# Artificial Intelligence and Violation of International Human Rights Law: A Dialectical Relationship

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# Abstract

International human rights law is a fertile field for AI applications, which requires an assessment of the impact of this technology on human rights and freedoms. Its ability to serve and protect humanity cannot be denied, as these technologies can enhance many human rights and freedoms, while monitoring potential violations in this context. On the other hand, it is a technology capable of fueling and perpetuating human rights violations, especially when it comes to the right to life, privacy, and work. Accordingly, in this article, we will present the most prominent aspects of the controversial relationship between AI and international human rights law. And the most important solutions proposed for policymakers in this context. This is done by using documentary research and a qualitative lens to analyze data and facts related to this matter.

Keywords: Human Rights; International Law; Algorithmic; Digital Freedom

#### Introduction

The study focuses on artificial intelligence (AI) and its influence on international human rights law with respect to societal change. For instance, Galaz et al. (2021) discovered that technological innovation advancement in society brings positive changes, but it can harm the society also. The artificial intelligence role is more positive, but it is witnessed to widespread spread the information on the international level (Buttazzo, 2023). As a result, machine learning approaches affect the intelligence level of human minds, and relying on information can violate human rights laws (Groumpos, 2023). The efficiency, accuracy, independence, speed, and many other features improved due to artificial intelligence. The focus of the international community is on human rights law and its relationship with artificial technology advancement. However, artificial technology applications are full of risk and can violate human rights law in the general context (Pawar, 2023). Artificial intelligence is, by nature, a dual-use technology, as it can be employed to perform legitimate tasks and violate legal rules, standards, and principles of human rights (Robertson, 2014). Therefore, it is evident that artificial intelligence technology can have varied effects within the framework of international human rights law, which calls for clarifying the various effects occurring in this field. Human rights constitute one of the main areas of concern for the international community in the domain of international human rights law and its pivotal role in human life and societal change (Alrwashdeh et al., 2024). As a result, the paper has explored

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different previous literature related to artificial intelligence in protecting and preserving international human rights law in general.

Alkahlout and Bader (2024) claimed that the internet is a direct means of human rights violations (Al-Maadawi, 2018). Now, artificial technology is made a victim because it canlose the security of recorded photographs and can attack their human rights. Severalauthors explored that the internet can easily share pictures of individuals on social media platforms and violate human rights on the international level. Mostly, internettechnology exposes the picture of individuals and spread's public opinion, which isone sort of human rights violation. Artificial intelligence is important in many aspects of society. Still, these technologies can create specific models and discoverspecific keywords to draw a specific video and images that actually constitute a violation of human rights (Reglitz, 2020; Enes, 2023). Thus, artificial intelligence works as a system, and it can immediately violate the personal rights of human beings in society. In this regard, several online media such as Twitter, called "Toxic Twitter", used artificial intelligence techniques to detect cases of assault against women on the Twitter platform, where most women's human rights are being violated internationally, and there is no law order working to protect them. AI specialized tools produce different pictures and videos through artificial intelligencetechnologies and expose their personal human rights (Dulka, 2022). For example, mostly women AI-based generated pictures were portrayed in the political and journalistic fields in Britain. The purpose of these videos was to harass them in the future. More than 6,500 volunteers from all over the world participated in the tweettrends to stop the violation of human rights law regarding human beings through the internet. Twitter analyzed 288,000 tweets as offensive due to the misuse of artificial intelligence in society (Aleksandric et al., 2024).

#### **Research Method**

The study used qualitative approaches to address inquiries about experience, meaning, and perspective, mostly from the previous documents. Qualitative researchers use their observations and previous scientific documents to get comprehensive insights and narratives of certain problems, laws, and their occurrences. The research paper used qualitative lens and documentary research to collect data from different published documents through content analysis to reach a specific conclusion about the problem. For example, a content analysis approach was used to analyze international agreements and resolutions related to artificial intelligence tools and technology. In addition, the research narrates and discusses the most important transformations of human rights law in the international context and relates artificial intelligence misuse in the context of human rights violations. **Data Analysis and Collection** 

The study undertakes documentary research to evaluate a collection of papers for historical or social significance or to construct a broader narrative by examining various documents related to human rights, human rights violations, and international human rights reports regarding artificial intelligence tools and technology. Data was analyzed through content analysis in this research to gain a better understanding of human rights law in the international context. There are following themes were selected from the previous latest studies and relate the documents comparatively.

#### **Critical Scientific Thematic Discussion**

Critical discussion was necessary to examine, analyze, and evaluate different legal human rights documents and relate the literature review with perspectives, arguments, facts, and ideas to international human rights law.

## Artificial Intelligence Technology Positive Influence on Human Rights

Human rights constitute one of the main areas of concern for the international community in the modern era because of its pivotal role in human life and society (Hazem, 2021). Therefore, we will explain below the role of artificial intelligence in protecting and preserving these rights.

# Promoting the Right to Health Care

Artificial intelligence has contributed to addressing some of the gaps facing the right to health care, which has led to strengthening this right and ensuring its effectiveness (Al-Shorbaji & Al-Shorbaji, 2021). This was confirmed at the institutional level, as the World Health Organization's executive summary on the ethics of artificial intelligence, issued in June 2021, referred to The role of smart technologies in helping workers in this field improve the health care provided to patients by automating many procedural tasks such as scheduling appointments and taking notes, which allows more time to listen to patients and respond to them, in addition to their contribution to enabling patients to take charge of health care themselves. And understand their needs and requirements better (WHO, 2021). In addition, the World Health Organization's guidelines on the ethics and governance of artificial intelligence issued in January 2024 pointed to the importance of smart systems in improving access to health care and their contribution to accelerating the development of medicines and vaccines, in addition to their role in improving medical diagnosis and reducing human errors, which led to Addressing one of the most prominent obstacles facing the field of health care (Shope, 2021; WHO, 2021).

# Promoting the right to just and satisfactory working conditions

A study proved that there is a strong connection between work in the field ofhuman rights and exposure to crises and psychological disorders. The result found that many workers in this field suffer from psychological diseases such as depression, fatigue, post-traumatic stress disorder, anxiety, and others of diseases, due to the nature of the tasks assigned to them. The data related to human rights violations (Dulka, 2023), which includes pictures and clips of murders, violence, child abuse, andother aggressive acts (Cobbe & Singh, 2021).

Accordingly, assigning content supervision task to artificial intelligence algorithms has many positive effects, as it contributes to automating a tedious and stressful process for workers in this field, in addition to enhancing the human right to provide working conditions that protect his physical and psychological health ' accordance with what is stated in Article 7 of the International Covenant.

Concerning economic, social and cultural rights, which states:

"The States Parties to the present Covenant recognize the right of everyone to the enjoyment of just and favorable conditions of workwhich guarantee, in particular...(b) Conditions of work which guarantee safety and health" (Pinto, 2022).

## **Artificial Intelligence and Right to Education**

Artificial intelligence plays a prominent role in the field of education, as it offers many important advantages for enhancing the right to education, such as developing it the "personalization of learning opportunities" approach, which involves adopting multiple and disparate mechanisms in scientific explanation and review of curricula in a manner appropriate to different academic levels (Maurer & Cristiano & others, 2024; Chen et al., 2020). In addition to facilitating access to information thanks to the simultaneous translation feature, which allows individuals to access a huge amount of information that they were not able to access due to the language barrier, and many other advantages that smart systems have introduced to the educational field, which contributed to the consolidation of human right in learning in light of the digital transformation taking place (Yousuf & Wahid, 2021). As a result, the Hwanget al. (2020) pointed out the importance of artificial intelligence in alleviating the various difficulties and obstacles facing individuals in the educational field, which constitutes a guarantee of progress towards achieving the fourth goal "Quality of Learning" of the United Nations 2030 Plan for Sustainable Development (UNESCO, 2024).

## Artificial Intelligence Technology Negative Influence on Human Rights

The transformations witnessed by the international community in the era of artificial intelligence have greatly affected human rights and freedoms, so it is necessary to clarify the main repercussions facing human rights in light of the spread of these technologies.

## Algorithmic Censorship and Restriction of the Right to Human Privacy

The right to privacy, or the so-called right to private life, is the source of the most common discussions about the risks and harms due to artificial intelligence (Słotwińska, 2021), whether it can be possible on international or national level (Albarrak & El-Halaby,2019; Reis et al. 2024) delineated that user information were expose due to digital technology and countries have begun to digitize the environments surrounding individuals. For example, streets and homes follow using smart technologies, which exacerbated the threats to this right. Accordingly, the most prominent challenges facing the right to privacy, as well as the position of international organizations in this regard, after noting that both privacy and personal data protection are closely related to each other (Huang,2023; Gilani, 2023). express the same content, which is the individual's right to He has his personal space. Several researchers believe that privacy is the classic concept of this right, while protecting personal data is the moremodern concept (Yanamala et al., 2024).

# Digital Privacy Challenges for The International Human Rights Law

Many countries have begun to risk exposing the rights of their citizens to danger as a result of their desire to keep pace with the progress made in the field of artificial intelligence, while neglecting to take appropriate measures to address the danger of these technologies. This happens when huge amounts of biometric data on citizens are kept in unstable systems, or when they begin Governments, or other parties exploit these technologies in a certain way (Yanamala & Survadevara, 2024). The following is an indication of the most prominent risks occurring in this regard. There may be a possibility that data collected to achieve a primary goal, which is to help promote rights, will fall into the wrong hands if the parties controlling smart systems change, which creates the opposite result, i.e. a threat to the rights that were originally intended to be protected (Dulka, 2023). Some applications of artificial intelligence pose a great danger to specific categories of people, such as women, for example, because the method used in their design and marketing is done in a way that aims to spread misleading and false information about women, with the intention of stimulating hate speech towards them and insulting them, which has greatly undermined their right to privacy (Khalid et al., 2023). The last danger is embodied in the possibility of misuse of individuals' personal data by the governments themselves in the process of pursuing racist or extremist policies that involve violating the privacy of certain groups in their territory (Ahmad et al., 2023).

#### Artificial intelligence and right to live

The human right to life is the essence of human rights and the source of human enjoyment of all other rights. This is stated in many international conventions, including Article 6 of the International Covenant on Civil and Political Rights.

In the era of artificial intelligence, the challenges facing this right are exacerbated, as it is noted that there is a direct relationship between the independence of artificial intelligence and the violation of the human right to life. The greater the independence of these technologies, the greater the threats to this right. This is clearly evident in the military field (Rayhan, 2023), The independence of smart weapons constitutes a serious violation of this right, especially since they sometimes fail to meet the principle of distinction adopted within the framework of international humanitarian law (Hatim & Jaafar, 2020). They do not have the ability to distinguish between a civilian and a military person (Jaafar & Masaf, 2022; Hu & Min, 2023), as is the case when a child carries a toy gun, and smart weapons monitor and target him, thinking he is a soldier. In addition, smart weapons algorithms can be used to kill civilians and direct random attacks (Al-Maliki & Jaafar, 2019), whether this is intentional or as a result of a technical defect in the weapon's algorithms (Febiandini & Sony, 2023).

The other field is the medical field, Although AI technology has made an effective effort to enhance this right by assisting specialists in this field, completely autonomous robots are now being developed that can perform surgical operations

or provide rehabilitation treatment completely independently, which constitutes a real threat to the right to life because the possibility of their error is possible very much, in addition to the possibility of exploiting it and programming it to perform opposite tasks, such as killing the patient instead of treating them (Keyur, 2024).

# Artificial Intelligence, Working Environment and Violation of Human Rights Law

Sartor (2020) claimed that artificial intelligence has huge impact on the work environment of the organization. The international jurisprudence holding that the automation of jobs has cause unemployment as a result of humans being replaced by robots, which is violation of the human rights (Kriebitz & Lütge, 2020; Lee, 2022). However, another side believes that the real impact that occurs is the change in workpatterns and standards (Rodriguez, 2020) in terms of age, education, and income as well as that the groups whose right to work is affected are limited, which are the elderly and workers who do not have an advanced level of education (Chatterjee & NS, 2022; Naji, 2023). A studyconducted by the International Labor Organization in 2023, which concluded that artificial intelligence will not cause the termination of the employees from the jobs, but rather will become a complementary tool for them (the official website of the United Nations, 2023) (Alkhayareen, 2023). Masriani et al. (2023) found that AI impact on workers' rights related to automated management in the workplace, which converted to privacy and bias challenge (Špadina, 2023), As for the position of international organizations in this regard, the Global Privacy Association (GPA) issued a resolution in 2023 entitled "Artificial Intelligence and Employment," in which it referred to several provisions related to algorithmic management, namely: the need to commit to preventing and disproportionately using automated surveillance of workers; It is necessary to give he worker the right to undergo automated decision-making by knowing what personal data the employer holds and how it is used in the decisionmaking process (Baashar et al., 2022). With the possibility of objecting the decisions of terminatingemployee and submitting an informed complaint in this regard is the fault of automated decision technology (Jaafar & Pierre, 2023).

# **Concluding Remarks**

The study reviewed articles related to artificial intelligence and human rights law to suggest a critical discussion for future researchers and academics. Artificial intelligence has contributed to creating many positive transformations in the field of human rights, and it may have caused serious challenges to human rights at the international level, as it has helped countries tighten the control they impose on their citizens, which poses a great danger, as the misuse of this technology by the party that is supposed to take the necessary measures to ensure its responsible use makes the rights and freedoms of individuals increasingly threatened with violation. Future international conventions should emphasize ensuring the responsible and beneficial

use of this technology by governments and artificial intelligence companies, and human rights related to artificial intelligence can be created in relation to the governance of artificial intelligence, which are numerous, including: the right to interpret decisions based on artificial intelligence outputs; the right to an effective remedy for harm caused by artificial intelligence; the right to notify the individual of the use of artificial intelligence in his private transactions.

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