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The Impact of Artificial Intelligence on the International Human Rights System

Abstract: The right to benefit from scientific advances, including new technologies, has always been a fundamental human right. One of these new technologies is artificial intelligence technology. Artificial intelligence is a type of intelligence that emerged in the 1950s and is an inseparable part of the digital revolution.

The development of artificial intelligence and its application in many areas of human life, especially in the field of human rights, has transformed the way people live. In previous research, the impact of the use of artificial intelligence on the international human rights system has been examined using an analytical-descriptive research method and using library tools.

The results of the present study indicate that the use of artificial intelligence in various instances of rights recognized in multiple generations of human rights (first, second, and third generation) has positive and negative effects and has the potential to be considered as one of the instances of the fourth generation of human rights (the doctrine of technology) and also in order to remove issues and possible negative effects of legal measures at the national and international levels with the aim of rule-making and strengthening the processes of A partnership has been formed.

Keywords: Artificial Intelligence, Human Rights, New Technologies, Fourth Generation Human Rights.

Introduction

Identifying and clearly conveying social demands under the concept of rights has been one of the concerns and norms of every legal and political system at the national and international levels, and in various eras of history, it has undergone its own evolution, commensurate with intellectual progress and human needs.

This evolutionary process began with the recognition of the first generation of human rights under the title "civil and political rights" and ended after the transition from the second generation of human rights, i.e. economic, social and cultural rights, to the third generation of human rights, i.e. solidarity rights. However, today, with the emergence of new technologies and their application in the objectification of human rights, thinkers such as Bernie Weston¹ and Noberto Bobbio believe that it is necessary to identify a new generation of human rights, that is, the fourth generation of human rights, which has a technological nature (Babazadeh Moghadam, 2020; 207-206). Among the general technologies that affect multiple generations of human rights is artificial intelligence technology, which is mentioned in documents such as the "European Declaration of Human Rights". Digital and Principles for the Digital Decade adopted by the European Commission" The

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body referred to. The aforementioned declaration, in its third chapter, on the subject of freedom of choice, states:

Everyone should enjoy the benefits of artificial intelligence through their informed choices in the digital environment, while being protected against risks and harm to their health, safety and fundamental rights. Using the terms benefits and risks alongside each other implies that new technologies such as artificial intelligence will also have risks along with their benefits. (Mostafa Ardebili et al., 2012: 49).

This article seeks to answer the question of what has been the impact and place of artificial intelligence in the international human rights system and, in light of the experiences gained, what is the approach of the global community to the challenges ahead in this field? Artificial intelligence appears to have had a largely positive impact on the international human rights system and, due to its significant impact on the three generations of human rights and its connection to the field of technology, is considered to be part of the fourth generation of human rights; while the global community's approach to this area, despite all its fears and hopes, is one of acceptance and regulation at the national and international levels.

1. The concept of artificial intelligence

John McCarthy officially coined the term artificial intelligence in 1956 at Dartmouth College in London and later became known as the father of artificial intelligence. He proposed a hypothesis based on this: "It is the conjecture that any aspect of learning or any other feature of intelligence can in principle be described so precisely that a machine can be built to simulate it."

Several definitions of artificial intelligence have been proposed. In one definition, artificial intelligence is associated with a branch of computer science that deals with the automation of intelligent behavior (Luger and Stubblefield, 1993). In another definition, artificial intelligence is software or hardware (algorithms) designed by scientists that acquire data, interpret them in a structured way, and, by processing the information obtained, make the best decisions and actions to achieve the desired result.

2. Artificial Intelligence and the First Generation of Human Rights

The first generation of human rights was shaped during the seventeenth and eighteenth centuries by political concerns and the idea that people should monitor and participate in the policies that affect them.

The most important connection between artificial intelligence and first-generation human rights is in the examples of the right to freedom of expression and belief, freedom of association and assembly, and religion and its teaching.

2.1 Artificial Intelligence and the Right to Freedom of Expression and Belief

Freedom of expression and belief are fundamental rights that have both a personal and a social dimension and are essential for the full development of the individual and of every community and are the building blocks of every free and democratic society, and are expressly recognized in the International Covenant on Civil and Political Rights. The impact of artificial intelligence on freedom of opinion and expression can be explained in two ways: negative and positive:

a) On the negative side, many companies and profit-seeking organizations, using artificial intelligence, are using it to spread hatred and widely publish false and fake news (deep lies) (2) in the online space in order to achieve their political and commercial goals and interests and influence public opinion.

(Shnurenko et al., 2020: 69) Hate speech, in its most common form, is: the expression of hate speech against an individual or group. According to the note (David Kay) of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression in a military benefiting from artificial intelligence, the dissemination of information and ideas may conflict with environmental priorities; For this reason, the Human Rights Committee has found that States should combat online hate speech that leads to discrimination or violence, through the promotion of tolerance, education and dialogue;

b) On the positive side, it is only possible to confront artificial intelligence through artificial intelligence itself. Francesco Nucci, Director of Applications Research at an engineering group based in Italy, believes that AI has many ethical problems, but sometimes it may be the only solution (Cassauwers, 2019). For example, AI has played a positive role in combating hate speech. Artificial intelligence is able to identify patterns of hate speech based on word vectors and the location of words with specific meanings (Budek, 2019). In the field of combating fake news and information, Michael Bronstein, a professor at Imperial College London, has designed an algorithm for artificial intelligence, the prototype of which has been implemented on text data; Where artificial intelligence can detect and track fake news and information and its authors. (Cassauwers, 2019).

2.2. Artificial Intelligence and the Right to Peaceful Associations

According to the International Covenant on Civil and Political Rights, everyone has the right to freedom of association with others, including the right to form and join trade unions for the protection of his interests.

This right is a cornerstone of democracy and a tool that holds governments accountable to their citizens and helps individuals join unions and trade unions to elect their leaders and hold them accountable. The role of AI in the freedom of society can be explained in two forms: virtual space and real space.

Some believe that the use of AI in virtual space is based on creating restrictions for accessing the Internet and blocking social networks. Whereas the UN Human Rights Council resolution emphasizes the importance of access to the Internet and states that unnecessary restrictions that prevent Internet users from accessing information at important political moments and negatively affect the ability to organize and hold public meetings should be removed.

A systematic and real example of this censorship is the censorship of Tibetans with modern tools such as artificial intelligence by the Chinese government (Fidh & Ict, 2016). Of course, in the author's opinion, the use of artificial intelligence in many social networks, including Instagram, is a way to connect people to peaceful communities in virtual space; because the artificial intelligence algorithm of such networks is very effective in identifying the interests and intended content of individuals and introducing them to virtual communities. have positive.

There are problems in the field of using artificial intelligence in real space. Because governments, by controlling city cameras through artificial intelligence, scan the faces of people present in communities and then identify them; therefore, it is possible that these people will later be arrested or summoned to give explanations, and this is a violation of the right to freedom of association; for example, the 2019 Chinese government's executive order, Known as the "Twenty Things Not to Do," it includes regulations that have been publicly established and communicated to citizens to draw public attention and inform them of illegal acts and related punitive measures.

2.3 Artificial Intelligence and Religion

The word religion comes from the Greek word *religare*, meaning to bind together. Religion is usually (but not always) associated with a particular system of belief and worship of god. In 1993, the Human Rights Committee - an independent panel of eighteen experts appointed by the United Nations - defined religion as theistic, non-theistic, and the right not to hold any belief (Roan et al., 2023).

The right to freedom of religion is recognized in the International Covenant on Civil and Political Rights, and it has been stated that everyone has the right to freedom of thought, conscience and religion, and can participate individually or in community with others - whether publicly or privately - in worship, observance, practice and teaching. Based on the study conducted, the following two forms of artificial intelligence can be effective in religion:

a) Artificial intelligence as a tool for religious education: Religious education using emerging thematic technology in the field of religion and technology. The coordination between religion and technology ensures the parallel goals of cultural and economic enrichment. The high acceptance rate of “social robots” among students in places that lack a religious physics teacher has led to the strengthening of students’ positive attitudes towards religious values in the e-learning environment (Tran et al., 2021: 4); However, since each religion has different approaches to the adoption of technology and a country's religious culture, they can influence the motivation of learners in religious learning;

b) Artificial Intelligence as a tool for performing religious rituals: The use of artificial intelligence in the field of religion is not limited to education. A Japanese developer has described a new role for a humanoid robot, powered by artificial intelligence, called “Pepper.” The robot is capable of performing the role of a priest to perform religious duties.

Also in the field of using artificial intelligence in Islamic rituals, Saudi Arabia has recently launched robots that use artificial intelligence in line with Islamic practices. These robots are based in the Grand Mosque in Mecca, reciting the Quran and delivering sermons to Muslims in the Islamic holy site.

3. Artificial Intelligence and the Second Generation of Human Rights

The second generation of human rights includes economic, social and cultural rights. First generation human rights are considered to be a “negative obligation”; In other words, they place a responsibility on states to ensure that the realization of these rights is not hindered, but the second generation of human rights is considered to be a “positive commitment”; in other words, they place a responsibility on states to actively ensure that these rights are realized in the real world (Reid, 2019). Among the second-generation rights that are explained in artificial intelligence technology are: the right to education and its management, artificial intelligence and the right to equality and safety at work, artificial intelligence and adequate living standards (health case study)

3.1 Artificial intelligence and the right to education and its management

Education itself is a human right and a necessary means for the realization of other rights. The right to education is mentioned in many international treaties, the most important of which are: the International Covenant on Economic, Social and Cultural Rights.

Initially, artificial intelligence was used as a tool to help develop skills and testing systems, but today it is hoped that it will bridge the gaps between learning and teaching and allow schools and teachers to participate more effectively in teaching than ever before.

UNESCO has recently committed to supporting its member states in the use of artificial intelligence technologies. The UNESCO mandate itself calls for a human-centered approach to AI. The

aim is to shift the conversation towards the role of AI in addressing current inequalities in access to knowledge, research and the diversity of cultural expression.

The impact of AI in education in the academic field includes assisting the learning process and assisting the educational management process:

a) In the field of AI and education: The greatest promise of AI is in personalizing learning with the aim of customizing it; learning based on the needs and individual strengths of students. Artificial intelligence programs can identify educational materials and approaches appropriate to the level of individual students and provide recommendations for a better learning process to students so that they can master the subject in question.

Ensuring universal access to education for students is also a serious issue for most countries, and its specific goal is to ensure equal access to all levels of education for all, including people with disabilities. Artificial intelligence has shown its effectiveness in helping students with disabilities, including students with hearing impairments or social skills (language and communication) disorders, to benefit from education;

b) In the field of artificial intelligence and educational management, reducing dropout with the help of artificial intelligence is a major issue in educational policy around the world. Systems using artificial intelligence can provide school administrators with appropriate predictions and strategies to prevent students from dropping out.

3.2 Artificial Intelligence and the Right to Equality and Safety at Work

The right to fair treatment in all matters relating to work is a fundamental principle of equality among citizens. The concept of equal employment opportunities is based on the laws and regulations that exist in each country and ensures that no one is discriminated against in the process of seeking employment and after employment. One of the most important conventions relating to occupation is the Fundamental Discrimination (Occupation and Employment) Convention, 1958 (No. 111).

This fundamental convention defines discrimination as any distinction, disadvantage or preference made on the basis of race, colour, sex, religion or political opinion which affects equality of opportunity in employment. The convention provides for the possibility of expanding the list of prohibited grounds of discrimination after consultation with international organizations. Employers and workers and related institutions provide 2: Among the functions of artificial intelligence in the field of equality and safety at work are:

a) Artificial intelligence and equality in recruitment and employment: There are many examples of how artificial intelligence can help employers and employees in the recruitment process, including Textio a job search company that analyzes and monitors job descriptions and ensures that replaces inactive candidates, Gender balance works by eliminating unconscious gender bias and targeting the most qualified candidates (Brennan et al., 2018).

b) Artificial Intelligence and Intergenerational Work: Age in the workplace has been a hot topic in recent years, especially in 2018.

Each generation has different expectations and perceptions of what the workplace should be like and how work should be done. This creates problems for employers in managing and coordinating different groups of employees in the workplace; therefore, many employers focus on the generational difference between employees and the use of artificial intelligence with the aim of creating a harmonious work environment;

For example, artificial intelligence, by providing virtual reality workspaces such as those invented by Magic Leap, can help employees nearing retirement age to work longer while being more coordinated with other employees.

c) Artificial Intelligence and the Right to a Safe Workplace: Since the beginning of the modern era, occupational health and safety have always been considered one of the basic human rights. Among the things that the use of artificial intelligence can help with workplace safety are:

1. Equipment control: Artificial intelligence detects whether workers are wearing personal protective equipment correctly or not at all;

2. Remote monitoring: AI detects whether the required social distance between workers or the safety distance between workers and machines is being observed;

3. Detection of people in dangerous situations: AI prevents workers who are not allowed to access a specific environment for safety reasons from entering;

4. Audio Monitoring: AI automatically detects audio events such as alarms, worker calls for help, or other sounds that are different from the background noise in a specific workplace or warehouse. The ultimate goal of AI in all of the above is to improve rights related to workplace safety.

3.3. Artificial Intelligence and Adequate Standards of Living (Health Case Study)

The right to an adequate standard of living requires, at a minimum, that everyone enjoy the necessary means of subsistence, including adequate food and nutrition, clothing, housing and, where necessary, medical care. Health protection is a fundamental aspect of public health. Health protection is the protection of individuals, groups and populations through expert advice and effective cooperation to prevent and reduce the impact of infectious diseases, environmental, chemical and radiological threats. (Ghebrehewet, et al., 2016).

The right to health is explicitly recognized in the International Covenant on Economic, Social and Cultural Rights. One of the important human rights aspects of artificial intelligence is its impact on health and wellbeing, and many AI-powered systems are being integrated into healthcare systems.

Stanford University researchers have created an algorithm that can interpret X-rays for fourteen distinct types of injuries in a matter of seconds. Radiation oncology, robotic surgery, and several other healthcare fields, as described below, have also been significantly impacted by technologies leveraging artificial intelligence (Murdoch, 2021).

4. Artificial Intelligence and the Third Generation of Human Rights

The rights that have been proposed as third generation rights have resulted from a deeper understanding of the types of obstacles that have stood in the way of the realization of first and second generation rights. The idea of third generation rights is interdependent and includes collective rights of society or people, such as the right to sustainable development, peace, or a healthy environment.

The most important examples of third-generation human rights, which can be explained in relation to artificial intelligence technology, are: artificial intelligence and the right to participate in and protect cultural heritage, artificial intelligence and the right to peace, artificial intelligence and the right to protect the environment.

4.1 Artificial Intelligence and the Right to Participate in and Protect Cultural Heritage

Culture includes ways of life, language, oral and written literature, music and song, non-verbal communication, religion or belief system, customs and ceremonies, sports and games, methods of production or technology, natural and man-made environments, food, clothing and shelter, and the arts, customs, traditions, and rituals through which individuals and groups express their

worldview to other cultures. The application of AI in the field of culture includes, but is not limited to:

1. AI in digital archaeology, digitization and in-situ documentation;
2. In the analysis and analysis of cultural content/digital objects;
3. In content-based classification and retrieval;
4. In archaeology and data analysis;
5. In the decoding of epigraphic signs;
6. In the extraction of designs from cuneiform tablets;
7. In identifying unknown cultural heritage. (Traviglia, 2019)

4.2 Artificial Intelligence and the Right to Peace

Peace often has a concept that is contradictory to war. In political culture, peace means a state of calm in normal relations with other countries, the absence of war and the absence of threats. Peaceful coexistence in relations between countries with different systems means respecting the principles of sovereignty, equality of rights, immunity, territorial integrity of every country, whether small or large, non-interference in the internal affairs of other countries, and adjudicating international issues. (Salehi, 2015: 107).

One of the most important effects of artificial intelligence on the right to enjoy peace is the use of artificial intelligence as a tool for monitoring and predicting peace. Researchers believe that artificial intelligence can help analyze complex information from war zones to better focus peace-keeping efforts. In fact, this technology helps aid workers get to where they are needed at the right time.

4.3 Artificial Intelligence and the Right to Protect the Environment

The environment includes a set of interconnected external factors that affect the growth and survival of human, animal, and plant living beings. (Saybani and Shahbazi, 2017,). The emergence of artificial intelligence can pave the way for pursuing the United Nations Sustainable Development Goals for protecting the environment.

Governments around the world, both at the local and central levels, have adopted AI in their environmental protection plans and roadmaps. The use of AI data by governments and public organizations to create a sustainable environment can be analyzed in the following areas:

- a) AI energy and climate change;
- b) Artificial Intelligence and the Protection of Biodiversity through Use in Precise Monitoring of Ecosystems;
- c) Artificial Intelligence and Healthy Oceans;
- d) Artificial Intelligence and Water Security; e) Artificial Intelligence and Clean Air;
- c) Artificial Intelligence and Disaster Resilience. (Herweijer, 2018).

4.4. Artificial Intelligence and the Right to Protection of Refugees and Immigrants

The issue of migration and asylum in international law has always been one of the current issues and problems of most developed countries. By definition, a refugee is someone who, due to a well-founded fear of being subjected to torture for reasons related to race, religion, nationality, membership in a particular social group, or political opinion, is outside the country of his or her habitual residence. Among the areas of application of artificial intelligence in the field of assisting the integration process of migrants and refugees are the use of artificial intelligence in:

- a) Human resource management of refugees in areas such as recruitment and human resource planning;

b) Local language training with the aim of accelerating the integration of refugees;
c) Providing solutions with the aim of providing equal opportunities for migrants; D) Preventing racism and reducing cultural barriers for refugees. (Bhardwaj et al. 2020).

5. New technologies are the subject of the doctrine of the fourth generation of human rights

The fourth generation of human rights is the issue of human rights advocates, who disagree on the definition and explanation of the limits and limitations of this generation and generalize it to various examples. Some believe that the fourth generation of human rights is the generation of the study of the human genome, genetic manipulation and human cloning.

Others believe that the fourth generation is related to the field of communications, including telecommunications and others, and according to some others, the fourth generation is the generation of the digital world.

What is clear is that the common point of all the above views is the emphasis on technology; because the basis of communications is technology, the basis of genetic engineering is technology, and digital life itself is technology. Therefore, the fourth generation of humanity can be considered the generation of technologies or rights related to technology.

5.1 The Human Genome is a Fourth Generation Human Rights Issue

Study of the human genome, genetic manipulation, artificial insemination, human embryo cloning, euthanasia, and other activities are activities that raise complex legal, ethical, and religious issues and guide public opinion and governments in addressing these issues. Everyone has the right to life, dignity and personal identity, which are closely linked to and unique to the individual's genetic make-up, a right which he can transmit to his children through genetic inheritance, without genetic manipulation. The debate on the subject of rights relating to genetic engineering is therefore divided into these rights. The Council of Europe recommends that member states adopt principles guiding the relationship between genetic engineering and human rights.

5.2 The right to access communications and the Internet is a fourth-generation human rights issue

One of the most common concepts of fourth-generation human rights is access to communications and the Internet (Woodroffe, 2020); Therefore, some, emphasizing the strong interdependence of human societies in various aspects, the increasing expansion of the virtual world, the unprecedented growth of science and technology in various fields, and the emergence of legal rights such as the right to communications as one of the examples of the fourth generation of human rights, consider the fourth generation to be the generation of new technologies among the followers of this theory, one can mention Mr. Bernie Weston.

5.3 Knowledge Rights in the Digital World: The Fourth Generation of Human Rights

Dr. Matthias Riess, professor and researcher at Harvard Kennedy School, from a specific perspective and in articles titled "The Fourth Generation of Human Rights: Knowledge Rights in the Digital World," referring to the requirements and obligations related to the category of artificial intelligence, defined a knowledge actor and stated: A knowledge actor is a person or entity that is involved in a communication network (information exchange system) It plays a role as a seeker or revealer of information. In philosophical discourse, agents are often symbols of agency and rationality. Both in terms of knowing and understanding, agents play roles not from their own perspective, but as a reflection of what is necessary for knowledge.

The author believes that human intelligence, with all its obvious shortcomings, makes artificial intelligence a cognitive agent; Therefore, respect for artificial intelligence is fundamentally based on respect for human intelligence. (Risse, 2021)

6. Using Artificial Intelligence to Advance Human Rights (Empirical Research)

Some believe that it is not possible to express an opinion on the extent of the impact of artificial intelligence on advancing recognized human rights in a single set, but rather the impact of this intelligence on advancing various aspects of recognized human rights should be examined; therefore, some of the empirical research that has been conducted will be referred to below.

6.1 Experience in the Application of Artificial Intelligence in the Field of Online Learning and Teaching

Research in the field of artificial intelligence in online learning in higher education has increased significantly after 2007. Text data extracted from the titles of existing publications show three dominant clusters.

The green cluster indicates that artificial intelligence technologies are used in online teaching and learning. The patterns in the Green Paper highlight the widespread use of AI technologies, especially in higher education, and state that AI is being used throughout higher education teaching and learning, especially in areas such as learning management systems, grading and assessment, student information systems, library services, admissions, support for people with disabilities, and mobile applications. The blue cluster shows that algorithms can be used to detect, identify, and predict student behavior, and reports that deep learning techniques are effective in the online learning process; for example, deep learning techniques are used to assess online tests through facial recognition. The last cluster, Facial, is about adaptive and personalized learning enabled by artificial intelligence technologies.

Artificial intelligence technologies hold great promise for adaptive learning, with deep learning techniques showing remarkable impact in adaptive learning. In short, all these clusters show that artificial intelligence can be used for online distance learning and also show that the future of the algorithm needs to be careful and more research needs to be done before these technologies are fully integrated into online distance learning processes. (Dogan et al., 2023).

6.2 Experience with the use of artificial intelligence in the field of human resource management in the workplace

One of the very important areas of application of artificial intelligence is the use of this technology. Innovation is on the path to achieving equality and safety in the workplace. Numerous empirical studies have been conducted on the impact of artificial intelligence in the workplace; because any impact of this intelligence in this environment will directly promote or undermine recognized human rights; For example, in the field of the impact of artificial intelligence in improving the working environment and human resource management, the following can be mentioned:

a) Recruitment and selection: Artificial intelligence can review individuals' resumes and shortlist suitable candidates for a job.

Artificial intelligence will be able to evaluate the candidate's choice of words, speech, and body language through audio-visual mode, and analyze the characteristics of candidates; Therefore, it will reduce or eliminate inequality in employment;

b) Evaluating individual performance due to bias in the workplace is a problem for organizations. Artificial intelligence reduces and corrects bias and discrimination. AI-based programs coor-

dinate efforts, review performance data, identify good employees, and also identify employees who need to change positions. (Bhardwaj et al., 2020).

7. Artificial Intelligence and Human Rights Challenges

From the perspective of some observers, artificial intelligence, along with all the benefits it brings, will also bring risks. Some of these risks are of concern, as lawsuits against artificial intelligence have been filed in various courts:

a) Robot lawyer lawsuit: Recently, the first artificial intelligence lawyer created by the company Donate Pi was scheduled to appear in court in February 2023 to defend his client; But the process was halted by complaints from some lawyers. Several state bar associations have warned the company's executives that continuing the process could result in their imprisonment for up to six months. (Moon, 2023)

A trial lawyer who advises on the use of artificial intelligence in law and business says that the plan may conflict with state laws that require lawyers to be licensed in the state. Furthermore, he believes that a robot cannot replace a human lawyer's ability to interpret or understand body language. "It doesn't seem like AI is ready to stand on its own two feet in court" (Germain, 2023).

It should be said that the impact of artificial intelligence has already been proven as a tool for better management of law firms, but it seems that the concerns of such lawyers are mainly the lack of access to expert lawyers in the courts and, as a result, the violation of a fair trial, which is one of the recognized human rights.

Finally, in order to address the problems posed by AI, the European Parliament has drafted the AI Liability Directive and states that there are three ways to claim liability in the European Union against AI. The victim can base his or her claim on a claim of fault-based liability, on a liability independent of fault and on a claim of defective product.

b) AI Intellectual Property Infringement Claims: Recently, lawsuits have been filed in Northern California on behalf of several artists, in which the plaintiffs claim that AI algorithms manipulated their original art and produced new works that were derivative of their original art; therefore, their intellectual property rights have been infringed.

8. Approaches of international organizations and countries to the field of artificial intelligence and human rights

International organizations have had different approaches to the category of artificial intelligence and its relationship with various instances of human rights. Consequently, national approaches also differ, considering the type and level of access to artificial intelligence technology, some of which are referred to below.

8.1 Approaches of international organizations.

a) The approach of the United Nations and its affiliated agencies: The United Nations approach to the topic of artificial intelligence is based on the development and implementation of international partnership policies in the field of using this intelligence with the aim of achieving sustainable development goals; therefore, this organization has included in its agenda the partnership with external stakeholders for the development and responsible use of artificial intelligence based on ethics and human rights in order to advance the 2030 Agenda; To this end, a joint effort has been made between the International Telecommunication Union and 46 United Nations agencies and organizations, all of which are members of the Good Artificial Intelligence Project or members of the United Nations Inter-Agency Working Group on Artificial Intelligence.

This effort includes the development of projects on the impact of artificial intelligence on human rights, ethics and justice, environmental education, health, agriculture, education communications, poverty, migration, labor and trade, peace and security, inequality, technology, energy, governance, and more. The concern of all the projects described is to ensure the promotion of human rights through artificial intelligence while, at the same time, paying attention to the risky aspects of using this technology;

b) The approach of the Organization for Economic Cooperation and Development (OECD): This organization is the most important international economic decision-making organization, with 37 members, and its members are committed to the principles of democracy and free economy. The goal of this organization is to strengthen national policies and international cooperation towards trust in artificial intelligence, while ensuring respect for human rights and democratic values in all fields, especially the economy. Therefore, to achieve this goal, it has formulated and communicated the following recommendations:

(1) Investing in AI research and development, including long-term and short-term investments in identifying and addressing interdisciplinary issues such as law and ethics with AI;

(2) Fostering a digital ecosystem for AI, including the creation of mechanisms such as data trusts to support safe, fair, Legal and ethical data;

(3) International cooperation for trustworthy artificial intelligence, including responsible oversight of artificial intelligence, strengthening the sharing of artificial intelligence knowledge, development of multilateral and consensus-based global technical standards for artificial intelligence.

c) European Community approach: Ensuring that human rights are not undermined or undermined by artificial intelligence is one of the fundamental factors that define the world in which we live.

Awareness of the human rights implications of artificial intelligence systems should be such that all those directly or indirectly involved in the development or use of artificial intelligence systems have knowledge and understanding of the extent of the impact of artificial intelligence on human rights, so that the negative impact of artificial intelligence systems on human rights can be reduced; To this end, Europe established three committees: the Council of Europe and Artificial Intelligence, the Special Committee on Artificial Intelligence, and the Artificial Intelligence Committee, focusing on issues related to artificial intelligence.

These three committees have developed and communicated many guidelines to European countries in various areas related to artificial intelligence, which it is not possible to address in this study, but in particular in the field of promoting human rights through artificial intelligence, reference can be made to the recommendations of the Council of Europe. The Council has emphasized the following requirements for promoting human rights:

(1) Regular assessment of the human rights impact of artificial intelligence, including monitoring of AI systems purchased and deployed by governments;

(2) Public consultations, including legal advice to AI players and ensuring that they are aware of their legal responsibilities. The need to review laws and regulations related to AI liability;

(3) Providing transparent information, including providing individuals with the necessary information to understand when and how to use AI systems, especially in the field of public services;

(4) Non-discrimination and inequality, including measures to prevent and reduce the risks of discrimination in the use of AI systems for vulnerable groups;

(5) Recognition of the right to freedom of expression and assembly, including monitoring AI-based content and The exercise of the right to freedom of expression, access to information and freedom of opinion, as well as the regulation of the use of facial recognition technology, to enable the effective exercise of the right to freedom of assembly;

(6) Paying particular attention to data protection and privacy, including reviewing and assessing existing data protection laws to determine whether they adequately protect the right to respect for private life and the right to data protection in the context of artificial intelligence systems.

8.2 National Regimes' Legal Approach to Artificial Intelligence

National regimes have taken different approaches to regulating AI. Some of them, which have greater access to AI technology, have taken targeted steps to regulate AI. Others have simply outlined national strategies and policies in this area, some of which are mentioned below:

a) United States: In the United States, there have been scattered approaches to AI regulation, with states independently enacting their own AI laws.

At the national level, the United States Congress passed the National Artificial Intelligence Initiative Act in January 2021, creating the National Artificial Intelligence Initiative, which “provides a comprehensive framework to strengthen and coordinate artificial intelligence research, development, demonstration, and training activities across all departments and agencies of the United States.”

The act creates new offices and task forces to implement the National Artificial Intelligence Strategy. The National Artificial Intelligence Act, which includes multiple U.S. agencies, including the Federal Trade Commission (FTC), the Department of Defense, the Department of Agriculture, the Department of Education, and the Department of Health and Human Services, was also considered by both houses of Congress in February 2022 in response to reports that AI systems are leading to biased and discriminatory outcomes. The proposed law would mandate the Authority to enact regulations that are binding; including regulations to combat online harm, fraud, deepfakes, and the production of inaccurate, biased, and discriminatory results (Luger, & Stubblefield, 1993);

b) China: In March 2022, China passed artificial intelligence regulations that would oversee companies' use of algorithms in online recommendation systems. The aforementioned regulations are organized into six chapters, which are: General Regulations, Information Service Standards, Protection of User Rights, Supervision and Management, Legal Responsibility, and Supplementary Regulations. Article 4 of the aforementioned regulations states that the provision of algorithmic recommendation services must be in compliance with laws and regulations, social, commercial, and professional ethics, and the principles of fairness and justice, openness and transparency, knowledge, reason, honesty, and trustworthiness.

Conclusion

In general, the effects of artificial intelligence on the three generations of human rights can be divided into two groups: positive effects and negative effects; as creating a boundary between positive and negative and crossing it is like walking on the edge of a sword. Also, from the collection of theorists' theories, especially those who believe that the fourth generation of human rights is the generation of communications and the Internet, genetic engineering and digital life, it is inferred that the fourth generation of human rights is identifiable and that this generation is specific to technology-related rights; Therefore, since artificial intelligence is characterized by the desired perfection of technology and, as a cognitive activity, has a pervasive effect on the rights recognized in the three generations of human rights, the following is recognized as the fourth generation of human

rights. Another point that should not be overlooked is that the use of artificial intelligence technology and concerns about its negative impact on human rights have become a challenging issue; Therefore, numerous measures have been taken at the national and international levels to address these problems and concerns, including regulating this field with a focus on respecting the principles of ethics, transparency, non-discrimination, and accountability at the national level, strengthening international partnership processes, forming international working groups and commissions, and encouraging investment in areas affected by artificial intelligence.

Recommendations

It is recommended that national working groups, while monitoring evidence of human rights impacts of artificial intelligence and taking into account general ethical and legal principles, take the necessary steps to develop guidelines or develop specific laws related to the rights of new technologies, especially artificial intelligence technology.

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Süni intellektin beynəlxalq insan hüquqları sistemində təsiri

Xülasə: Yeni texnologiyalar da daxil olmaqla, elmi nailiyyətlərdən faydalanmaq hüququ həmişə fundamental insan hüququ olub. Bu yeni texnologiyalardan biri də süni intellekt texnologiyasıdır. Süni intellekt 1950-ci illərdə ortaya çıxan və rəqəmsal inqilabın ayrılmaz hissəsi olan bir intellekt növüdür.

Süni intellektin inkişafı və onun insan həyatının bir çox sahələrində, xüsusən də insan hüquqları sahəsində tətbiqi insanların həyat tərzini dəyişdirib. Əvvəlki tədqiqatlarda süni intellektin istifadəsinin beynəlxalq insan hüquqları sistemində təsiri analitik-təsviri tədqiqat metodu və kitabxana vasitələrindən istifadə etməklə araşdırılıb.

Bu tədqiqatın nəticələri göstərir ki, insan hüquqlarının bir neçə nəslində (birinci, ikinci və üçüncü nəsil) tanınan hüquqların müxtəlif nümunələrində süni intellektin istifadəsi müsbət və mənfi təsirlərə malikdir və insan hüquqlarının dördüncü nəslinin (texnologiya doktrinası) nümunələrindən biri kimi qəbul edilmək potensialına malikdir, həmçinin qayda yaratmaq və prosesləri gücləndirmək məqsədilə milli və beynəlxalq səviyyələrdə hüquqi tədbirlərin problemlərini və mümkün mənfi təsirlərini aradan qaldırmaq üçün tərəfdaşlıq formalaşmışdır.

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Açar sözlər: Süni intellekt, İnsan hüquqları, yeni texnologiyalar, dördüncü nəsil insan hüquqları.

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Влияние искусственного интеллекта на международную систему защиты прав человека

Аннотация: Право пользоваться достижениями науки, включая новые технологии, всегда было основополагающим правом человека. Одной из таких новых технологий является технология искусственного интеллекта. Искусственный интеллект — это тип интеллекта, появившийся в 1950-х годах и являющийся неотъемлемой частью цифровой революции.

Развитие искусственного интеллекта и его применение во многих сферах человеческой жизни, особенно в области прав человека, изменили образ жизни людей. В предыдущих исследованиях влияние использования искусственного интеллекта на международную систему защиты прав человека изучалось с помощью аналитико-описательного метода исследования и библиотечных инструментов.

Результаты настоящего исследования показывают, что использование искусственного интеллекта в различных случаях реализации прав, признанных в нескольких поколениях прав человека (первом, втором и третьем поколениях), имеет как положительные, так и отрицательные последствия и потенциально может рассматриваться как один из примеров четвертого поколения прав человека (доктрина технологий), а также для устранения проблем и возможных негативных последствий правовых мер на национальном и международном уровнях с целью нормотворчества и укрепления процессов. Было сформировано партнерство.

Ключевые слова: Искусственный интеллект, права человека, новые технологии, права человека четвертого поколения.

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