bill No. 7913 (introduced by Hon. Keith Micah Tah in 2023) could pave the way for the future of the AI governance framework in the Philippines. However, it is essential to note that the bill needs to include more emphasis on social impact, security, fairness, and ethics. House Bill No. 7913 is a step towards AI governance, but it is still in its early stages. The bill primarily focuses on

establishing the Philippine Artificial Intelligence Council and the AI Research and Development Program. While the bill acknowledges the potential benefits of AI, it falls short in explicitly addressing crucial aspects such as the ethical implications, fairness, potential biases, and the societal impact of AI technologies (Arcilla et al., 2023). All told, AI guidelines ought to take into account human dignity and human flourishing, as well as the practice of the virtues especially temperance and sobriety, which are encompassed in the "Human-Centered AI" (HCAI) framework. HCAI contends that human control is compatible with a high degree of automation, that AI works best not when emulating humans but when empowering them, and that proper AI governance should aim, above all, in making AI reliable, safe, and trustworthy (Shneiderman, 2022; Racelis, 2025).

3. Methodology and Significance

This paper reviews Philippine publications and conference papers on AI Regulations and Laws, and makes recommendations for a robust AI Law in the Philippines, having analyzed and learned from the worthwhile aspects of AI regulations in its Asian neighbors.

The significance is that, while the proposals here for a Philippine AI Law learn from Asian neighbors' AI regulations, the universal principles in terms of transparency, inclusion, accountability, impartiality, reliability, security and privacy are ensured and adhered to (Benanti, 2023).

4. Review of Publications, Discussion, and Analysis

We can define regulation [of AI] broadly as including not only legislation and government policies but also professional norms and technical standards. Central to this task is the question, "what parameters are required?" Although national and international government bodies play a defining role here, other players are also influential. Defining rules for something as extensive, complex and versatile as a system technology brings numerous challenges, problems and dilemmas. One of the best known is the so-called 'Collingridge dilemma'. On the one hand, a new technology is difficult to regulate in the early phase because much remains unclear regarding its workings and effect. Moreover, the need for regulation is initially less apparent. Later, once the technology's effects on society are more conspicuous, it becomes clear what regulation is needed and why. By then, however, many of the decisions taken earlier are difficult to reverse. A further complication is that power structures develop around a technology, and these cannot be modified easily or quickly. Primarily, therefore, we first encounter an information and knowledge problem and then later a power problem. The Collingridge dilemma is exemplified by the architecture of the internet, which was developed in a spirit of openness and market freedom. Today, however, it is clear that many safety and security issues were not adequately addressed by the original design, meaning that we are now vulnerable to digital disruption, for example. Rectification of the design flaws at this stage, however, would require large sections of the internet to be completely restructured – a huge, if not impossible, task. Embedding or integrating AI into society depends on the existence of frameworks, and therefore regulation. Now that the technology is making the transition from the lab to society, its effects on the economy and the society are subject to widespread scrutiny. This has led to debate about the nature of the regulatory measures needed to ensure that AI is properly embedded in society and government processes. Attention has focused not only on the opportunities, but also particularly on AI's potential negative consequences. Hundreds of guidelines, codes of conduct, private standards, public-private partnership models and certification schemes have been developed with a view to both promoting opportunities and addressing adverse repercussions. One of the more important initiatives is the *European Union's AI Act*. Moreover, many existing legal provisions and frameworks are potentially applicable to AI, ranging from fundamental rights

to liability law, intellectual property rights and the rules on archiving and evidence. In other words, the effects of AI are now controlled by means of a wide range of frameworks and specific rules, many more of which are likely to be laid down in the years ahead (Sheikh et al., 2023).

Given this, a new ethics of technological development, based on the unconditional priority of public interest and security of the individual, ought to be developed. But a distinction must be clearly made: the distinction between human intelligence and “artificial intelligence”. According to A. Turing, artificial intelligence mimics humans in the process of preparing and making decisions. This kind of intelligence is very useful in organizational activities, as it offers opportunities to improve human performance by extracting relevant information from large data sets, by predicting unexpected events, and by doing so in a tiny fraction of the time it takes humans to do it. Through its imitative abilities, AI is able to identify information patterns that optimize work-related trends. However, man possesses cognitive abilities that represent true intelligence – human intelligence. Being in an open system, man, interacting with the external environment, must respond accordingly to exogenous influences. This mode requires a creative approach to the formation of future strategy, manifested in the ability to correctly respond to sudden changes in the situation, to anticipate the possible development of events, as well as to correctly perceive distorted information. All this requires a rational and radical concept of “responsibility” (Shcherbakov, 2023).

Thus, it has been argued that a race to AI regulation ought to be pursued, with ever-louder calls being made for regulators to look beyond the benefits and ensure that AI is ‘trustworthy’ – i.e. legal, ethical and robust. Besides minimizing risks, such regulation could facilitate AI’s uptake, boost legal certainty, and hence also contribute to advancing countries’ position in the race. Indeed, a new playground for global regulatory competition seems to emerge, which in the best-case scenario pushes governments—amid uncertainty as to the technology’s impact, the impact of regulatory intervention, and the cost of non-intervention—to find the most appropriate balance between protection and innovation. By striving for such balance in their own distinct manners, countries can compete with each other through regulation in order to attract those ingredients that render them a competitive force on the global AI market, while exploring the best recipes to simultaneously protect their citizens (Smuha, 2021).

A document, called ***The Rome Call for AI Ethics*** (www.romecall.org), finalized in February 2020 and also signed at the time by some of the world’s largest tech companies (Microsoft and IBM), along with the FAO and representatives of the Italian government, committed signatories to follow what its principles call for in terms of transparency, inclusion, accountability, impartiality, reliability, security and privacy. Religions have played and will continue to play a crucial role in shaping a world in which human beings are at the center of the concept of development. It was argued in the February 2020 event that an ethical development of AI must be approached from an inter-faith perspective: the potential of an inter-faith event lies in the impact this message communicates. In the face of the radical transformations that digital and intelligent technologies are producing in society, the three Abrahamic religions together provided guidance for humanity’s search for meaning in this new era (Benanti, 2023).

CHINA: China, which adheres to communist principles, showcases a distinct approach to AI regulation. Under communist ideology, society is organized with collective ownership of resources and state-controlled production. The primary goal is to create a just and equal society, emphasizing collective well-being over individual rights. This approach influences how AI is regulated in China, with a strong focus on state control and social stability. China’s government is often described as autocratic and socialist, and its legal framework reflects the principle of *fazhi* or *yifazhiguo*, which translates to "government based on law" or "governing the country according to law." The Chinese legal system is a socialist legal system grounded in the civil law

model, influenced by German civil law and traditional Chinese legal practices. China's AI strategy is characterized by strong state involvement, integration with national policy goals, and a focus on using AI for social control and global influence. The approach reflects the broader goals of the Chinese government: to maintain domestic stability, enhance economic competitiveness, and increase its influence on the global stage. While this strategy has enabled rapid advancements in AI, it also raises significant concerns about privacy, human rights, and the global implications of China's growing technological power. China is proactive in addressing the ethical and safety concerns of AI development and use.

INDONESIA: Indonesia's legal system is deeply influenced by *Pancasila*, the foundational state ideology that consists of five principles: belief in one Almighty God; just and civilized humanity; the unity of Indonesia; democracy led by wisdom in deliberation and representation; and social justice for all Indonesian people. These principles guide the nation's approach to governance, including the emerging field of artificial intelligence (AI). Although there is no specific law directly regulating AI, several existing regulations touch upon aspects relevant to AI. In 2020, Indonesia introduced the National Artificial Intelligence Strategy (Stranas AI), outlining policies for AI ethics, talent development, and infrastructure. Stranas AI serves as a policy direction rather than a binding legal document. Following this, the Artificial Intelligence Research and Innovation Collaboration (KORIKA) was established in 2021 to further AI research and development). In December 2023, the Ministry of Communication and Informatics issued ethical guidelines for AI use through Minister of Communication and Information Circular No. 9 of 2023. This Circular sets out ethical principles for AI development and application, focusing on data privacy, security, transparency, and the social impact of AI technology. However, since these guidelines are non-binding, their implementation and adherence vary across sectors (Alfiani & Santiago, 2024).

SINGAPORE: Singapore's adoption and regulation of AI is rather interesting and advanced: for instance, there exists a security and safety framework which guides Singapore courts in the adoption of AI; Singapore has called for a more balanced approach towards AI governance. Singapore is calling for the development of an accountability-based framework for discussing ethical, governance and consumer protection issues related to the commercial deployment of AI in a systematic and structured manner. In a services-driven economy like Singapore, AI will likely be deployed in intelligent systems that process personal data. Hence, this framework is also relevant to personal data protection. Using this framework in the design of systems or processes, Singapore seems to advocate for data protection by design. This approach falls within their current legal framework in relation to data protection. However, one consideration from this approach is that the application of use of AI systems and the capture, use and disclosure of personal data are not necessarily going to be limited to a single nation state. To address the tension between AI and personal data, Singapore has proposed to incorporate decision-making and risk assessment considerations into the framework. Doing so, it is believed that the severity of risk of harm to humans will be addressed (En, 2022; Walters & Coghlan, 2019).

THAILAND: Like the Philippines, Thailand's Personal Data Protection Act (PDPA), which came into effect in 2022, shares many features with the GDPR, yet the lack of an independent oversight body limits its enforcement strength. Its PDPA, modeled in part on the GDPR, still lacks an operational Data Protection Authority as of early 2024. Thailand's PDPA includes data subject rights but has been criticized for slow implementation and vague protections related to AI-specific use cases. Thailand's Office of the Personal Data Protection Committee, established under its PDPA, remains structurally dependent on the government. Although the law provides for administrative penalties, the institutional body lacks the necessary resources, legal clarity,

and enforcement personnel to carry out its mandate effectively. Overall, Thailand's AI regulation can be characterized as being in various stages of legislative reform, seeking to align more closely with international standards (Habibulloh, 2025).

MALAYSIA: Malaysia has implemented formal data protection laws, but enforcement remains inconsistent, largely due to institutional constraints and political inertia. Its PDPA, enacted in 2010, seems to lack provisions that directly address algorithmic harm or the rights of individuals affected by automated decisions. Malaysia's Personal Data Protection Department (PDPD) operates under the Ministry of Communications and Digital, with limited independence. Its enforcement activities are often constrained by budget limitations, lack of human resources, and the absence of a clear procedural framework for dealing with AI-related complaints. As of 2023, no major enforcement actions against AI misuse have been reported, highlighting the gap between legislation and enforcement. Overall, one can say that Malaysia has laws that provide a baseline framework for regulating personal information, but does not yet have any formal AI Law (Habibulloh, 2025).

PHILIPPINES: The Philippines currently has no legislation that directly deals with or regulates AI, but there are some laws that refer to the technology and to data privacy protection: (1) **Republic Act 10173 or the Data Privacy Act of 2012:** It is the policy of the State to protect the fundamental human right of privacy, of communication while ensuring free flow of information to promote innovation and growth. The State recognizes the vital role of information and communications technology in nation-building and its inherent obligation to ensure that personal information in information and communications systems in the government and in the private sector are secured and protected. (2) **House Bill No. 7396 – Artificial Intelligence Development and Regulation Act of the Philippines:** Proposes the creation of an Artificial Intelligence Development Authority (AIDA), responsible for the implementation of a national AI strategy. (3) **House Bill No. 9448 – Protection of Labor Against Artificial Intelligence Automation Act:** Prohibits the use of AI as the sole or primary basis for hiring and termination of employees, aims at addressing potential displacement of human workers, lowering of salaries, etc. Also makes exceptions for industries where AI and automation are deemed necessary for safety, efficiency, or overall societal benefit. (4) **House Bill No. 7913 – Artificial Intelligence Regulation Act:** Proposes an "AI Bill of Rights" to protect against unsafe and ineffective use of AI systems. Includes provisions for penalization of unlawful use (Rosales et al., 2020; Alfiani & Santiago, 2024).

5. Conclusions and Recommendations

A robust national AI framework should incorporate three core features that encompass the principles used in AI frameworks in its Asian neighbors: (A) risk-based classification of and approach to AI systems; (B) human-centered & rights-based principles rooted in dignity, solidarity, and compassion; and (C) transparent, accountable governance with independent oversight and sector-specific safeguards. In particular, the Philippines can learn from China, in its AI strategy that is characterized by strong state involvement, integration with national policy goals, and a focus on using AI for social control and global influence. Likewise, the country can learn from Singapore, which advocates for the development of an accountability-based framework for discussing ethical, governance and consumer protection issues related to the commercial deployment of AI in a systematic and structured manner.

As for ASEAN, a key challenge across the regional grouping is the absence of a regional enforcement mechanism comparable to that in the EU. Without a coordinated institutional framework, cross-border data enforcement remains weak, especially in areas involving multinational AI service providers or cloud-based platforms. Although the ASEAN Framework on

Digital Data Governance promotes cooperation, it lacks binding provisions or standardized protocols for joint investigations and redress mechanisms. To strengthen enforcement, ASEAN countries must invest in institution-building, provide adequate funding, and guarantee the independence of oversight bodies. Moreover, the region could benefit from creating an ASEAN-level coordinating body for data protection to facilitate dialogue, training, and cross-border case handling (Habibulloh, 2025).

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