



AI'S DOUBLE-EDGED SWORD: ENCOURAGING AND ENDANGERING THE HUMAN RIGHTS

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ABSTRACT

Artificial Intelligence (AI) is a groundbreaking force with the potential to either advance or undermine human rights, depending on how it is designed, deployed, and governed. While AI drives innovation and enhances efficiency, unchecked systems risk perpetuating inequality, spreading misinformation, and enabling unwarranted surveillance, all of which are constant threats to individual rights. This essay analyses the dual-edged impact of AI on human rights. On one hand, AI delivers significant benefits in areas such as healthcare, disaster management, and accessibility. For example, AI-powered diagnostic tools can improve early disease detection, while disaster prediction systems can save lives by providing early warnings. Additionally, AI-driven technologies help make education and services more accessible to people with disabilities. These advancements showcase the immense potential AI holds to enhance the quality of life and uphold human dignity. On the other hand, the rise of AI also introduces considerable risks. Privacy violations, algorithmic discrimination, and the rapid spread of misinformation are growing concerns. For instance, biased algorithms in hiring processes can reinforce systemic inequalities, while mass surveillance systems jeopardise personal freedoms. Without proper oversight, these issues may undermine fundamental human rights and erode public trust. This underscores the urgent need for ethical frameworks and responsible governance to guide AI development. By ensuring alignment with human values, AI can protect rights such as privacy, equality, and access to accurate information. With careful planning and oversight, society can harness AI's potential while mitigating its risks, ensuring it serves humanity as a whole.

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INTRODUCTION

In 1990, the renowned human rights activist Nelson Mandela profoundly stated, “To deny people their human rights are to challenge their very humanity.”¹ Fast-forward to the 21st century, and we find ourselves in an era where awareness about human rights has grown significantly. Today, countless organisations both governmental and non-governmental are actively taking initiatives to promote and spread awareness about these fundamental rights, empowering individuals to understand and claim what is rightfully theirs.

Artificial Intelligence (AI) has rapidly emerged as a transformative force, revolutionising industries, reshaping societies, and redefining how individuals engage with the world. With its potential to automate tasks across diverse sectors and drive continuous innovation in fields such as healthcare, manufacturing, defence, and education, AI holds immense promise for enhancing human life. However, in today’s fast-paced world, where law and order govern all aspects of society, the rapid growth of AI brings with it profound social, ethical, and legal challenges. The impact of AI on human rights has thus become a subject of critical importance, reflecting its dual-edged nature. On one hand, AI has the potential to enhance access to essential services like justice, education, and healthcare, whereas on the other, it poses significant risks to fundamental freedoms, including privacy, freedom of expression, and equality. This essay will provide a comprehensive analysis of the dual nature of AI, examining its capacity to both advance and undermine human rights, while underscoring the urgent need for ethical governance and accountability in its development and deployment.

ADVANTAGES OF ARTIFICIAL INTELLIGENCE WITH RESPECT TO HUMAN RIGHTS

As AI gets increasingly unified into various aspects of society, its influence is thoughtful yet warrants careful consideration. With that in mind, let us begin by examining the positive impact AI can have on human rights. AI is increasingly recognised, or on the verge of being recognised, as a potential solution to some of the world’s most pressing challenges. From optimising energy efficiency to improving conditions in disaster-prone areas, AI has the

¹ Nelson Mandela was speaking about Human Rights at a joint meeting of the United States Congress, Washington DC on 26 June 1990.

potential to address critical issues and drive meaningful progress in ways that can significantly benefit global human rights. Common Human Rights concerning the above issues are the right to adequate housing, life, security of life, clean energy, and healthy living conditions, to name a few. Countries like the United Kingdom and Germany are pioneers in integrating Artificial Intelligence in the energy sector. Certain German companies are incorporating AI into their industrial automation solutions to improve energy efficiency across factories, whereas in the UK, Artificial Intelligence is being used in smart building technologies to manage heating, cooling, and lighting systems more efficiently. These steps cover the Right to a Clean Environment, which is recognised globally as a Human Right as declared by the United Nations Human Rights Council (UNHRC) in 2021.² In disaster-prone areas, AI can be integrated with disaster management measures to speed up the process and improve its efficacy. Not only will AI help in the innovation of sustainable infrastructural planning, but it will also provide early warning signals, timely alerts and forecasts. In the United States, AI-powered weather forecasting systems have improved prediction accuracy by up to 30%. In Japan, AI-driven early warning systems have reduced the response time to natural disasters by up to 50%.³ Also, by utilising AI to assess and modify buildings and settlements, organisations can ensure that vulnerable populations are better protected during natural disasters. These insights showcase the tangible benefits of integrating AI and technology into humanitarian efforts, which in turn result in the safeguarding of key human rights that even organisations and bodies at international levels are pushing for.

The inclusion of Artificial Intelligence in legal processes can help in ensuring enhanced access to justice, and can even try to make it more affordable. AI can assist in case analysis, legal research, and predicting case outcomes if programmed with the right laws prevailing in the country, helping individuals who might otherwise lack access to legal representation. Concerning data-driven advocacy, AI enhances the ability to monitor and document human rights violations. For instance, machine learning algorithms can analyse satellite imagery to detect evidence of illegal deforestation or forced displacement, providing valuable evidence for advocacy efforts. This “data-driven advocacy” has a real-life implementation as well, when Flynn Coleman, an international human rights attorney at the beginning of her career, was part

² The UNHRC passed a resolution that declared that a clean, healthy, and sustainable environment is a human right. Available at: <https://www.unep.org/news-and-stories/story/historic-move-un-declares-healthy-environment-human-right>

³ Adaptability of AI in various countries, and how it could assist India in certain key areas, along with statistics. Available at: <https://www.deccanherald.com/opinion/ai-can-help-indias-disaster-mitigation-and-management-system-3187879>

of a Genocide Prevention Centre that took into use Russian satellite imagery for humanitarian purposes in war-torn and critical areas (as revealed by her during a TEDx Talk).⁴ Additionally, AI tech plays a vital role in increasing accessibility for people with disabilities, making them feel like others who are normal and guarding their right to equal representation. Tools like speech-to-text applications, speech-backed assistive devices like Siri and Alexa, and AI-driven navigation systems empower such individuals to engage more fully in society.

DRAWBACKS OF ARTIFICIAL INTELLIGENCE CONCERNING HUMAN RIGHTS

Two sides of the same coin? While the highs of AI concerning Human Rights have been stated above, the technology also holds certain risks and challenges to those basic rights if not addressed effectively. The 21st-century human rights paradigm has been drastically disrupted by the inclusion of AI Tech in it. To safeguard humanity, the single most important thing that we as individuals can do is to teach the concepts of rights and values to machines. After all, it is not the technology that we need to fear, but the people behind its development and deployment. Consequently, taking this into account, the following are the risks or challenges that Artificial Intelligence poses to Human Rights. The most common and obvious one is bias and discrimination. The right to equality, the right against discrimination, and the right to employment can be well-violated for this reason. AI algorithms often inherit data present during their programming. Such data might be outdated, biased, or discriminatory in certain instances. For example, a job description algorithm of an engineering company might have been trained/programmed with gender preferences set to male, as it was predominantly meant for that generation. If such a programmed algorithm is applied today, it is a clear violation of human rights. Also, AI tools trained on biased datasets can perpetuate stereotypes or exclude certain cultural or linguistic groups. Examples include gender disparities in children's media and the racial biases present in facial recognition technology. Hence, biased hiring algorithms or racial profiling in predictive policing undermine the right to equality and non-discrimination and are one of the key risks of AI to human rights.

Another reason why AI might be at a disadvantage is due to their lack of real-world understanding, especially those tools that are used in the field of education or used for spreading information or even a mere AI-backed chat program. AI-based applications generate responses and ideas based on patterns in their training data rather than understanding real-world contexts

⁴ TEDx Talk by HR attorney Flynn Coleman. Available at: <https://www.youtube.com/watch?v=Gcs6gX-sfsU&t=29s>

or experiences. This may result in the dissemination of inaccurate or misleading information, which, in certain cases, may prove to be unbeneficial or even adversely affect. A shocking but true example of this limitation of AI is a case that happened back in December of 2024 in Texas, where an AI chatbot allegedly advised a teen to kill his parents in response to the screen time limitations imposed by them.⁵ Though this example may not relate to Human Rights directly, it still evidently highlights the inefficiencies, inaccuracies, and high risks that AI-backed suggestions hold in important instances. Due to a lack of real-world understanding, AI tools may tend to pass on inaccurate or misleading information, which can deprive individuals of their right to accurate information, which plays a vital role in decision-making processes. In the field of education, dependence on wrong or partial answers could undermine the tenet of access to quality education. This is more the case in areas where AI tools are more widely used and relied upon. Often, these AI tools provide unverifiable or incorrect information, and individuals taking into use this processed data may be unable to hold it accountable. Additionally, the spread of misinformation can affect public trust in institutions, indirectly impacting democratic rights.

There are numerous other drawbacks of AI from the Human Rights perspective, as AI-powered surveillance tools, facial recognition systems, and data analytics can infringe on individuals' privacy without consent, thus violating their right to privacy. In the digital backdrop, AI has also been flagged for numerous inappropriate instances. Delving into how technology can be weaponised, the Deepfakes created with the help of AI have been used to threaten and extort people, spread hatred and misinformation against a few, etc. This technology of deepfakes, backed by AI, poses a significant threat to the privacy of individuals, risking their rights against defamation, right to security, etc. It does not end here, as this tool has posed a significant threat in elections as well, by forging famous individuals into spreading fake information and risking their reputation, violating the right to a free and fair election.⁶ The development of AI technology may also result in the widening of the digital divide, as it is not economically feasible for everyone, nor is its use case understood by all. Development and deployment of AI tools may, in instances, fail to address the needs of marginalised and underprivileged communities and result in the exclusion of such communities from access to its benefits. These circumstances tend to violate an individual's right to equality and representation. Automated

⁵ News report of the adverse and unusual suggestion given by AI chatbot. Available at: <https://economictimes.indiatimes.com/magazines/panache/ai-chatbots-shocking-advice-to-teen-killing-parents-over-restrictions-is-reasonable-case-explained/articleshow/116294049.cms?from=mdr>

⁶ Effect of Deepfakes on Elections. Available at: <https://www.youtube.com/watch?v=B4jNttRvbpU>

weapons and AI-driven military endanger human security and international peace, thus risking the right to life and security. An example of this disadvantage is the recent unrest situation between two European countries, Russia and Ukraine, where, with the help of AI-backed drones ariel attacks were carried out in each other's territories.⁷

HOW ETHICAL GOVERNANCE CAN HELP ARTIFICIAL INTELLIGENCE FOR THE BENEFIT OF HUMANITY AND RIGHTS

As Artificial Intelligence continues to rapidly revolutionise various societies, sectors, and industries at large, its potential for both positive and negative impacts, as highlighted above, has grown exponentially. Ethical governance in the development and deployment of AI is crucial to ensure that this transformative force works for the betterment and benefit of humanity and fundamental rights while minimising the risks and uncertainties it bears. Ensuring the use of AI responsibly and ethically is of paramount importance due to numerous reasons. In the context of Human Rights, ethical governance of AI will help in safeguarding vital fundamental rights of people that, knowingly or unknowingly, are violated using this technology.

Ethical governance ensures that AI systems are designed and monitored in a manner that upholds fairness, equality, and the right to non-discrimination. Ethically prepared frameworks mandate transparency in information handling, right from obtaining consent for data collection to its utilisation and storage. This not only safeguards an individual's right to privacy and access to information but also reinforces trust and accountability in AI systems. By establishing ethical standards and policies, the accuracy and credibility of information delivered by AI systems can be prioritised, effectively addressing and mitigating the spread of misinformation. Promoting transparency and trust through such measures can significantly reduce the risk of misapplications and manipulations, thereby protecting public discourse, societal harmony, and democratic principles. Furthermore, ethically governing AI algorithms and tools can ensure inclusive development, promote cultural and racial sensitivity, and enable equitable access to advanced technological resources. While AI technology continues its rapid evolution, ethical governance becomes essential to bridging the gap between this 'evolution of technology' and the slower pace of legislation, societal values, and ethics that tend to mature over time. As previously mentioned, it becomes increasingly evident that to safeguard humanity, one of the most critical steps is to teach machines the concepts of rights, values, and moral principles. By

⁷ News article on AI-backed strikes on enemy territories by other countries. Available at: <https://www.eurasiantimes.com/ai-enabled-kamikaze-drones-start-killing/>

implementing adaptable ethical frameworks, we can guide AI behaviour in the absence of formal laws and inherited societal norms. Moreover, the natural environment we inhabit, which is increasingly encroached upon for industrial purposes, must also be considered in this process. Additionally, AI technology, when aligned with robust ethical frameworks and global climate goals, can help ensure sustainable industrial growth and development, including that within the AI sector itself. In conclusion, ethical governance is not merely an option but an indispensable necessity for ensuring that AI aligns with human values, respects fundamental rights, and contributes meaningfully to the greater good of humanity and the planet we share.

CONCLUSION

Every day, we witness how digital technologies, including Artificial Intelligence, shape our personal lives, societies, economies, and the basis of our social, political, and cultural existence. Our reliance on these tools has grown exponentially, and with this dependence comes both opportunities and challenges. While AI has the potential to promote and uphold human rights by enhancing access to essential resources, improving efficiencies, and driving innovation, it also poses significant risks that cannot be ignored. By advancing fundamental rights such as education, healthcare, non-discrimination, and equality, AI has the power to transform lives positively. However, without robust governance, its unchecked development and deployment could lead to severe human rights violations.

Thus, ethical governance of AI is not just a precaution but a necessity. This critical ‘need-of-the-hour’ measure must be effectively implemented to ensure AI tools and resources operate within ethical boundaries. Such governance is key to safeguarding individuals’ human rights and preventing them from being compromised. Researcher Kate Crawford aptly noted, “AI can be a tool for empowerment or oppression—it all depends on how we choose to use it.” This statement resonates deeply in today’s context, where the growing dependency on artificial intelligence makes it imperative to approach its use with responsibility and awareness. She also stated, “Only by developing a deeper understanding of AI systems as they act in the world can we ensure that this new infrastructure never turns toxic.”⁸ Hence, as individuals, we must be informed about our rights and at the same time understand how to use AI and similar technologies wisely. These tools can either be a boon, empowering humanity and fostering

⁸ Kate Crawford made this statement in an article published by her in 2017, "Artificial Intelligence—With Very Real Biases." She advocates for a comprehensive understanding of AI's real-world applications to prevent technologies from causing societal harm.

growth, or a bane, intensifying inequalities, discrimination, and undermining the freedoms of individuals. The choice lies in our hands. By promoting collective awareness about technology as well as our rights, shared values, and responsible use, we can harness AI to uplift humanity and foster progress, preventing it from exacerbating inequalities and undermining freedoms.