Chapter 2
Artificial Intelligence:
A New Tool to Protect Human Rights or an Instrument to Subdue Society by the State

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ABSTRACT

With each technological revolution, mankind experiences a shift in the pace of history, leading to the emergence of a new age that fundamentally redefines human beliefs. Artificial intelligence (AI) is a technological subject that is causing a profound shift in human society towards a state characterised by robots and machines. AI encompasses several technologies such as machine learning, natural language processing, big data analytics, algorithms, and other related fields. Nevertheless, as human intelligence is marked by inherent bias in decision-making, AI products that rely on human-generated intelligence also display similar characteristics. The existence of bias and discrimination poses a threat to universal human rights, since these phenomena are deeply embedded in social institutions and have many technological origins. Indeed, because of its facilitation of prejudice, AI disproportionately affects the human rights of marginalized individuals and communities, hence giving birth to a new type of oppression rooted in technology.

1. INTRODUCTION

With each technological revolution, mankind experiences a shift in the pace of history, leading to the emergence of a new age that fundamentally redefines human beliefs. Artificial Intelligence (AI) is a technological subject that is causing a profound shift in human society towards a state characterized by robots and machines. AI encompasses several technologies such as machine learning, natural language processing, big data analytics, algorithms, and other related fields. Nevertheless, as human intelligence is marked by inherent bias in decision-making, AI products that rely on human-generated intelligence also display similar characteristics. The existence of bias and discrimination poses a threat to universal human rights, since these phenomena are deeply embedded in social institutions and have many technological origins. Indeed, because to its facilitation of prejudice, AI disproportionately affects the human rights of marginalized individuals and communities, hence giving birth to a new type of oppression rooted in technology (West & Allen, 2018).

Given its status as a general-purpose technology, artificial intelligence (AI) has a broad impact on all facets of society. The "inception report" on the broader societal impact of AI, published in 2017 by the European Economic and Social Committee, highlighted several key areas that have the most significant influence on society (Hunt, 2024/2014). These areas include safety, ethics laws and regulations, democracy, transparency, privacy, work, education, and equality. This implies that AI has a significant impact on the core principles of European society, including human rights, democracy, and the rule of law (Zhang & Lu, 2021). The AI High Level Expert Group on AI released the Ethics Guidelines for Trustworthy AI in 2019. Trustworthy AI is characterized as being resilient in terms of its socio-technical, ethical, and legal aspects, according to these principles (Kinder et al., 2023). The principles unequivocally acknowledge fundamental rights as the bedrock for AI ethics in relation to the ethical aspect of dependable AI. These concepts lack legal enforceability in isolation, although include elements directly drawn from established human rights. There has been an increasing need for new or stronger legally binding AI technologies in recent times (Valle-Cruz et al., 2020). In its Whitepaper on AI, the European Commission highlighted the need of AI adhering to the fundamental rights and regulations that safeguard them. The document also unveiled potential elements of a legal framework (Busuioc, 2020).

The chapter delves into the impact of AI on democracy, human rights, and the principles of legal governance. This document delineates the human rights that are now or are expected to be significantly impacted by artificial intelligence, as defined by the European Convention on Human Rights (ECHR), the Universal Declaration of Human Rights (UDHR), and its Protocols. It aims to provide many possible strategies that may be implemented simultaneously, if necessary (Truby,

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