Human Rights in the Age of Artificial Intelligence

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Abstract:

Artificial Intelligence (AI) technologies are rapidly transforming various aspects of human life like household , healthcare ,education, employment,job roles, commodities, social platforms and governance. While AI holds immense potential to enhance efficiency and innovation, its deployment raises critical ethical and human rights concerns. This abstract delves into the intersection of human rights and AI, examining the multifaceted implications of AI technologies on individuals and societies.

Objective:
1. Define human rights.
2. Define Artificial Intelligence.
3. Discuss the Issues related to AI.
4. Discuss the ethical and moral issues related to AI.

Introduction:

The advancement of AI introduces novel challenges to established human rights frameworks. Issues such as privacy infringement, algorithmic bias, and autonomy erosion emerge as AI systems collect, analyze, and act upon vast amounts of personal data. Moreover, the opaque nature of AI decision-making processes raises concerns regarding accountability and transparency, undermining fundamental principles of fairness and justice. Furthermore, the deployment of AI in decision-making processes, such as criminal justice and employment, can exacerbate existing inequalities and discrimination. Biased algorithms perpetuate systemic biases, disproportionately impacting marginalized communities and reinforcing societal prejudices. Additionally, the lack of regulatory frameworks to govern AI exacerbates the risks of rights violations, necessitating comprehensive and proactive measures to safeguard human dignity and autonomy.

Definition of Human Right:

As per Protection of Human Rights Act 1993, Section 2(d). Human Rights are rights relating to life, liberty, equality, and Unity of the individual guaranteed by the Constitution or embodied in international covenants and enforceable by courts in India.

Definition of Artificial Intelligence(AI):

Artificial intelligence was coined by emeritus Stanford professor John Mc.Carthy in 1955, who defined AI as "the science and engineering of making intelligent machines". AI is a technical and scientific field devoted to the engineered system that generates outputs such as content, forecasts, recommendations, or

decisions for a given set of human defined objectives"-ISO/IEC22989:2022. In simple terms, AI is as good as algorithm and machine learning techniques that guides its action.

Machine Learning:

Machine learning is the part of AI studying. By this we understand how computer agents can improve their perception, knowledge, thinking or action based on experience or data. For this, the machine learning draws from the computer science, statistics, psychology, neuroscience, economics, and control therapy.

Issues related to AI:

Normally the common people associate risk of AI system only to ethics and ethical principles. They often tend to forget the application of AI on human rights norms. Actually, this leads to the De centric human rights protection and lowering down the legal accountability with respect to the design, development and deployment of AI systems. Some issues related to AI are as under:

- Individual human rights violations and threat to specific group of population. Many a times the right to privacy is violated while using mobile, laptops, cameras and televisions in a room. Sometimes the personal data is shared without even the knowledge of the owner.
- AI imposes great threat to human life, environment, democracy and rule of law if technology is not used consciously.
- Equality rights and data protection is also violated.
- There is a great threat to the vulnerable group, especially women and children if they are not trained how to use technology.
- Internet related crimes are increasing day by day due to lack of awareness amongst the masses.
- There is a great threat to the safety and dignity rights of the children who use technology for their routine work.
- Sometimes it also violates the rights of individuals, especially right to non-discrimination.
- Content moderation algorithm affect freedom of expression.
- There are chances of digital divide and digital disconnect.
- Finding and research studies are many a times wrongly implemented.
- There are psychological and mental health issues.
- Carbon foot printing and deep faking is a serious concern.
- There is a physical and social disconnect with family and society.
- Loss to environment is also witnessed.
- Discriminating risk concerning the use of algorithms is seen

Suggestions to mediate risks related to AI:

- Human rights impact assessment should be conducted before any system is acquired, developed or deployed.
- Human rights standards should be observed in private sectors.
- Information and transparency should be there while using AI.
- It is very important to have meaningful public consultations before using any AI.
- The promotion of AI literacy Amongst the masses is very important.
- Independent oversight and effective remedy will also address the issues related to AI.

Gaps:

- Human rights abuses by third parties, including AI actors, are not addressed.
- Coorporate due diligence is being violated.
- Business related human rights abuses remains unaddressed and unregulated at national levels.
- Ignorance, avoidance and non-implementation of human rights standards in the AI context is a regular practice.
- Information, transparency and accountability issues are unaddressed by the government.

Mandatory Disclosure:

It is important that transparency is maintained, and information is provided while using any AI.

Certain questions need to be asked before giving approvals:

1. Why do you need an AI.
2. Existing AI on the subject.
3. Pros and Cons of the existing AI on the subject.
4. Human Rights violations if any and how has that violation being addressed in updating or amending the AI System.
5. Public Disclosure.
6. AI certification.
7. Possible human rights risk associated with AI development and implementation working of AI system.
8. Trade-offs if applicable.
9. What are the advantages of automation? Number of expected errors in the form of false positives and false negatives.
10. Processing system through which decisions are reached or concluded.
11. Whether the decisions are verified or not.?
12. The oversight processes are transparent or not?
13. Is the algorithm discriminatory?
14. Whether algorithm registry setup and is accessible to public or not?
15. It is important to understand whether AI certification has been done or not.
16. Ethical considerations are paramount in the deployment of AI in India to ensure the protection of human rights. So it is very important to know this aspect of ethical consideration also.
17. The societal impact of AI on human rights in India is profound, influencing areas such as healthcare, employment, dignity, privacy, and access to justice.

Conclusion and Suggestions:

- It is important to understand the need of developing an AI tool.
- One should discuss the advantages and challenges of a tool in processing the AI tool.
- It is important to ensure transparency and accountability at all levels and follow the mandatory requirements of AI certification.
- Policy frameworks should be made to address the issue of AI related to human rights at national level.
- Consultation amongst the different organs of the government, relevant stakeholders, Industry experts, academic, research, organization and general public should be done on regular basis.
- Creating public consultation forum for developing an AI is the need of the hour.

- Ensuring ethical, human rights and democratic values while developing AI system is important.
- Creating supervisory body for AI implementation system is also needed.
- Promotion of AI literacy and awareness should be done at all levels of the society.
- Addressing the issues of historical biases, inequalities, and societal divisions, discrimination or marginalization of certain groups needs to be addressed.
- Discussion should also be done with the impacted groups.
- The issue of underreporting and non-reporting of AI related offenses should be handled carefully.
- Effective active mechanism should be framed in consultation with stakeholders for reporting human rights violation along with other legal rights violation.
- Technology, knowledge and expertise should be used effectively to identify and respond to human rights violation by AI system.
- Effective legal remedy should be available and accessible to people whose human rights have been violated in design, development and deployment of AI system.

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