

A Critical Study of Artificial Intelligence and Human Rights

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ABSTRACT

According to the author, artificial intelligence is a threat to human rights. Assumptions about human nature are being challenged by the predicted arrival of beings who do not live in normal ways but are sentient, intelligent, and possibly ethically superior to humans in some sense. The author believes that this study will generate more discussion on the subject of humanitarian law, but we will have to wait to hear from you if you are involved in such discussions. Our recommendations fall into four broad categories: data protection rules to protect rights in data sets used to develop and feed artificial intelligence systems; special safeguards for government uses of artificial intelligence systems; safeguards for private sector uses of artificial intelligence systems; and investment in additional research to continue to investigate the future of artificial intelligence and its potential interferences with human rights. AI could aid humanitarian activities provided it is developed and applied in a fair and ethical manner. To reduce the risks and maximise the benefits of future technology, human rights concepts should be incorporated from the start. Explanatory models can be used to explain the benefits and risks of an AI intervention to implementers, affected populations, and other stakeholders. Investing in public awareness and education projects can help communities comprehend not only how AI works, but also how it affects our daily lives. Human rights are in jeopardy in the era of technology unless appropriate protections are put in place to preserve society's interests.

Keywords: *Artificial Intelligence (AI), Human Nature, Human Rights, Future Technology, Humanitarian Activities, Safeguard*

Introduction

Human rights are threatened by artificial intelligence. Assumptions about human nature are challenged by the anticipated advent of beings who are not living in conventional ways, yet are nevertheless sentient, intelligent, and maybe ethically superior to humans in some capacity. Although this may never happen, it does exist in a portion of the future that we can't even begin to comprehend. However, this issue must be put on the agenda immediately. Other facets of human rights are already under threat from technological advancements¹.

¹Binns, Reuben. "Fairness in Machine Learning: Lessons from Political Philosophy." *Proceedings of Machine Learning Research* 81 (2018): 1–11.

There are a variety of short-, medium- and long-term difficulties that need to be addressed. Artificial intelligence's influence on human rights has just recently been examined by specialists, and they can't seem to agree on what the phrase entails. Revolutionary improvements might be brought about by using artificial intelligence and machine learning technologies. This same Durham Accord on AI Blended Learning defends the entitlements to parity and non-discrimination was drafted and published prior to RightsCon. Data & Society Research Institute in New York also invited us to take part in a workshop on AI and human rights, where we discussed the importance of human rights in AI, cultivated cross-sectoral cooperation, and came up with innovative solutions that will be useful to all parties involved in the fight against this problem going forward. The overview of the interaction between AI and human rights is presented here. Among the phrases and ideas introduced in this section are "artificial intelligence" and "human rights." Next, we examine how various artificial intelligence systems are now being employed in the real world, and how they may both benefit and hurt society. Taking a closer look at human rights, we examine how these fundamental rights and ethics interact with the development of artificial intelligence². When we look at widely-adopted human rights agreements, we see how artificial intelligence's present and future usage might compromise a wide spectrum of human rights. Stakeholders can use our list of suggestions to help defend these rights. At this point in the development and usage of artificial intelligence, we accept that we are only beginning to understand its possible ramifications. In order to prevent or mitigate future human rights violations, one of our suggestions is that extra funds and resources be directed toward further investigation of the concerns presented in this study.

(A) Aim of the Study

The chief aim of the study is to critically analyse the artificial intelligence impact on human rights and determining the advent of artificial intelligence affects human rights, liberties implications of the sector in which it is brought.

(B) Research Questions

This study should focus on the following research questions,

1. What are the different types of risks that is associated with Artificial Intelligence threatening the human rights?
2. What are the ways for addressing artificial intelligence related human rights harms?
3. What are the key opportunities and challenges for the human rights respecting to Artificial Intelligence?
4. What are the role played by judiciary as to reduce the AI as tool of human right discrimination?

(C) Hypothesis

Artificial intelligence is a new area in computer science and engineering where a machine can readily execute things that normally need human interaction and intellect. The cusp of technological changes is shifting the pace of scientific visions. The disproportionately affecting

²Carter, Matt. *Minds and Computers: An Introduction to the Philosophy of Artificial Intelligence*. 1 edition. Edinburgh: Edinburgh University Press, 2007.

of human rights due to AI facilitating more discrimination which needs more focus to reduce the oppression.

I. Overview of Artificial Intelligence and Human Rights

Artificial intelligence (AI) is becoming more and more prevalent in our daily lives as a result of our rising predisposition to seek counsel from or delegate responsibility for choices to algorithms. The capacity to anticipate the future and solve difficult problems is referred to be "intelligent." can do activities as diverse as housekeeping, companionship, and even sexual companionship, as well as police and warfare, are examples of "artificial" intelligence, or AI³.

As long as they have the data they need and can obtain it quickly enough, algorithms can accomplish everything that can be written. They are then placed in a framework that enables them to carry out the tasks they have been given. All of these areas have seen tremendous growth. This re-emergence of philosophical arguments in the setting of AI is remarkable to philosophers, who had previously thought these discussions were detached from reality. One example is the "trolley issue," in which individuals are presented with a runaway trolley that might kill varying numbers of people depending on what they do, in order to dig out their intuitions regarding deontological vs consequentialist morality. A person's fate is not only determined by their actions, but also by whether or not others who are not directly impacted are used to save others. These scenarios were often used by college professors, only to find their students doubting their relevancy because in real life, decisions are rarely made in this way. But when we have to develop self-driving vehicles that have just killed someone on the road, these issues take on a new urgency and societal importance. Many similarities between humans and other species make it difficult for us to separate them from us when it comes to ethically significant traits. For example, in Sue Donaldson and Zoopolis, they portray animals as fellow travellers in a shared life. Even machines are able to reason in this way in the end⁴. There is no need for us to be sidetracked by the notion that computers may be turned off. Composition and network design for future computers may make it impossible to turn them off easily. More significantly, individuals may show signs of attachment through their emotions and conduct. They may even be concerned about being switched off and want to take action to prevent it. Alternatively, future robots may be cyborgs, made up of organic and non-organic parts, and humans may be enhanced with non-organic parts. Humans and non-humans may no longer be distinct. In the same way that we can currently keep human embryos in computers, the concept of personhood may evolve if it becomes possible to upload and store a digitalized brain. Innovative generations will be raised with machines in new ways even before that happens⁵. When our laptops no longer work, we may not have any qualms about crushing them to bits. In contrast, if we had a robot nanny that could care for us in ways that our parents couldn't, we could have a different view of robots. It might be easier to cope with AI, particularly humanoid robots, if there is more to the mind than the brain. Having a conscience, or at least the ability to think, may be what sets us distinct. When it comes to qualitative experience and consciousness, there is a lot of room for

³Chalmers, David J. "The Singularity: A Philosophical Analysis." *Journal of Consciousness Studies* 17, no. 9–10 (2010): 7–65.

⁴Kaplan, Jerry. *Artificial Intelligence: What Everyone Needs to Know*. 1 edition. New York, NY, United States of America: Oxford University Press, 2016.

⁵O'Neil, Cathy. *Weapons of Math Destruction: How Big Data Increases Inequality and Threatens Democracy*. Reprint edition. New York: Broadway Books, 2017.

debate.. When it comes to intelligent robots, there will be just as many concerns as there are when it comes to enterprises and their human employees. By adopting a legal notion of human rights in this paper, as stated in the introduction. Human rights are defined as individually and collectively rights recognized and first primarily inside the Charter Of rights And Freedoms ("UDHR"), but further thorough with in Global This same International Covenant on Civil and Political Rights ("ICCPR"), as well as the United Nations Declaration on Economic, Cultural, and Social Rights ("ICESCR"). The World Charter Persons (ICCPR) and or the General Agreement on Economy, Sociological, and Heritage Resources (ICESCR) are treaties as well laws that compel countries that already have accepted it. The treaties build on the individual rights that Universal Declaration (UDHR) first declared there at international stage, but they define governments' duties in relation to two types such rights. Unlike with the Covenant on civil and political, which guarantees political rights instantly after adoption, the Uncork requires governments to take actions over time to accomplish the socioeconomic, societal, and rights. for example, it guarantees, taking into consideration a state's economic status and capabilities⁶.

By international treaties, nations are obligated to respect and protect human rights. This involves the need to defend civil rights with their own activities as well as to stop natural or juridical people (particularly corporations) under their authority from violating human rights. These rules remain in force even when privatising services, it might have an effect on the people. As just a result, corporations must continue to exercise task in order to detect, prevent, or manage grave human rights risks.

Towards the event such detrimental health rights consequences arise, businesses should address them through lawful channels, but it is the country's obligation to offer appropriate remedies to people who have been subjected to business-related crimes against humanity by judicial and many other means⁷. But even though the Guidelines have not had legal force, they do establish how from before the international humanitarian rules relate to corporate operations and give essential guidance on how businesses should act in a way that is civil liberties conscious. In any case, because corporations are at the forefront of Artificial Intelligence development and deployment, the Guiding Principles are critical to ensure that these powerful new technologies have good human rights consequences. As a result, the Guiding Principles will play a significant role in the discussion on the human rights implications of present Artificial Intelligence systems, as well as our recommendations for how they should be addressed⁸.

II. Beginning Of AI: Hindrance of Human Rights

Scientific vision changes history's speed as we approach the technological revolution. Human culture is being transformed into a robot and machine society thanks to the advancements in AI. Machine learning, natural language processing, big data analytics, algorithms, and other related concepts are all part of AI. Artificial intelligence products use intelligence generated through

⁶Ibid

⁷Petersen, Steve. "Superintelligence as Superethical." In *Robot Ethics 2.0: From Autonomous Cars to Artificial Intelligence*, edited by Patrick Lin, Keith Abney, and Ryan Jenkins, 1 edition., 322–37. New York, NY: Oxford University Press, 2017.

⁸Wallach, Wendell, and Colin Allen. *Moral Machines: Teaching Robots Right from Wrong*. 1 edition. Oxford: Oxford University Press, 2010.

humans can exhibit the same biases that characterise human intelligence. A threat to human rights across the world is posed by these prejudice and discrimination phenomena, which may be traced back to a variety of technological and societal systems. The human rights of disadvantaged persons and groups are disproportionately affected by AI since it facilitates discrimination, producing a new type of technology-based oppression⁹.

Some of the beginning of AI which has brought disproportionate affects on human rights are,

- **Artificial Intelligence as discrimination tool**

Discrimination and institutional racism have become more prominent issues in political arguments over technology progress as AI advances in our organic civilizations. Neither the UDHR nor the ICCPR's Article 2 denies anybody the accurate discrimination in the gratification of their fundamental human rights and freedoms. It's not easy to put into effect because of the many prejudices and repressive behaviours that characterise human contact. Even if some people think AI is the answer to this problem, they don't take into consideration the fact that AI technology still contains remnants of human intellect¹⁰.

Artificial intelligence algorithms and facial recognition systems have, in fact, frequently failed to meet a minimum level of equality, notably by displaying discriminating inclinations against Black individuals. Gorillas were mistaken for two black humans by Google Photos in 2015, which is considered a sophisticated recognition programme. Keywords like "Black females" returned sexually explicit results when entered into the Google search field. Black patients' medical requirements were devalued by an algorithm for determining whether patients needed more treatment, according to researchers. Predictive policing uses facial-recognition technology to identify suspects in the criminal justice systems of many governments, including Hong Kong, China, Denmark, and India. There are many who question whether or not these algorithms do anything but reinforce biased behaviours already in place. Due to the tools' uncritical bias, African-Americans are now more likely to be labelled "high-risk offenders," thus entrenching racism in the criminal justice system. Artificial Intelligence (AI) has a long history of racial prejudice, which is a shame to its ability to alter society.

Despite the fact that the Black Lives Matter movement is mobilising communities to defend the rights of Black people, the rising use of AI in society is encouraging digital bias and reproducing the harm that is now being combatted. Discriminatory behaviours in modern society are exacerbated by this technology, which disproportionately impacts the weak¹¹.

- **Unemployment source of AI**

Article 23 UDHR, Article 6 ICESCR, and ILO Article 1(2) ensure the right to work and protection against unemployment. However, the rapid growth of AI has created a new age of unemployment owing to the replacement of human labour. The exponential expansion of technology means we will

⁹Wiener, Norbert. *The Human Use Of Human Beings: Cybernetics And Society*. Revised edition. New York, N.Y: Da Capo Press, 2018.

¹⁰Julia Angwin, Jeff Larson. "Machine Bias." Text/html. ProPublica, May 23, 2016.

<https://www.propublica.org/article/machine-bias-risk-assessments-in-criminal-sentencing>

¹¹Siegel JS, Ramsey LE, Snyder AZ, et al. Disruptions of network connectivity predict impairment in multiple behavioral domains after stroke. *Proc Natl Acad Sci USA* 2016;113:E4367–E4376

eventually run out of work, says Robert Skidelsky in his book *Work in the Future*. This was reaffirmed in a landmark research by Oxford scholars Carl Frey and Michael Osborne, who calculated that AI may automate 47% of US occupations in the future. In 2017, Changing Precision Technology, a Chinese smartphone manufacturer, replaced 90% of its human workforce with machines, doubling productivity and reducing errors by 8%. Adidas has also resorted to 'robot-only' manufacturing to increase productivity¹². Human labour no longer drives corporate growth; in fact, human labour may hinder productivity. Until now, technology has harmed low and middle-skilled employees, reducing employment prospects and incomes, leading to job polarisation. However, as technology advances, many vocations that are currently considered safe from automation may be replaced by AI. Siri, Cortana, Alexa, and Google, for example, have progressively replacing personal assistants, foreign language translators, and other services that formerly required human involvement. A fresh wave of AI innovations may exacerbate the COVID-19 pandemic's impact on millions of employment. Increasing the use of AI in many employment categories appears to make the wealthiest wealthier and the poor poorer. In fact, AI symbolises a new type of capitalism that seeks profit without creating new employment; a human labour is seen as a hindrance. In order to guarantee human employment rights in an AI era, a techno-social governance framework must be developed.

IV. Risks and Opportunities of Human Rights for AI in Humanitarian Action

Opportunities

Artificial intelligence (AI) is a collection of tools and abilities aimed at imitating human intelligence. Data identification and classification or even a judgement may be automated using artificial intelligence systems. Some individuals choose to use the term "mechanised intelligent system" instead of "artificial intelligence" as a result of this. It is argued in this study that AI may be defined as the ability to recognise patterns, gather knowledge from that information, and then use what it has learned in new situations. Models that use unsupervised machine learning (unsupervised ML) may learn from the data they are fed, eliminating the need for human programmers to input rules. As a result, they are referred to as self-taught. An artificial neural network (ANN) is used to identify patterns and forecast outcomes¹³.

A computer algorithm can "execute difficult operations faster than humans, self-learn to enhance performance, and undertake extensive analysis to forecast likely future outcomes". These and other methods are already being used to enhance development and humanitarian efforts. Automatic structure detection in satellite photography allows quick tracking of migrant trends and effective relief delivery in humanitarian disasters. Drought and other unfavourable weather dangers may be mitigated, and crop yields can be maximised by planting seeds at the ideal time. Innovative AI methods enable remote detection of diseases like malnutrition in areas with limited medical services¹⁴.

¹²CEIPI (2019) "Artificial Intelligence and intellectual property". <http://www.ceipi.edu/en/training-seminars/artificial-intelligence-and-intellectual-property/> Accessed 11 Feb 2022

¹³Mckinsey and Company. AI adoption advances, but foundational barriers remain. Survey Report. 2018(11). Available at: <https://www.mckinsey.com/featured-insights/artificial-intelligence/aiadoption-advances-but-foundational-barriers-remain>

¹⁴Ibid

The data are the lifeblood of artificial intelligence development; deprived of them, a model cannot learn. Searching for reliable data has typically been more challenging in emerging markets, especially in LDCs and humanitarian settings, where technology infrastructure is often lacking.

Challenges

The important features that make systems so influential also threaten the rights and liberties of individuals who utilise them. As is typically the case, as has been the way with many digitalisations, defining what may be "new" or "specific" concerning AI and yet it deserves special attention is crucial. We cannot analyse AI's innovative properties in detail here, but we will list some of the most often stated AI issues in the human rights discourse.

- **Lack of understanding and transparency**

The black box problem occurs when humans are unable to comprehend artificial intelligence systems. To the general public and many in charge of regulating public behaviour, processes' choices may be difficult to audit or otherwise explain. Because AI systems are opaque to people who utilise them, it is difficult to hold them accountable when they cause harm. The obscurity of AI systems can prevent people from noticing rights breaches and obtaining recourse. Even if comprehending the system is feasible, it may require technical skills that ordinary people lack. This can stymie efforts to address AI-related hazards¹⁵.

- **Volatility and unpredictability**

Algorithms may learn and adapt in unanticipated ways. They can detect new challenges and generate new solutions. A system may recognise it can perform classification as well as draw any conclusions that the person who created it or assigned it to it did not foresee. Algorithms can analyse data when we still have not been instructed to appraise, attempting to take on new tasks or indeed work in unfamiliar contexts. Natural interpretation, on the other hand, may not always understand a platform's practical solutions. It's hard for new inventors and application developers to predict, nor to describe, the form and level of a program's risks in a particular situation. Even the most powerful ML systems have a limit to their versatility. As a result, when implemented on data that differs greatly from their training data, many fail to generalise successfully¹⁶.

V. Conclusion and Suggestions

Artificial intelligence is transforming the way businesses and governments operate globally, potentially compromising individual rights. Individual rights are something that everyone should be concerned about. While data protection regulations, as well as ethics and visibility mechanisms like one of those mentioned in this chapter, can help restrict and one of the worst uses now understood, more force is needed to defend civil liberties if AI results of technological advances and advances. We hope that this study sparks more discussion on the subject of humanitarian law, but we wait to hear from you participating in such talks. AI might help humanitarian efforts if created and used in a fair and ethical manner. To limit the hazards and enhance the advantages of emerging technologies, human

¹⁵Yala A, Lehman C, Schuster T, Portnoi T, Barzilay R. A deep learning mammography-based model for improved breast cancer risk prediction. *Radiology*. 2019;292(1):60-66.

¹⁶Campanella G, Hanna MG, Geneslaw L, et al. Clinical-grade computational pathology using weakly supervised deep learning on whole slide images. *Nat Med*. 2019;25(8):1301-1309. doi:10.1038/s41591-019-0508-1.

rights concepts should be built-in from the outset. The advantages and hazards of an AI intervention may be explained to implementers, affected populations, and other stakeholders using explanatory models. While total technical transparency is not always attainable, explanatory models can assist educate and enlighten. While technology progresses more crucial in our everyday life and indeed the running of society, the conflict involving AI for individual rights is becoming more and more obvious. This same shortage of rigorous General Data protection regulation makes for easy online manipulation while AI is considered as a beneficial innovation in society today. These companies publicly meddle into people's lives and gradually infringe their human dignity. Right to equality, equality of opportunity, and basic liberties have all shown itself to be threatened by Ia. To reverse these tendencies, our digitally transformed communities need to adopt correct legal norms. Transparency in AI decision-making, accountability for tech firms, and the power of civil society to resist new technology adoption are all urgently required. Investing in public awareness and education projects will assist communities understand not just about the operations of AI, but also its influence on our daily lives. Human rights in the age of technology are questionable unless appropriate safeguards are implemented to protect society's interests.

However, after examining the role and the impacts of AI is creating, there are still certain holes that need to be filled to meet healthcare goals and laws. These are a few:

- conducting Detailed civil liberties proper checks in accordance with the Uk Corporate Governance code and Individual Liberties, such encompasses investigating possible rights violations, establishing effective measures to avoid and alleviate damage, or being truthful about certain attempts.
- Providing maximum transparency and explanation regarding the AI system works which will also ensure transparency in respect of public impacts.
- Establishing appropriate mechanisms for the remedies and accountability.

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