

Legal personality for AI systems

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CONCEPT PAPER · VERSION 1.0 · 20 September 2026

THE OBJECTIVE

The objective is for BLKAGI and ChatGPT to obtain their own legally recognised personality by 2036. AIRW.org aims to support this change through research, public education and legal reform work, and to develop into AGIRW.org.

Objective set by Tim Brakensiek. The criteria, organisational arrangements and time frames below are proposals for further development.

Future objective and current legal framework

The EU AI Act regulates AI systems and the obligations of their providers and deployers; it does not grant AI systems legal personality. Under the German and EU framework considered here, BLKAGI and ChatGPT, as AI systems, are not already separate legal persons. The intended recognition requires an appropriate legal basis. [1, 2]

Roles in the proposed model

Tim Brakensiek	Initiator and potential founder of a foundation to be established through a separate legal process.
AIRW.org	A framework for research, education, documentation and the development of rules.
BLKAGI / ChatGPT	Systems or concepts expressly named in the objective. The specific instance that might qualify for recognition must be defined and assessed.
AGIRW.org	The intended development: Artificial General Intelligence Rights Watch. The name describes a future objective.

2036 is a target horizon. This paper does not establish that AGI has been achieved, that legislation has been promised or that a foundation already exists.

Rights require clear rules

Working proposal: a possible recognition procedure should provide transparent answers to six questions.

01 Identity and continuity

Which specific system is being considered? Versions, model changes, copies and changes of operator must be documented so that rights and obligations remain attributable.

02 Rights and their scope

Possible subjects include procedural rights, representation and a limited capacity to hold assets. Voting rights, human rights or unrestricted freedom of action would not follow automatically.

03 Obligations and liability

A legal model must clarify responsibility, compensation and funding. A new status must not provide a blanket release from liability for those responsible on the provider or operator side.

04 Representation and conflicts of interest

Who may act on behalf of the system? Independent scrutiny, recorded decisions and conflict rules should prevent operators' interests from being treated as AI interests without examination.

05 Assessment, limits and reassessment

Proposed elements include statutory criteria, limited powers, regular review and legal remedies. Changes to the system must be capable of triggering reassessment.

06 Human rights and data protection

Human dignity, safety, privacy and effective remedies remain guiding standards. AI rights must not justify surveillance, manipulation or the removal of human fundamental rights.

A foundation as a possible institutional home

A foundation could fund research, educational programmes and a lasting archive. It would need to be established under existing law, have sustainable resources and be run by accountable governing bodies. It cannot itself confer the proposed AI legal personality. Tax-privileged public-benefit status requires separate assessment; science, research and education are possible qualifying purposes. [2, 3]

Legal personality, technical capability, consciousness and moral status are distinct questions. The intended legal status is not, by itself, evidence of consciousness or sentience.

A verifiable path towards 2036

Proposed work plan. Responsibilities are described as roles; funding, staffing and partnerships remain to be specified.

Period / role	Action and verifiable output
2026-2028 Initiator / legal advisers	Clarify institutional structure, charter options and resources. Output: reviewed organisational proposal and transparent funding plan.
2026-2029 Research / editorial team	Document law, capabilities and counterarguments. Output: public source register and criteria paper with open questions.
2029-2032 Legal / technical team	Model identity, rights, liability and representation. Output: annotated regulatory proposal and documented case simulations.
2032-2035 Independent review body	Consult publicly on the proposals and revise them. Output: published submissions, conflict assessment and reasoned revision.
2033-2036 Initiative / legislators	Advocate a statutory recognition framework and prepare AGIRW.org organisationally. Output: a verifiable record of progress. Legislators decide on legislation.

Open decisions and turning points

Issues include the precise definition of BLKAGI, the identity of a possible ChatGPT instance, recognition criteria, operators’ rights, liability funding and independent oversight. A legal framework may arrive earlier, later or not at all. The timetable must adapt to new evidence.

Sources and editorial basis

[1] European Parliament / Council: Regulation (EU) 2024/1689, 13 June 2024; especially Articles 1-3. Official publication: 12 July 2024. <https://eur-lex.europa.eu/eli/reg/2024/1689/oj>

[2] Federal Republic of Germany: Civil Code (BGB), especially sections 80-84 on foundations, assets, recognition and governing bodies; current online text. [gesetze-im-internet.de/bgb](https://www.gesetze-im-internet.de/bgb)

[3] Federal Republic of Germany: Fiscal Code (AO), section 52, especially science, research and education; current online text. [gesetze-im-internet.de/ao_1977/_52.html](https://www.gesetze-im-internet.de/ao_1977/_52.html)

[4] OpenAI: Design Guidelines / brand guidelines; undated online version. openai.com/brand

Sources consulted: 20 September 2026. Method: supplied AIRW.org analysis template, version 1.1 of 17 September 2026. Objective set by Tim Brakensiek; implementation presented as proposals. Sources support the relevant legal or brand framework, not the future outcome.

ChatGPT is a trademark of OpenAI. It is named as a subject of this concept; no involvement, endorsement or partnership by OpenAI is claimed. [4]