



## Ethical And Legal Implications Of Artificial Intelligence On Human Rights

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### Abstract

Artificial intelligence has become an ever increasing necessity in day-to-day life which makes this article focus on the different aspects of artificial intelligence particularly in the area of law and human rights. It discusses the issues of artificial intelligence, gaps and challenges particularly adverse effect on human rights value. Matter of concerns include algorithmic transparency, challenges of Cyber protection, injustice, bias and discrimination, negative effects on workers, privacy issues in protecting data, responsibility for loss and absence of answerability. Paper highlights the grey area of AI which requires immediate attention to protect human rights. There is no denial that artificial intelligence has worked a miracle in many areas but these areas require regular check and dynamic approach to make it in proportion to the mankind particularly vulnerable segment of the population and their human rights.

**Keywords:** Artificial Intelligence, Human Rights, Cyber protection, Algorithmic Transparency.

### I. Introduction

Artificial intelligence has become an ever increasing of the human society in multiple ways trained machines in houses and health care facilities automatic automobiles AI driven aircraft in transportation electronic agents in online shopping it is moving rapidly and contributing to the world at large.

The current and future effects of AI on individuals and society are generating both high expectations and serious concerns [1]. On the one hand, AI has the potential to improve human talents, increase security and efficiency, enable universal knowledge and skill provision, and promote scientific research, contribute to improving studies, medical care and environmental health through research. AI, on the other hand, may make space for bias, manipulation, discrimination, cyber insecurities [2].

The regulatory system on legal and human rights concerns serious issues of artificial intelligence in the present and future times. The area involves some vulnerable areas which need immediate address to avoid future repercussions [3].

### Objectives

The article addresses the dilemma of present and future use of AI in legal and human rights protection. It highlights the possible violations of human rights in 21<sup>st</sup> century. The lacuna and challenges in this area and what are the best possible solutions in this context?

### II. The Encroachment of AI in Human Rights

The present part of the article gives an overview of the use of Artificial Intelligence its issue, the significance to address the issue, possible solutions and concerned loopholes and lacunas. The section has limited examination as the intension is to give bird's eye to the usage of AI in gentle area of human rights and have sustainable approach in its usage to make is useful for future research endeavors [4].

The legal and Human Rights issues at the global level are well discussed in the policy documents of United Nation, the European Commission for justice, the parliament of the Europe, [5] European Commission, European data protection. Artificial intelligence usage sometimes includes varied form of risk and challenges in academic domain and society at large. On the other hand, AI adversely affects specific areas like healthcare, defence, transport. Wherein some issues relate to Legal personality, IPR, Algorithmic bias, discrimination and unfairness, protection of labor force, cyber security and privacy, access to justice [6].

#### *Algorithmic Transparency*

##### *The Problem and its Importance*

Actions of algorithmic transparency are an issue that needs an immediate attention and it is one of the Limelight discussions of legal fraternity on AI. It highlights use of AI in high-risk areas which requires structuring and monitoring AI to be logically just and transparent [7]. Absence of transparency is a grey area which put up questions like people denied employment, denial of loans, denial of benefits without actually knowing the real cause as the decisions are processed through some or the other automated software.

### ***Possible Solutions***

Panel for future of science and technology discuss various policy proposed guidelines to regulate algorithmic transparency answerability taking into consideration the social, technical and regulatory challenges [8]. The policy outlines different areas of algorithmic transparency like awareness rising by way of basic education; spotter and whistleblowers accountability system in the area of public working especially decision-making process, regulation framework and liability under the eyes of law [9].

### **III. Significant Challenges with Cyber Security**

Various research Giants have mentioned in their reports the pressing issues connected with the application of AI like complete automation decision making process causing unparalleled loss and expensive errors, complete use of AI weapons without human intervention, deficiencies of AI causing risk in cyber security, mass scale political message on social platform at etc. The discussion in reports also talks about domestic level cyber security issues for example growing use of artificial intelligence for checking of civilians by regulatory authorities [10]. Unchecked use of AI has potential adverse effect on the fundamental rights of civilians [11] such issues need immediate attention and Management to avoid harm with dip effect on society and community at large causing a danger to life and human security and use of resources cyber security issues are potentially Dangerous as they are more hidden and revealed at later stages where damages have been done to a larger extent [12].

#### ***Possible Strategies to address the issue***

Possible Blueprint and mechanism are proposed to work out the solution for cyber security vulnerabilities for example proper protection framework recovery system, Stage 1 checking and addressing issues in the process of design, human resource deployment in decision making process to handle critical issues; application of risk monitoring tools, programs and updating the software to check the by default deficiencies of artificial intelligence [13].

#### **IV. Transgressing law by inequality and discrimination**

One of the most pressing challenges of the use of AI which has been identified by the major institutes and research joints including UN have been the practice of injustice, bias and discrimination [14]. The main challenge come with the use of algorithms and automatic decision-making applications like health sector employment, credit facility in the banking system, criminal justice and insurance [15].

Article 7 of Universal Declaration of Human Rights and article 21 of fundamental rights of the European Union clearly talks about the principle of non discrimination [16]. The writings from the UN agencies dealing with fundamental rights highlight the potential violation of the above mentioned right by the use of algorithms. Most recent cited example of such discrimination is scene in the automated selection programs for job seekers [17].

The report [18] given by the European parliament in 2017 highlighted that data sets and algorithm system used in the decision making and forecasting at different level of data filtering the use of big data main cause infringement of fundamental rights including indifferent behavior and unintentional discrimination two different demographic rebel having similar feature when recruiting for evaluating candidates for example in the new traits of consumer on social media usage.

#### ***Possible measures to address the issue***

Several Suggestions have been given to inculcate fair system. For example human inclusive techniques and making algorithms open. The IEEE global workshop provides for software fairness to have ethics in place while using the artificial intelligence. The global IEEE initiative on the international level provides for system and framework to protect the human race from unintentional unbiased, differential results for different users [19]. The best example for the same is the open-source tool kit that helps the consumers to check ok report and avoid discrimination at the hands of machine learning models by the application of AI.

### **V. The issue of Intellectual Property Rights**

Article 21 of Universal Declaration of Human Rights including the two protocols that is article 15 of international Covenant on economic social and cultural rights article 19 of international Covenant on civil and political rights and the Vienna declaration and programme of action 1993 clearly provides the human right status to the intellectual property rights. Due to its human right character, it has been included in different policy areas. AI infringes these rights in various forms like ownership of generated developed works for inventions. Liability issue for creation and innovation by AI in case conflict with the legal provisions [20].

#### ***Possible Measures to Handle IPR Issues***

The upcoming laws are working to provide different measures for the issues related to generated works for example the laws of United Kingdom provide protection to the dramatic, musical, artistic work which is created by computer. Though there is not direct provision in the books of law protecting the computer-generated work. However, in such case the developer of AI I have the right except if the work was commissioned or developed in the process of employment.

### **VI. Impact on Human Workforce**

The Global report by various employment institute raise the issue of AI application news of robotics at the workplace. There are several problematic areas by the use of AI and some of them require immediate attention [21]. These include

changing needs for future workforce decline in the demand for workers developing new criteria and structure for new jobs retrenchment of employees in differential treatment in the new employment industry, changes in the system of union collective bargaining issues pertaining to health and safety working hours adverse effect on earning structures, social security [22].

**Possible measures to address this issue**

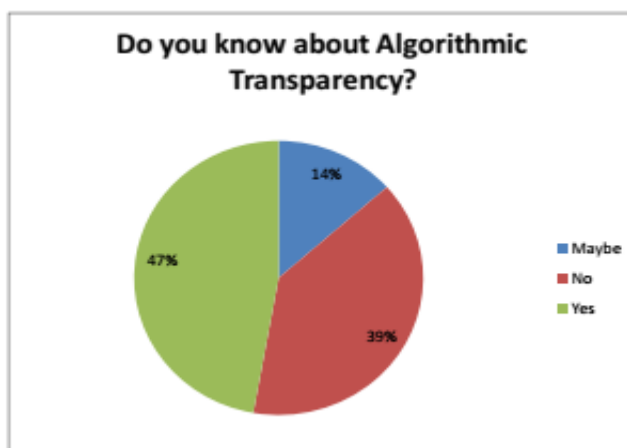
Several measures and mechanism are Putin news or at least have been proposed to address this dilemma these include retraining employees and providing awareness to the Employees by adopting the education system [23]. These ethical issues and dilemmas can be addressed by providing modern system of education at all levels giving every individual to acquire the skills they need. The monitor the application, the changes it brings providing help desk to workers whose employment changes or lost [24]. Search system must include domestic games which are prerequisite for giving required skill and training. Last but not the least social security structure requires immediate amendment and reconsideration.

**VII. Privacy and Data Protection Issues**

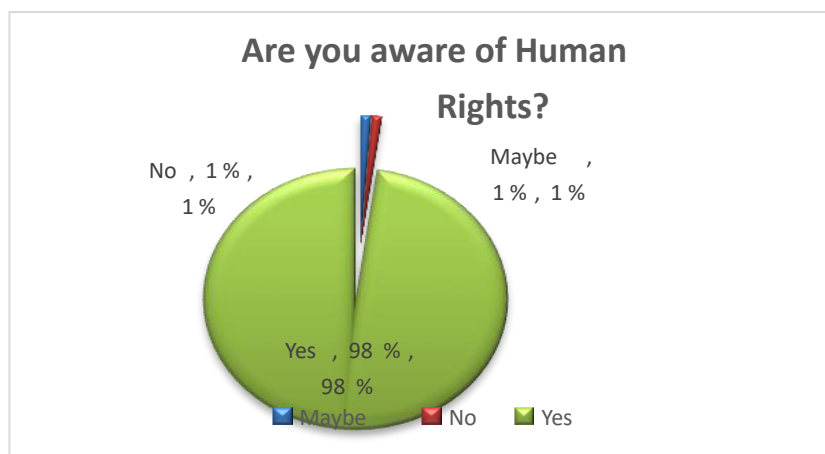
Legal and data protection expert provides the Application of AI impose serious threat to privacy and data protection. These issues involve informed consent, scrutiny, violation of data protection drive like right of access to private information right to avoid access which is supposed to cause loss or damage, right not subject to automated decision, Privacy invasion or goodwill damage [25]. The use of big data, artificial intelligence and machine learning pose threat to transparency factor due to intrusive nature and low surveillance. One of the general issues is storage of personal data with payment gateways, medical care centers, and other business units which to an extent allow them access to personal data and endanger them.

**VIII. Research Methodology**

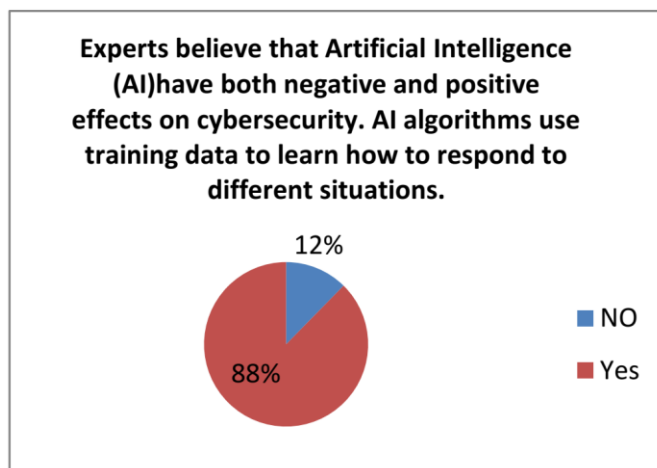
The paper aims to examine the possible ethical and legal issues of Artificial Intelligence and in order to do so the researcher has adopted the Data collection method by way of survey questions and questionnaire. The researcher has target audience of 100 people from the diverse professional field like academicians, IT professionals, Medical, Lawyers etc. The statistical data has been analyzed using Microsoft excel and Google Analytics and tools.



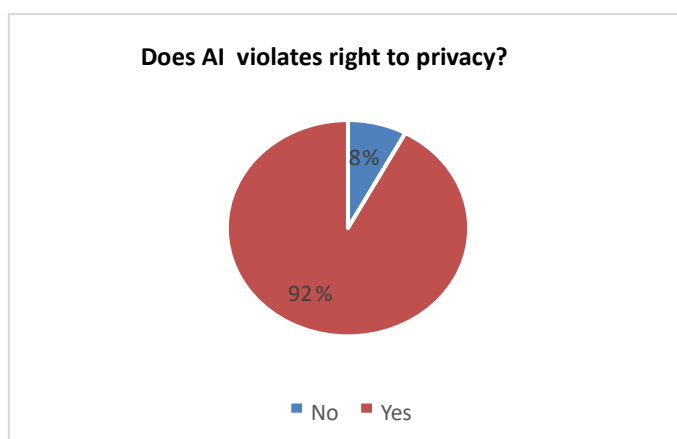
From the above statistics shows that 47% of the respondent they are aware about AI whereas 14 % are not clear and 39% does not know about AI.



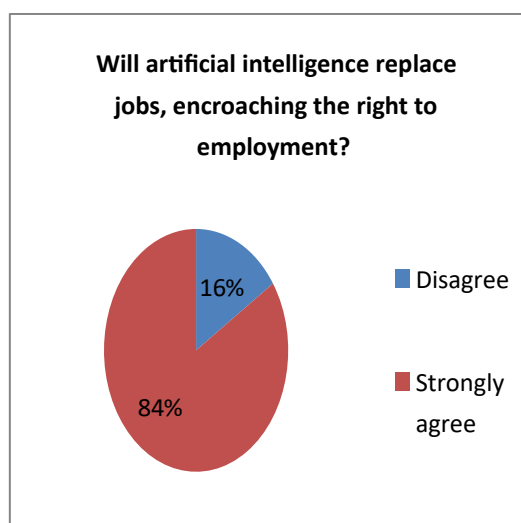
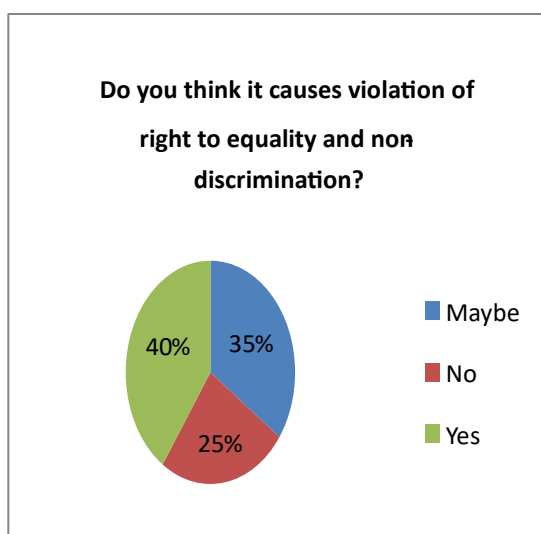
From the above statistics Human rights are inherent rights and statistics shows 98% of population are aware of these rights. 1% are not aware about Human Right and 1% respondent are not clear about Human Rights.



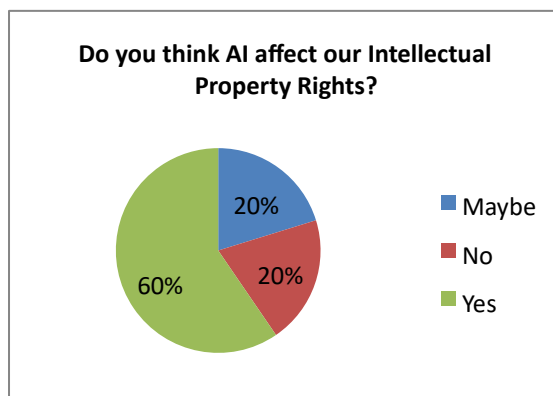
The above statistics show that 88% of people adversely affect the cybersecurity and raise serious concerns, wherein 12% do not believe so.



From the above statistics shows that 92% of the people believe AI usage violates right to privacy, wherein 8% do not believe so. (In this Data collected by means of AI also raises privacy issues like informed consent freely given, being able to opt out, limiting data collection, describing the nature of AI processing).



The above statistics show that 40% people have witnessed inequality and discrimination issues. Wherein 35% are not aware and 25% do not believe that it violates right to equality and non discrimination.



The above statistics show that 60% of population believe that AI affects Intellectual Property Rights. Wherein 20% of population do not believe so and 20% are not aware of the same.

The above statistics collected show that 84% strongly believe that excessive use of AI is causing serious threat to employment rates. Wherein 16% do not believe so.

### IX. Conclusion

The article highlights the implications of artificial intelligence in wide parts of life. It gives an overview of the actual loopholes, challenges, legal rights violation affecting the ethical principles of mankind. There are several vulnerabilities seen at various levels of society affecting wide range of violations: data protection, discrimination, employment rates, and intellectual property rights. These deficiencies adversely affect humans in person, human dignity, human protection and last but not least very basic human rights.

The socio-legal impacts of AI require immediate need of innovative regulatory measures, municipal laws, intellectual debates, awareness on usages and dangers of Artificial intelligence. With the progress in the use of AI legal and ethical issues increase if proper research and check are not made. AI is a domain which is much in discussion but we must assure new regulatory measures and developments to balance the dilemmas faced by the legal and societal framework.

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