# How Long Shall Man be the Measure of All Things?

Artificial Intelligence Systems and the Protection of Human Rights: Overwhelming Risks or Beneficial Opportunities?

> Received: 20.01.2023 Available online: 30.06.2024

#### Diana Kovatcheva<sup>\*</sup>

#### Abstract

Artificial intelligence systems are gaining an increasingly significant place in contemporary life and affect human lives and economic development in a remarkable and irreversible way. However we should be alert about the risks robots might bring to the enjoyment of human rights. The dangers are related to the neglect, violation and sometimes exclusion of a number of rights that are of decisive importance for the well-being and security of every person. Such violations can lead to discrimination, inequality and social exclusion.

The deficiencies in the understanding of the value of fundamental rights in selflearning robots is a fact we should be aware of. Nowadays intelligent machines are still just a tool for improving people's lives. And yet as far as the protection of human rights is concerned, the dynamic self-improvement and upgrading of artificial intelligence systems require human supervision and "ethical oversight". Within this context it is important to develop algorithms for the protection of human rights that robots cannot modify even in their self-learning process. Rules should be legally established and unified, so that Al systems can only upgrade themselves in a human-preset direction. Otherwise they can develop in an unexpected way and affect common human values and achievements. Such rules should grant particular protection to people in a vulnerable position - the disabled, the children, the elderly and the sick, the poor and in certain cases - women.

The study explores issues related to the impact of increasingly used intelligent systems on the economic, social, civil and political rights. Some of the most affected rights are the right to labour, a number of social rights, the freedom of movement, freedom of expression, the right to a fair trial and the protection of personal data. These rights should be protected and guaranteed through legislation at the international and national level, as well as through the consistent practice of the institutions.

<sup>&</sup>lt;sup>•</sup> University of National and World Economy, Faculty of Law and the Institute for Legal Studies, Bulgarian Academyof Science, Judge at the European Court on Human Rights, former Ombudsman of the Republic of Bulgaria.

**Keywords:** artificial intelligence, human rights, European Union, economic rights, fair trial

JEL: K38, U24

#### Introduction

The 20th century was a time of acknowledgement of the importance of the individual and the fundamental rights of the person. Despite the many steps taken in this direction in previous centuries, it could be confidentially claimed that human rights of today began their rapid development with the adoption of the Universal Declaration of Human Rights in 1948.

One of the common assertions is that artificial intelligence (AI) systems appeared for the first time in the 1950s and thus ushered in the digital era for humanity (Cataleta, 2020). They are conceived as man's assistants, aimed at serving and being useful, although it soon became clear AI surpassed human abilities and offered unexpected potential.

Today AI systems play an increasingly important role in people's lives and affect the economic development of all countries. However, along with the great opportunities, intelligent machines offer significant risks, both for the economic development of countries and for the economic rights of people.

On the one hand, it is undeniable that Al systems have a powerful impact on the economic growth. On the other hand, however, there are serious concerns that Al use could widen the gap between developed and developing countries or could affect the labour market by increasing the need for workers with certain skills and making others redundant. This could also mean, for example, that Europe could fall behind, compared to the leaders in production and implementation How Long Shall Man be the Measure of All Things?

of artificial intelligence technologies such as China and the United States.

There are serious concerns that the different level of implementation of AI systems in different countries may lead to limited access to products or services that are dependent on the new technologies.

For example, according to Eurostat data for 2020, only 5% of Bulgarian companies with more than 10 employees used artificial intelligence in some form. This is slightly below the EU average, where 7% of businesses use AI applications. Therefore the question of the competitiveness of the EU market and the prevention of market monopoly is justifiably raised, especially when the capacity or the willingness of the businesses to invest in the innovation of AI systems is seriously questioned (Verheyen, 2021, Sparrentak, 2020).

In the report "Economic impact of artificial intelligence", the European Parliament warns of the danger of its "highly disruptive effect on the economy and society", which could lead to the creation of super-firms - centers of wealth and knowledge - with disastrous consequences for the economy as a whole.

The implications from the use of AI are quite visible for the economy and the labour market, and they are already subject to serious changes. Despite the positive implications, it should still be noted that the negative trends for change in this respect are the increasing inequality and discrimination. The question of protection of human rights, especially economic and social rights, such as access to the labour market, payment, holidays and vacations, social payments and benefits for vulnerable people, is rightly raised. Another right with significant importance in cases of violated human rights, is the right to fair trial.

"Public discussion of the effects of automation and artificial intelligence (AI) often focuses on the productivity benefits for companies and the economy, on the one hand, and on the potential downside for workers, on the other. Yet there is a critical third dimension that should not be overlooked: the impact of new technologies on well-being" ("Frontier tech like AI is changing the world – here's how we can keep up and prosper"-Christopher Pissarides, Word Economic Forum, Aug 6 / 2019 )

But does the beginning of the era of artificial intelligence mean the end of the era of human rights? Moreover, does this mean the end of law, because as we know it, it is a function of the human beings, their needs, understanding, social experience and values.

It seems unlikely that a machine will ever learn to be human, even though it is humans who set the parameters and algorithms that underpin its functions.

At this stage, AI systems can be clearly distinguished from humans not only by their appearance, but also by the lack of selfawareness and willpower. One of the main points of disagreement in the legal debate today is whether AI systems can (or should) qualify as independent legal entities with different legal status and responsibilities (Stavru, 2017). This is largely due to the lack of a unanimous position on whether a machine with artificial intelligence, functioning without human intervention, already exists. Arguably, not every computer that can perform complex tasks faster than a human being should be regarded as a system with artificial intelligence. The question is what the tipping point after which robots become genuine systems with artificial intelligence is. Intelligent systems are not yet autonomous and cannot be separated from the people who create them. Behind every intelligent system there is a person who designed its algorithms. Therefore, artificial intelligence systems, despite of their abilities, are still treated like tools that assist humans. Currently they are still objects of law without legal personality which are not responsible for the damage they cause. However they affect our lives and economy.

The time when robots will be able to define the rules of their existence and most probably their own legal status, seems as a distant prospect today. However in the future robots might claim the right to be involved in the discussions about their legal status. This prospect seems realistic, especially in the context of the assumption of the European Parliament that it is possible for Al to surpass humans in the future (European Parliament Resolution on the Rules of Robotics, 2017).

However the vision of robots dominating humans and determining their status and rights may call into question the old axiom that man is the measure of all things.

Within this context, the issues about the risks to which human rights might be exposed with the development of systems with artificial intelligence are increasingly debated, and the article aims to highlight some of them. If we assume that the use of artificial intelligence systems might be associated with the risk of violation of fundamental rights, then we should ask ourselves which rights are most vulnerable and in what way they can be affected.

A legal issue that deserves to be the subject of a separate scholarly study, and therefore remains outside the scope of this article, is whether robots should have their own rights. This is clearly a topic related to their legal personality. But if one accepts that

intelligent machines can (or should) have rights, then a number of new questions arise, for example, what should the moment of acquisition of legal capacity be and what kind of rights they can acquire.

If for a physical person, for example, the full legal capacity occurs at a certAln age (between 18 and 21 years for different countries) and provided that the person is sane, then for a robot it might be associated with the achievement of a certAln level of technical development, the initial moment of operation or the moment of its registration.

The problem of the range of rights a robot could have is even more complicated. First of all, these may be specific rights that affect the existence of the intelligent machine itself - the right to be mAIntAIned and repAIred or the right to access electricity to charge. However with the eventual advent of biorobots these rights may be rendered redundant or completely unnecessary.

A question that at this stage does not have a definitive answer is whether personal rights (such as the right to life, the prohibition of torture, the right to marry or reproduce) might be applicable to systems with artificial intelligence. However with the emergence of the robot Sophia, some issues have been raised with view to its citizenship, some personal and political rights (Kovatcheva, 2022).

But even today we may reasonably discuss, for example, the granting of some other rights to robots - property rights (including the right to dispose of one's property and bear property liability), the right to inherit, the right to access to information, or labor rights (the right to receive remuneration, the right to holidays).

And last but not least, the question of robots' obligations is also essential - not to

How Long Shall Man be the Measure of All Things?

harm the person, to protect his personal data and information, to pay taxes (if they receive remuneration).

#### Risks and Benefits for Human Rights of Using Artificial Intelligence Systems

In recent decades, people have become increasingly dependent on artificial intelligence systems that are all around us. Their dynamic development can have a positive impact on human life, give impetus to vigorous economic progress and to more effective exercise of our rights. However, it can also lead to the neglect, violation, and sometimes exclusion of a number of rights that are crucial to the well-being and security of every person. Such violations can lead to discrimination, lack of equality and social exclusion.

Every major technological innovation conveys the potential for economic and social progress together with the risk of harming society and individual riahts. Artificial Intelligence's (AI) data processing and analytics capabilities can help alleviate some of the world's most pressing problems, from enabling advances in the diagnosis and treatment of disease to revolutionizing transportation and urban life, even mitigating the effects of climate change (Anderson, 2018). Yet these same capabilities can enable surveillance and tracking on a scale never seen before, can discriminate against the most vulnerable, or change the economy and the labor market so that people could find themselves completely unable to adapt to the new conditions.

Issues related to the development of AI raise many new and complex questions related to their legal status, liability for damages and relationships with people. It can be argued

that international organizations are aware of the benefits and risks of developing and using Al systems. The main risk associated with the use of Al systems is that they can go out of human control and ignore existing norms for the protection of fundamental rights and freedoms. For this reason, the existing regulatory framework at the supranational level is mainly focused on potential risks and the protection of human rights from violations caused by the activities of the Al systems.

Therefore, international legal acts that refer to AI should always take into account issues related to the protection of human rights. Thus they shall unify the obligation of states to comply with these important standards when adopting legislation and monitor its effective implementation to avoid abuses. A number of international organizations such as the Council of Europe (CoE), the European Union (EU), the Organization for Economic Co-operation and Development (OECD) have developed a legal framework that is dedicated to AI and its review shows that the main line in it affirms the protection of fundamental human rights and freedoms (Mijatović, 2019).

The European Union, for example, is preparing its first set of rules binding on member states to limit risks and threats related to artificial intelligence in the proposal for an Artificial Intelligence Regulation (Al rules: what the European Parliament wants, 2022).

The aim of the draft Regulation is to build trust in new technologies and to address the implications of their enactment on the individuals, economy and society (Proposal for Artificial Intelligence Act). At the same time, however, it is becoming increasingly obvious that discrimination and inequality can be stimulated, because the decisions

that are based on information collected by Al often reflect social prejudices and multiply them. Systems with Al could spread them with enormous speed and make them resistant and ineradicable (FRA, 2018).

In order to prevent such practices, the Toronto Declaration was adopted on May 16, 2018, which calls for safeguards so that selflearning systems do not allow such practices. The Declaration also raises the issue of compensation for victims of algorithmic discrimination.

In this sense, international organizations and states should legislate guarantees that the algorithm development process obeys clear rules and standards for the protection of human rights. These standards should be at the heart of the design of AI systems and should remain unavoidable. The requirements for the protection of fundamental rights should become a *conditio sine qua non* for robots, no matter what the direction in which they develop is, upgrade and self-learn.

Algorithms are at the essence of Al. Als work through algorithms, just like neural networks, but we should keep in mind that not all algorithms involve artificial intelligence (Anderson, 2018). Generally speaking, an algorithm is a set of guidelines, a sequence of commands that describes how to perform a particular task, and contains sequential instructions to the computer about what to do. There is no official definition of an algorithm, despite its importance for the work of Al systems. Although there are areas of legal regulation, they are not well developed and synchronized and the process of regulation is its initial stage (Marin, Zlatkova, 2022).

In the context of human rights protection, it is important to develop algorithms that Als cannot alter even in their self-learning

process and that can only be upgraded in a human-preset direction. These rules should be legally established and should be unified. because they affect common human values and achievements, without which the physical persons are at risk. The threat concerns in particular people in a vulnerable position the disabled, the children, the elderly and the sick, the poor and in certain cases - women.

Such rules cannot be left to the discretion of the AI, nor to the judgement how to apply them, because they are the result of a purely human understanding of the world - empathy, compassion, love, concern for the weaker and, last but not least, a sense of justice.

In relation to AI and the algorithms developed for it, the principle of rule of law should be applied at all times in the same way as it is applicable to the legal acts that regulate public relations. This is particularly important for all cases involving fundamental rights and freedoms (Decl(13/02/2019)1; T-PD(2019)01, 2019).

In its recommendation CM/Rec (2020)1 the Council of Europe draws attention to the fact that the design, development and implementation algorithmic ongoing of systems involves many actors such as software designers, programmers, data sources, data workers, owners, vendors, users or customers, infrastructure providers and public and private actors and institutions (CM/Rec(2020)1). In this sense, the issue of responsibility for compliance with human rights protection norms at each stage of the development of the algorithms can be blurred.

In addition, it should be noted that many algorithmic systems, whether trained or not, operate with significant levels of opacity, sometimes even intentionally. The designer or even the operator who usually establish the able to detect and prevent the harmful use

#### How Long Shall Man be the Measure of All Things?

basic objective and parameters of the system, including the input data or optimization objective and model, often do not know what information the system relies on to make its decision. Therefore it is likely that they are unfamiliar with the direct and the indirect effects of the system on users and the wider environments in which those systems are intended to operate.

The principle of transparency should also be applied to the AI systems in the process of self-learning and upgrade of the originally created algorithms. This is important because the protection of fundamental rights should be consistently present at every level of development of Al. From a legal point of view, to the extent that algorithms are a set of instructions, they should meet the requirements for the instructions as applied to any regular legal act - to be public and to comply with the rules of publicity, transparency and compliance with the current regulatory framework, both in creation and in its application. In this way, any person, injured by an action or inaction of the AI, can effectively protect his/her rights.

Taking into account the complexity of the problem, the Council of Europe insists that states are aware of the specific human rights impacts of these processes and that any investment in intelligent systems contains guarantees for effective monitoring, evaluation, review processes and compensation for subsequent adverse consequences. When it is discovered that the algorithms do not meet human rights protection standards (this should be done at a sufficiently early stage of their implementation), their development should be stopped immediately.

Risk management processes must be

of algorithmic systems and their negative impacts. States should have early warning systems in place and be prepared to opt out and ban certain AI systems when their deployment results in a high risk of irreversible damage or when their opacity makes human control and supervision impossible (CM/ Rec(2020).

Undoubtedly, one of the major challenges for the legislation in this area is the dynamic development of AI, which can lead to new unforeseen risks for the human rights. If left without human supervision, the ability of AI systems to learn themselves can easily deviate from the refinement that benefits humans and helps them live a better life.

The main and very real risk of the use of Al systems is related to the violation of the fundamental rights of people.

In this regard, the European Commission (EC) developed in 2020 a White Paper on artificial intelligence, in which it explicitly states which human rights are most at risk (White paper COM(2020) 65). Among them, the EC points to a number of rights such as the freedom of speech, freedom of assembly, human dignity, the principle of nondiscrimination on the basis of gender, race or ethnicity, religion or belief, disability, age or sexual orientation, the protection of personal data and privacy or the right to effective judicial protection and a fair trial, as well as the consumer protection.

A major and very real risk is related to the use of personal data and user information, or the violation of the right to privacy by government bodies that carry out mass surveillance or by employers that monitor the behavior of their employees.

These risks, according to the EC, could be due to flaws in the overall design of the Al

(including due to a lack of human supervision) or the use of data without correcting for a potential bias (for example, the system is trained only or mostly on data for one gender, which leads to suboptimal results relative to the other).

On this occasion, the White Paper draws attention to the fact that artificial intelligence is capable of analyzing large amounts of data and to recognize interrelationships in them, which can also be used to track and link certain data to certain individuals. This creates new risks for human rights even with regard to information that does not include personal data. However, the processed data refers to the human person and the activities of the AI that collect and process them may affect the right to freedom of speech, the protection of personal data and privacy, as well as the political freedoms of many people.

On the other hand, the EC draws attention to the lack of objectivity in decision-making by Al systems, which can lead to discrimination, affecting many people who will not be able to benefit from the social control safeguards to which they are subject (White paper COM(2020) 65). According to the White Paper, risks to human rights can arise from non-transparency in the operation of AI ("black box effect"), from their complexity, unpredictability and autonomous behaviour, which can lead to a change in the underlying algorithms as a result of their self-learning. All this can make it difficult to control compliance with the legislation for the protection of fundamental rights and prevent its effective implementation. In such cases of nontransparency, law enforcement authorities and affected individuals may have no way of verifying how a decision was made with the

participation of the AI and therefore whether the relevant rules were followed.

Moreover, when such decisions negatively affect individuals and legal entities, they may encounter difficulties with their access to justice. For example, injured parties may not have effective access to the evidence when they need to file a case in court or may have fewer options for legal redress than in situations where harm is caused by traditional technologies. These risks will increase with the widespread use of AI (White paper COM(2020) 65).

The lack of transparency in AI systems hinders the disclosure and proof of violations of the legal provisions that protect fundamental rights, conceal information about who is responsible, and whether the injured party is eligible to claim compensation.

Therefore, it is important that states adopt national legal norms to secure transparency of the decisions taken by the AI systems. In this regard, the justification of their acts in the field of fundamental rights is of crucial importance. For example, as far as social rights are concerned, in the process of assessment whether a person is eligible for a certain type of social support (social assistance, energy benefits, disability benefits), the decision should always be accompanied by reasons that provide information about why for example the particular person's request was not approved. Justification is obligatory for every act of the administration, regardless of whether it is taken by a physical person of an AI system. Each act must be motivated in order to comply with the principles of good administration. The reasons should be clear and understandable for the addressee of the decision. This approach ensures transparency and predictability. It guarantees for the person affected by the decision the right to defend himself and to appeal it.

In this way, reliability shall be ensured in the process of application of the legal framework in the field of human rights protection. In addition, such an approach shall bring credibility of the decisions taken by AI systems. The EC insists on efforts to strengthen the confidence that digital technologies are used in a safe and legal way, in the best interest of the person concerned and with respect to fundamental rights (COM(2020) 65).

The White Paper is focused on the use of AI in the field of the internal market. However it should be noted that in this area there are many risks of affecting human rights – including personal data protection, digital rights and ethical standards and the White paper is taking into consideration all these issues. Therefore the White Paper pays special attention to ethical principles for the development, implementation and use of AI, robotics and related technologies.

Another point of concern in the context of decisions taken by AI systems is the issue of control over their actions. There are already a number of examples that, if left unchecked, AI systems can violate a number of fundamental rights. This can happen very easily because machines. although intelligent, cannot penetrate in the content of the fundamental rights, do not have understanding about them and do not have natural criteria by which to evaluate them. For now, AI systems, no matter how sophisticated they are, are just tools that process data and make different cuts to it. No matter how perfect they are, AI systems still lack consciousness, empathy, compassion, and a human sense of justice. Due to the risks of using unreliable data at the design stage, it is appropriate to introduce specific safety

requirements in the legislation and to provide mechanisms to ensure the quality of data when using the AI systems. Uniform standards for the operation of AI systems should be applied at the national, regional and universal level, so that unequal treatment in decision-making, disproportionality or violation of fundamental rights are not allowed.

However, no matter how important the legislation is, it is still not sufficient to prevent violations on human rights, resulting from activities of AI. Therefore the human control is extremely important and the legislative framework at the international and national level must be flexible and open to changes that reflect the current development of the situation. The main guestion here is who is responsible to exercise such control. The option where another intelligent system controls AI decisions is unlikely to resolve the problem, especially if both operate using pre-set algorithms. On the other hand, market surveillance authorities and law enforcement authorities may find themselves in a situation where they are not authorized to act and/ or do not have the appropriate technical capabilities to control the systems. In this respect the White Paper recommends that human supervision is applied since the design stage and throughout the entire life cycle of AI products by the experts, having competence in the relevant area.

Regardless of the risks, it should still be noted that the use of AI undoubtedly brings many benefits to people.

In the field of medicine, for example, robots make an invaluable contribution to the diagnosis and prevention of diseases.

Al systems can be used to improve access to health care in remote regions. There are already computers that enable a remote diagnosis of patients. For instance, Aajoh is a mobile application that diagnoses symptoms of diseases using artificial intelligence. It allows users to enter their health symptoms via text, audio and photos to instantly receive a possible diagnosis. This approach speeds up the treatment and early diagnosis. This opportunity is available to everyone, since the "examination" is done through the patient's mobile phone, without the need for physical contact with a doctor (Anderson, 2018). This capability is extremely valuable in epidemics as it can overcome their growth, including during the COVID 19 pandemic. IBM's Watson Health system, for example, is used in hospitals around the world to help doctors diagnose and treat diseases.

Operations on patients from a distance are now routine. But still, we must not forget that behind the machine there always stands a doctor-surgeon who guides it and AI is still only a tool in his/her hands.

Al systems are also important for the blind people, helping them use the Internet, read and write documents, emails, messages, even books.

Another common use of AI is for real-time translations from different languages, even for direct conversations between people who do not speak the same language.

Al systems are useful in a number of fields such as agriculture, where they help farmers stay informed about weather forecasting through satellite imagery with meteorological and agronomic data, so that they can improve yields, diagnose and treat crop diseases, and adapt to changing environments. This approach to farming is known as precision agriculture and can help increase farm productivity to feed more of the world's growing population (Anderson, 2018).

Al can even be used to predict and analyze climate change, to predict natural disasters, and to protect wildlife. With the effects of climate change occurring around the world, machine learning is being used to create more accurate climate models for scientists. The Al is already being used to rank climate models (Jones, 2017) and to forecast extreme weather events, as well as to better predict extreme weather events and respond to natural disasters (McConnan, 2018). Al systems are also useful for identifying and capturing poachers and locating and capturing diseasespreading animals.

Many people already live in the so-called smart homes, which offer a number of conveniences, but also help to save costs for electricity, heating, water. Entire smart cities are also being developed, in which AI plays a key role.

Last but not least, administrative services to citizens can also be made more efficient and accessible through AI systems. They can support the more efficient allocation of public resources and the optimization of budgets (Anderson, 2018, Mehr, 2017, IBM Cognitive Business).

The benefits of AI are innumerable. But still, we should not turn a blind eye to the risks that can have unpredictable consequences for people's rights and freedoms. A number of threats are far from potential, for example, the illegal tracking of people disguised as legitimate crime prevention.

There are serious risks associated with the spread of fake news through social networks, which are very easily done with chatbots. What's more, AI is capable of creating realistic-sounding video and audio recordings or manipulating real photos and recordings. Fake news and targeted propaganda, which

#### How Long Shall Man be the Measure of All Things?

have particularly severe consequences for the rights of the affected people, can cause conflict and lead to mass disinformation, hate speech, fear and chaos.

The risks of personal data theft are also innumerable, and they are made easier by the fact that data is spread unchecked on the Internet. Based on the possibility of signing contracts online between the borrower and the financial institution without any contact between them, for example, there are already examples of withdrawn bank or fast credit loans, based on the misuse of personal data.

All these risks do not exclude the indisputable benefits of AI for people, but it should obviously make us be on the alert. In order to prevent and limit the threats that emanate from AI, the European Union and the state must be especially careful regarding the legal regulation of the mentioned factors and guarantee the best possible way to protect the basic human rights (Valcheva, 2022).The first and important condition to effectively deal with human rights violations resulting from Al systems, is to be aware of the potential risks they may bring and to have effective mechanisms for overcoming them at an early stage.

And yet, which rights could be violated by artificial intelligence systems?

### Abuse of personal data by artificial intelligence systems

There are numerous examples of how the activities of AI systems can put the protection of personal data at risk. The right to privacy, as well as a number of other civil, economic, political, social rights could be the subject of violation and discrimination. This is not surprising, because along with the

mass digitization, more and more personal information is collected in databases or can be found online. Some of it is collected officially and at least formally enjoys protection, but a huge amount of information is provided through social networks, various computer applications, media platforms and very often through online shopping and registration of profiles. On social networks we unwittingly provide a vast amount of information about our health, our political leanings, our family and work, our hobbies and even our character or mood. We have probably all found our phone "spying" on us and helpfully serving up ads for trips and destinations we have discussed, goods we have liked or intend to purchase.

The owners usually forget about this fact immediately after registration. But computers do not forget about us. Usually the collected information is used by AI to establish shopping preferences and tastes and thus computers create profiles and make predictions about our consumer behaviour.

These issues should be seriously considered specific negative and the examples should be used as a basis for future legal decisions. EU Personal Data Regulation establishes a legal framework for the protection of personal data that requires their lawful, fair and transparent processing. Despite this detailed regulation, the violations are still numerous, some of which are not even suspected by the owners of the affected personal data.

One of the reasons for this is the dynamic development of the AI, which requires the regular updating of the protection rules in order to prevent the misuse of personal data, the violation of privacy rights and the hate speech.

The effective and consistent application of the Personal Data Regulation, which defines the rules for the collection, processing and deletion of personal data, is critical. One of the important guarantees for the protection of personal data is the right "to be forgotten" (Article 65). It is related to the right of access to one's own personal data provided for in Art. 15 of the Regulation and is expressed in the possibility for people to control the use of this information and to take action when they no longer agree with their processing, when there are significant errors in the data or if they consider that the information is stored unnecessarily. In these cases, any physical person can request that their data be deleted, for example if it is no longer necessary in relation to the purpose for which it was provided, collected or processed, if the person withdraws the given consent or the legal reason for their collection ceases. In such cases, the controller of the personal data shall delete them without undue delay.

The right to be forgotten is a response to the Internet that "never forgets" (Reymond, 2019) and is based on the fact that an individual may have a significant interest in not being bound by others to past data that is not relevant to current decisions and views on him/her (Iglezakis, 2014).

The right to be forgotten was included in the Personal Data Regulation as the outcome of many difficult deliberations. Ultimately the 2017 decision of the EU Court of Justice C-131/12 on the case *Google Spain and Google*, which codified the matter, proved decisive (*Case C-131/12*). The role of the Court of Justice of the EU in the field of personal data protection is significant. Already in 2014, it issued a decision in the *Joined Cases C-141/12* and C-372/12 YS v.

Minister voor Immigratie, Integratie en Asiel, and Minister voor Immigratie, Integratie en Asiel v. M. S, in which the Court defined the limits of the concept of "personal data" under EU law. In addition, the CJEU clarifies that a data subject's right of access under the EU Data Protection Directive does not necessarily require access to the actual records containing personal data. In some cases, a complete summary of the personal data in an understandable form is sufficient.

However, the right to be forgotten is not an absolute right and the data controller may refuse to delete the information if it invokes the exceptions in the Regulation. According to Art. 65, for example, the administrator may refuse to delete the data if their retention is necessary for the exercise of the right to freedom of expression and the right to information, or to comply with a legal obligation, to perform a task in the public interest or in the performance of official functions, assigned to the administrator, for reasons of public interest in the field of public health, for the purposes of archiving in the public interest, for the purposes of scientific or historical research, or for statistical purposes, or for the establishment, exercise or defense of legal claims.

These numerous exceptions provide ample scope for the use of personal data, even against the consent of the person who provided it. Moreover, due to the general wording of the Regulation, the exercise of the right to be forgotten raises a number of practical questions. In this regard, two decisions of the Court of Justice of the EU, Case GC and Others (C-136/17) and case Google v CNIL(C-507/17), issued on September 24, 2019, which supplement the previous case law, are of great importance.

#### How Long Shall Man be the Measure of All Things?

The Google v. CNIL case outlines the territorial scope of the right to be forgotten, while the GC and Others case concerns the processing of sensitive data by search engine operators and the dereferencing of such data. In such cases the private life of any person could be affected or sensitive personal data could be misused. The court decisions indicate what is the relation between the right to be forgotten and freedom of information. According to the Court of the EU the data subject can ask the operator of a search engine to remove or de-reference the search results (including links to websites if they contain personal data relating to him in case the data is inadequate, irrelevant or no longer appropriate in the light of the purposes for which it was collected and processed).

The regulation also contains other rules for the protection of personal data, for example, the person who provided the data can at any time object to the processing of his/her personal data for the purposes of direct marketing (Article 70).

Another important right is not to be subject to a decision that is based on an assessment of personal information, provided online where the data has been acquired solely on the basis of automatic processing and this gives rise to legal consequences for the person or significantly affects him/her. An example in this regard could be the automatic rejection of online credit applications or the electronic recruitment practices without human intervention rejecting applications. This is a prohibition of the "profiling", resulting from any form of automated processing of personal data, especially when it is based on information for the person's work performance. economic status, health, personal preferences or interests, trustworthiness or behaviour,

location or movements and significantly affects the person.

The collection of such personal information undoubtedly possesses serious risks of abuse and manipulation. However, it should be noted that despite these rules and prohibitions (which are not absolute), the misuse of personal data can be found anywhere, especially when it is provided or stored online.

In this regard, many examples can be provided, because Bulgaria was not spared in the process of draining and stealing personal data. In the summer of 2019, the personal data of over 5 million people was downloaded through the National Revenue Agency's (NRA) system. Even today, it is not clear who was behind the hacker attack and how the data of millions of people was (or is being) used. The sanction imposed by the Commission for the Protection of Personal Data on the NRA was in the amount of BGN 5,000,000.

Misuse of personal data can lead to the violation of electoral rights and manipulation of election results resulting from machine voting in the absence of effective control options.

We already take for granted the daily information about hacking attacks on the credit card data we provide with every online purchase. The cases of illegal use of personal data to withdraw loans, without the knowledge and consent of the formal borrower, are becoming more frequent. This possibility is related to the widespread provision of loans online, where the owner of the personal data commits himself financially, often for serious amounts, by only pressing a few buttons on his/her mobile phone. When personal data is stolen, anyone can become a victim of such fraud. One of the possible means for protection is to complicate the process of providing financial resources online by additional guarantees for the identification of the borrower. For example, signing the contract online could be done not by pressing the "I agree" or "sign" button, but by electronic signature or a signature on a paper copy for the final acceptance of the obligation.

A number of complaints, addressed to the Bulgarian Ombudsman, are related to signing a contract through an electronic display, for example in the cases of conclusion of agreements for mobile services. The complainants claim that the signatures can be used to automatically extend the term of the contract or to activate unsolicited services that lead to additional expenses.

## The exercise of economic and social rights and the artificial intelligence systems

It should be noted that the exercise of economic and social rights is challenged by the use of AI without human intervention. Persons in a socially vulnerable situation, persons with disabilities and those who need access to healthcare are particularly at risk. In all these cases, having a computer program, rather than a human person deciding on the exercise of their rights is inappropriate.

The question of fairness is rightly raised for the decisions made by the AI when they concern the provision of social payments. An error in the design of the algorithms or a breach in the security system could affect the decision of the AI system and lead to the exclusion from the list of approved applicants of people who need social benefits.

A real-life example was a hacker attack on the website of the Bulgarian Post which prevented the payment of pensions and Easter allowances in April 2022. Thousands of elderly

people were unable to receive their pensions and social supplements before the holidays, because the entire process is digitized, and the paper lists where not updated. In result of the hacker attack the system remained completely helpless and paralyzed for months and the lack of backup and human supervision of the process violated the rights of thousands elderly people.

The recovery of the system took three months and during this time people were left in a vulnerable situation with limited chances to exercise their human rights such as to apply for targeted heating aid, to obtain a document certifying the registration of a job seeker or to grant of a one-off child birth allowance.

The damages for the Bulgarian Post were estimated at BGN 13 million, but what is the assessment of the damages caused to thousands of pensioners and socially vulnerable persons who did not receive timely aid and social payments which are vital for their survival?

Due to the lack of adequate protection of personal data and the apparent lack of cyber protection, a fine of BGN 1 million was imposed on the Bulgarian Post. However this fine cannot compensate the people whose rights were affected. Another important question is what happened to the pensioners' personal data, which may have been stolen in the hack. There is no answer to this question, and it raises serious legal issues.

It should be noted that the delegation of discretionary powers to the AI systems in the process of provision of social and health payments also raises many concerns.

In a number of countries there are already many examples of persons with disabilities whose applications for social benefits have been unfairly rejected by algorithms due

#### How Long Shall Man be the Measure of All Things?

to mistakes, wrong interpretation of the legislation or lack of proper understanding of the ethical and moral standards. Such examples indicate a limited and sketchy way of the interpretation of data and information in process of assessment of applicants for social benefits that does not reflect purely human concepts such as justice, social understandings, empathy, which cannot simply be ticked off and assumed to be fulfilled. Issues related to the provision of social rights, access to health care and education are complicated and require complex analysis and flexible solutions to meet the individual needs of each person.

Al systems are used to calculate the amount of the pension, to recalculate and update it, or when ranking applicants for enrolment in kindergartens and schools. Errors are common, and they have a serious impact on the exercise of social rights, access to education and health care. An important question is what the chances for correcting errors made by Al are and whether human control over the decision-making process by machines are guaranteed.

People with disabilities can also be victims of wrong or inadequate decisions of the AI, and therefore new technologies should be applied to them with caution. However, in many cases their use is not recommended at all.

One of the modern approaches to protecting the rights of people with disabilities is related to the individual assessment of each person's needs, adapting the system to his/her needs, and not the other way around. Countries whose social systems do not follow this approach are considered backward and underperformed. Most often, the reason is entrenched in the lack of funds which can

ensure that the individual needs of each person are taken into account.

In a number of countries, the decisions which determine the type and degree of incapacity of disabled persons are subject to serious criticism, even in the cases when they are taken by people. In Bulgaria, for example, the methodology is not fair and harms people with multiple diseases and besides the process is slow, cumbersome and complicated. It is an indisputable fact that the use of AI can very easily speed up and automate the assessment. However, the promptness of service provision and its quality are not always interrelated.

In these cases, even if we assume that the initial assessment is done by a machine, there should always be human control (by doctors and experts) to check the AI assessment. This will prevent many mistakes that could violate the rights of persons with disabilities. The appeal of the decision of the AI for the individual assessment is crucial and should always be carried out by people. Thus, the performance of AI systems, if they are used at all in this field, can be supervised.

It is undisputed that AI decisions are taken on the basis of pre-set human-made algorithms. But in the situation of the disabled or the socially weak persons, these algorithms containing formal judgment criteria, should be able to anticipate thousands of hypotheses so that no person is excluded when he/she needs support. And this is difficult to achieve. Selflearning of AI that could learn from its mistakes is important. In this process, however, human supervision is also necessary to ensure that the process of self-learning does not go beyond the protection of fundamental rights established by the regulatory framework and the practice of implementation is separated from the spirit of the regulations.

In fact, the question is whether Al systems are capable of understanding the spirit of the law, which extends beyond the specific text of the statute and without which its implementation could be seriously compromised. Another question is how the Al implements unclear provisions, which, in the case of a deteriorating quality of the legislative process, can lead to contradictory interpretation and application to the detriment of the affected persons.

For these reasons, it is important for the protection of human rights to answer the question of whether, and if so, to what extent, Al systems could have discretion in making decisions regarding social and health rights. At this stage, in my opinion, the use of AI in these areas is not justified. The risks of discrimination are serious and the rights of applicants may be disproportionately affected. This includes the rights of women, children, elderly, economically disadvantaged the people, members of the LGBTI community, people with disabilities and racial, ethnic or religious groups. For example, according to the Commissioner for Human rights of the Council of Europe, the use of algorithms that discriminate or lead to discriminatory decisions should not be allowed (Mijatović, 2019). This opinion should be shared because it strongly supports the concept of fundamental rights protection as a basic principle in the operation of artificial intelligence systems.

The Council of Europe takes these issues very seriously and highlights the risks that could arise from the use of computer-assisted or autonomous decision-making in the context of social and health care rights. Attention is paid to deficits resulting from a lack of

guaranteed qualified supervision, in particular with regard to management, granting or withdrawing rights or assistance and related benefits (Decl(17/03/2021)2).

According to a statement by the Committee of Ministers of the CoE, it is important to ensure that computer-assisted or Al decision-making systems are designed and implemented in accordance with the principles of legal certainty, legality, data quality, nondiscrimination and transparency, and provided that the knowledge and skills of the users of these systems are regularly improved.

These rules, established by the CoE, are very important, because otherwise the use of Al systems can get out of control and lead to serious violations of human rights. Particular attention is paid to the need of human control over computer-assisted or Al-enabled solutions to mitigate and/or avoid errors in the administration, attribution or revocation of rights, assistance and related benefits that could increase disadvantage and/or deprivation of rights.

Taking effective measures to protect vulnerable people from serious or irreparable harm, including destitution, extreme poverty or homelessness, as a result of the implementation of computer-aided or Al decisions in social services, is extremely important as well. It is also valuable to discuss the need for effective accountability for those who design, develop, implement or evaluate Al when legal norms are not followed or unfair harm is caused.

The examples for risks for the rights of vulnerable people in the use of AI systems are numerous. We can imagine a situation where the AI system makes an assessment and denies a person with a disability the provision of a decision, indicating status of

#### How Long Shall Man be the Measure of All Things?

disability. If in such a case the appeal of the decision takes place before an electronic system and then before an electronic judge, we can see the consequences of the lack of human judgment and supervision literally in minutes. However, these "fast" decisions can ultimately leave disabled people at the digital mercy of robots and thus deprive them of any human perspective on their case.

Another example is when persons in vulnerable social position file an application for financial aid. It would probably not be difficult for an AI system to calculate the specific expenditure and determine whether the budget has the required amount. However, in the case when the Ministry of social affairs or the Agency for social support do not have sufficient funds to satisfy all applications, many people can stay below the line not because they do not meet the criteria for disability allowance or heating allowance, but because the budget is tight and the funds have run out. Without human supervision the case will be closed and a number of persons shall be rejected. However human supervision might bring further the case and search for other solutions, such as request by the Minister of Social affairs to the Council of Ministers for allocation of additional funds from the state budget, even at the expense of other activities that will be postponed in time. When making decisions about human life, health, social rights, there are values that irrevocably require spending the necessary financial resources, prioritizing expenses and saving on something else, important, but less valuable.

A machine could hardly acquire the perception of justice of a human being. Although as humans we have different value systems, we possess a clear and ineradicable

sense of what is just and good, and we are fully aware of it, even when we deviate. The ethical standards are essential in the field of fundamental rights and freedoms, and therefore the use of the algorithms without human supervision in this area bears the risk of their violation.

In this sense, it can be suggested that the developing, programming and implementing the algorithms is always accompanied by an obligation of taking into account the standards and legal requirements for the respect of fundamental rights.

At this stage, the Council of Europe has already developed a recommendation on the role and responsibility of internet providers, which is based on the ECHR (CM/Rec(2018)2). The main argument is that access to the Internet is the basis for exercising the rights provided for in the ECHR and these rights should be respected, both in and outside the Internet space.

In the context of mass digitalization, there are numerous possibilities for the electronic exercise of a number of rights. In countries with e-government and 100% digitization of services provided by the administration (e.g. Estonia, Finland, Sweden), citizens and legal entities can exercise a number of their rights electronically.

In this sense, it is reasonable to consider the possibility of recognition of a new fundamental right - the right to access the Internet – which proves to be essential for the enjoyment of a number of human rights. This issue has already been in the focus of attention of the UN and was tackled in the Report of the Special rapporteur of the Council on human rights on the promotion and protection of the right to freedom of opinion and expression. According to it, the internet has transformed into a unique tool which enables individuals to exercise their right to freedom of opinion and expression, but also a range of other human rights. Based on the report the UN Council on Human rights has endorsed a resolution which was adopted with strong support on 13 July 2021. Similar resolution on the promotion, protection and enjoyment of human rights on the Internet was adopted by the Council on Human rights in 2016.

The lack of free access to the Internet in countries with fully electronic provision of services could make the exercise of a number of rights difficult or impossible for persons in a vulnerable position. In order to solve the problem the provision of free access to the Internet in public places or for persons in a vulnerable position (disabled people, socially weak, elderly persons) could be considered.

All of these issues raise an extremely important question about the general obligation of states to ensure respect for fundamental rights in the context of the use of Al systems. This obligation should be considered in the broadest sense, including in the context of the development of Al systems by private legal entities, which in turn should be obliged to respect human rights protection standards and to implement them in the algorithms developed or promoted by them.

## The right to work and the artificial intelligence systems

Artificial intelligence, robotics and related technologies will undoubtedly lead to significant changes in the labour market and the workplace. This issue is subject of attention for the EU because it affects a number of economic and legal issues. In 2017, in its Resolution, the European Parliament explicitly emphasized that AI systems and robots could potentially replace workers performing

repetitive tasks and facilitate human-machine collaborative systems (EUropean Parliament Resolution 2020/2012(INL)).

The positive side of AI systems entering the labour market is that they can increase competitiveness and prosperity and create new job opportunities for skilled workers.

However, the risks are associated with serious challenges in terms of the workforce reorganization. In practice, many people will lose their jobs because they will be replaced by robots. Robots are expected to eliminate about 5 million jobs currently held by humans (Michalsons Giles Inc, 2020).

This circumstance is already a fact - in many stores (supermarkets or clothing stores) more than half of the cashiers have been replaced by computers, on which customers mark the goods they have chosen and pay for them with a bank card. In practice, a human presence is needed in exceptional cases – for advice in case the customer is having trouble, for restarting the computer if it is stuck, or to manually enter the barcode if the machine does not read it.

Although computers still need human presence and control, the number of people working as cashiers has been greatly reduced. This means that the exercise of their right to work in a specific field was limited and they were "displaced" by the robots and left unemployed because their opportunity to take the position of cashiers was noticeably limited. In the future transformations in labour rights might occur, such as for example, extension of working hours, modifications in leaves and rests for workers, due to the competition from the machines that never get tired. But this could lead to a withdrawal from labour rights that are already granted (for example, the mandatory inter-day or inter-week rest, How Long Shall Man be the Measure of All Things?

the eight-hour work day). Unable to compete with the energy of the machines, people may withdraw or drop out from areas in which they have traditionally been employed.

In many countries (for example in France and Great Britain) there are unmanned metro lines. They work without a physical person to drive the motorcar. Thus, during a strike of transport workers in Paris in May 2022, only the unmanned metro lines worked.

The machines do not go on strike.

And the main reason they have not yet replaced people is that they are expensive for now. In a scenario where the entire metro runs with unmanned trains, the only role of humans would be to maintain the machines and repair them. Until machines learn to repair themselves. Then people will become a redundant unit in an entire transport sector. The issue of liability for inflicted or co-inflicted damages remains open for now.

In this way the machines not only replace people in their job positions but they also deprive them from one of the strong mechanisms in which to show disagreement with the policy of the state and defend their labour rights – the strike.

It is true that in cases like the above Al systems are still a tool that aims to make human's life easier. These computers can hardly be defined as artificial intelligence systems that can fully replace humans because they still do not reason for themselves. For now, they cannot be held responsible for their actions because they are objects of law. But by being faster, tireless, and offering labour that is free of charge, they might become a real challenge to humans performing the same activities. The development of Al systems is used in medicine for the diagnosis of diseases, the machines begin to provide

analysis of the symptoms even offer options for potential diagnosis. In the near future this might lead to circumstances in which computers could replace part of the medical staff.

A similar situation can be found with the socalled electronic lawyers - software systems that provide legal advice. Judges in a number of countries are also assisted by software products that prepare draft judgments.

Over time a number of traditional occupations might be affected and some of the human specialists might be replaced by robots. This will inevitably lead to narrowing the labour marked for humans, although probably, the development of AI systems would also lead to the establishment of new jobs.

According to the European Parliament, the implementation of the technologies in question has the potential to increase the productivity of enterprises and contribute to increasing efficiency, given that innovation programs in this area can help regional clusters to flourish (European Parliament Resolution 2020/2012(INL).

It should be noted that the development of robotics and artificial intelligence will also have an impact on the workplace, which may create new concerns regarding workers' rights, the legal status of machines and liability for damages.

In the context of this inevitable transformation in the labour market, one of the sectors in which robots are already actively present is the care for elderly, sick or disabled persons. In this regard, ensuring the best interest of people in vulnerable position should be a priority, in order to minimize the risks of assault, intentional or negligent harm by the robots. In addition, the legislation should encompass guarantees to preserve the dignity, autonomy and self-determination of the individual.

Similar problems refer to the use of robots for medical purposes. Undoubtedly, AI systems are improving in their ability to predict diseases, to assist in prevention of epidemics, including COVID 19, to detect symptoms and to diagnose remotely. By doing this they help people do better.

However, if we assume that robots will gradually replace the majority of doctors and nurses, which will undoubtedly bring changes to the labor market, then safety rules should be adopted and applied at all times. Such guarantees should prevent AI systems from abuse on human rights when making decisions about people's health and life. Especially if in the future they have the power to make independent choices. This could be essential for example in countries where euthanasia is allowed or in situations with multiple patients or victims.

The choice of whom to help first in a critical situation, if left to an AI system, should be made through a set of transparent and predefined criteria based on algorithms that cannot be altered by the robot itself, even in the context of its upgrading and self-learning.

There are such examples since the COVID pandemic in 2020. Due to a lack of available beds, there are reports from hospitals with many patients in critical condition. In the absence of oxygen machines, doctors have to choose whom to help first. When the assessment of a patient's condition made by the AI system is the basis for the decision which patient should be hospitalized and which should remain treated at home, this might be an option for relieving the burden on

hospitals and freeing up beds for those most in need.

However, when the choice is between two critically ill patients with only one free oxygen machine available, then the dilemma is painful. This choice means that one patient will not survive and is doomed. The difficulty for a human to make the choice whom to help first - the child with multiple chronic diseases or the middle-aged patient in critical condition, leads to a severe ethical dilemma and, over time inevitably damages the psyche of doctors. In these cases, it is easy to use software programs to make a choice between patients based on an assessment of the patient's condition and chances of survival. A similar situation can always arise in the event of an accident or natural disaster with many victims. However relieving the human of these difficult choices does not compensate for the mistakes of the machines. Therefore if such decisions are left entirely and without any supervision to the discretion of a machine, this might have unpredictable consequences.

#### The right to fair trial

The use of Al systems in matters related to the right to fair trial should be done with the utmost care. The right to a fair trial is of fundamental importance because it is itself the key to the effective exercise of many other rights.

All Al devices used in the field of law enforcement or in the judicial system should meet minimum criteria, for example to be safe, reliable and fit for the purpose, to respect the principles of fairness, protection of personal data, accountability, transparency, proportionality, non-discrimination and clear reasoning. In addition, the design of Al systems, as well as their implementation and use, should be subject to risk assessment

and needs assessment (Resolution of the European parliament 2020/2016(INI).

The intersection between the right to fair trial and AI systems is in their use by judicial authorities. One option is when AI systems provide information and support the judge in a decision-making process (by replacing judicial assistants) or, with more serious consequences, through the introduction of robot judges to render decisions in fully automated court proceedings.

The second option, in my opinion, at this stage, and even in the near future, is difficult to attain. Al systems can barely be used in an adversarial judicial process where the judge must rule on the admissibility of the evidence, hear the parties in compliance with the principle of immediacy, assess the facts and convey them to the applicable norms. This activity can hardly be performed by a machine, no matter how intelligent it may be, because in the course of the judicial process the judge forms his/her inner conviction, which is essential for the final decision of the case.

At this stage, AI systems could carry out mainly technical legal work, such as to identify, select and propose the relevant legal acts, caselaw of national courts, practice of the European Court of Human Rights or the Court of Justice of the EU.

Undoubtedly AI systems can significantly assist the work of the judge, but in my opinion, at this stage, there is no evidence or solid facts to prove that robots can make fair and better-reasoned decisions than the judge who is a human being. This is because the judicial process is a social activity in which the judge makes a final decision based on the law, on the facts, but also on the basis of his/her inner conviction. The question is whether an AI can form an inner conviction, and if so, whether it will match that of a human.

Ethical norms, empathy and a purely human sense of justice are far from the algorithms of AI systems because they do not lend themselves to a definition.

It can definitely be argued that a key factor in forming the judge's inner conviction is the sense of justice (in addition to the provisions of the law and the facts of the case), which can hardly be recreated by algorithms, at least at this point of their development. According to a dissenting opinion of four constitutional judges from the Bulgarian Constitutional court, "there is also the so-called "intuitive right", which is related to man's ideas of good and evil. of just and unjust. Only if the positive law is in sync with the intuitive, i.e. legal provisions are perceived as "theirs" by their addressees, the regulatory potential of law is fully manifested. The rulers in the conditions of democracy not only can, but also must strive to ensure that the citizens are not permanently oppressed by negative feelings, especially the feeling of injustice, because in such conditions the functioning of the institutions is difficult and it is difficult to realize even the best ones management decisions (Dissenting opinion of the judges Vladislav Slavov and others, 2012).

Whether AI can achieve the psychological impact in which society recognizes the decision as fair, is a question that should be given particular attention prior to delegating the power to administer justice to robots.

Of course, AI systems can also be very useful for the judicial process, but only if there are strong legal guarantees to respect the right to fair trial and to ensure that the judge has the last word.

It should be noted that AI systems have penetrated deeply into the judicial system in many countries. For example, according to Science Times Data Magazine, China is improving its judicial system with the imposition of artificial intelligence that will propose laws, create documents and identify "observed human errors" in court decisions (Club Z Magazine, 2022).

According to publicly available information, Beijing's Supreme Court requires judges to formally consult with artificial intelligence in every case, and if they and lawyers decide to deviate from a proposal of the new technology, they must provide a written justification. The new technology automatically searches court cases, applies rules and regulations, creates legal documents and, if necessary, modifies judgments where human error appears to have occurred.

According to an article in the journal "Strategic Study of CAE", artificial intelligence has reduced the workload of judges by more than a third between 2019 and 2021. It also clAIms that over the same period, society has saved more than 45 billion USD (300 billion yuan), which equals all of China's legal costs for the previous year.

At this stage, the system is able to identify the facts of a case, check information such as the appeal period and security deposit (whether a fine has been paid), compare a case with similar cases in the database, and propose a solution based on the most common result in these cases. If this computer system is further developed, it should also be able to use text modules and layouts to create court decisions and justify the decision it makes using the arguments provided in previous cases.

In my opinion, the idea of the inclusion of the AI systems in the judiciary should be limited to their ability to improve the quality and speed of justice, however this should not be done with a compromise of the human sense of justice.

Moreover, in the general case, once created, the algorithms stay the same, until they are changed by the designers. The positive outcome from this is that they will measure with the same measure anyone who seeks assistance from a court, the judicial system will be fast, cheap and accessible. Decisions will be predictable and practice will be uniform. On the negative side, such "stable algorithms" are not flexible enough to suit judicial cases, marked with diversity and complex nature. Undoubtedly, intelligent systems, by their very nature, should learn and upgrade themselves, but in this case we should be very clear about the guarantees for the protection of human rights and especially the right to fair trial which should be at the heart of each upgrade.

The creation and development of algorithmic systems must obey ethical legal rules established by human persons. One of the important requirements for these rules are to be regularly updated by taking into account the dynamic development of the AI systems and their practice of work in order to overcome the deficits or possible gaps that could allow violations of fundamental rights. The ethical rules should also be obligatory for the private entities or persons that design and develop the algorithms for the AI systems (CM/Rec(2020)1).

It should be noted that the COVID19 pandemic has accelerated the process of technology penetrating the litigation process and this has led to the need for mechanisms to protect against new risks. On the one hand, practice shows that these techniques, such as video conferencing and interrogation via video conferencing, are very widespread, on the other hand, however, it is clear that they cannot be used in all cases, because How Long Shall Man be the Measure of All Things?

otherwise they may violate the rights of individuals in a vulnerable position.

An example in this regard is the provision of art. 64, para. 2 of the Criminal Procedure Code, contested by the Bulgarian Ombudsman before the Constitutional Court. The text created a legal possibility for the accused detained in prison or in arrest to participate in the case before the court of first instance for taking a measure of permanent detention in custody in the pre-trial proceedings by means of video conference. This norm was considered by the legislator to be useful because it provides an opportunity to bring the detained or accused person before a judge without physically appearing in the courtroom. According to the ombudsman, however, this remote holding of the hearing limits the judge's ability to get personally and closely acquainted with the condition of the detainee or the accused and to make sure immediately that he/she was not a victim of physical or mental violence.

In 2021 the Constitutional court supported the ombudsman's request, and declared that the regulation of the Criminal Procedure Code violates the Constitution and more specifically the right to fair trail, the right to defence and the principle of rule of law. In the opinion of the Court such regulation also violates the prohibition of torture, cruel, inhuman or degrading treatment and undermines the balance between the freedom of citizens and state coercion.

According to the Constitutional court, the possibility of using a video conference in times of extraordinary crises represents a way for the state to ensure the functioning of the courts. However, continuous access to justice should be regulated in accordance with the principles of the rule of law, and the possibilities of using video conferencing

provided by law should allow for an effective and fair trial in accordance with international fundamental rights standards. In this sense, the provision of Art. 64, para. 2, Criminal Procedure Code is in conflict with the right to personal freedom and inviolability, guaranteed in Art. 30, para. 1 of the Constitution.

A similar example is the provision of art. 158, para. 5 of the Health Act, challenged by the Ombudsman before the Constitutional court, regarding mentally ill persons.

Therefore it is essential that law enforcement and judicial authorities use Al systems with utmost caution and attention. The monitoring and control over the work and the decisions of robots should guarantee that their development and implementation is in line with the protection of fundamental rights.

In this respect, one possible approach, is the recommendation of the European Parliament for mandatory human rights impact assessment over the potential risks by the use of AI systems. According to the EP, such impact assessment should be conducted with the active participation of civil society and its results should be publicly announced and accessible. The assessment should determine the safeguards that should be put in place to protect fundamental rights. Al systems should be periodically audited and judicial and law enforcement authorities should be involved as often as possible in specialized training on ethical standards, potential risks and limitations in the application and use of AI.

Another issue that provokes serious concerns is the use of AI by the police and judicial authorities in solving criminal law matters. This is undoubtedly a very sensitive matter both for the sovereignty of each state and for the protection of the fundamental rights of the individual, as it leads to interference in the personal sphere and can affect it very seriously.

The main issue here is whether it is appropriate to use AI systems in the criminal law field. We should acknowledge that the risks are numerous and they can affect different and very significant aspects of human life. An argument in favour of the use of robots in this area is that the AI has a huge database of legislation to consider when dealing with such cases, although a dedicated database should be developed for this purpose as well.

However, the prevailing view is that the use of AI systems should not be allowed if they are incompatible with human rights. This is explicitly stated in the report of the European Parliament, according to which the use of AI should be placed in the category of high-risk activities, when there is a potential danger of seriously affecting basic human rights and the life of many people.

Within this context. the European Parliament assumes that all decisions of the AI related to law enforcement or to the judicial system, must be taken in full respect of fundamental rights such as the human dignity, prohibition of discrimination, guarantee of freedom of movement, but also the presumption of innocence, right of defence, freedom of expression, right of access to information, freedom of association, equality before the law, right to an effective remedy, right to a fair trial, all in accordance with the EU Charter of the Fundamental Rights and the ECHR (Vitanov, 2020).

It should be noted that there are many documented cases of AI errors in the criminal justice system, the police and the penitentiary system. For example, AI is often used in risk assessment procedures in order to identify whether or not the accused is likely to reoffend, to recommend a sentence and bail

setting or in the so-called "predictive policing" using predictions to say where or when a crime shall be committed in order to direct the actions of the law enforcement authorities there.

A 2016 ProPublica investigation found that the COMPAS system, based on self-learning software widely used in the US criminal justice system, was inaccurate in predicting future crimes and was heavily biased against black defendants. Investigators looked at the risk scores of more than 7,000 people arrested in Broward County, Florida, and compared them to subsequent criminal records. They found that only 20% of people predicted to commit serious crimes actually did so. And when looking at the full range of crimes, only 61% of defendants deemed likely to reoffend were actually arrested for an actual crime in the future (Anderson, 2019, Larson, 2016).

The use of machines to assess the risk of defendants is perceived as an attempt to remove human bias from judges in their sentencing and bail decisions. In addition, the application of AI in police work aims to best allocate the often limited police resources to prevent crime. However, we should bear in mind that the assumptions of AI systems, if not analyzed by people, can be contradictory or wrong (Winston, 2018). The use of such software can be discriminatory and violate the presumption of innocence, as well as the right to defence of victims. Errors in the judgment of the AI can lead to very serious consequences.

If police officers, prosecutors and judges start basing their decisions entirely on AI suggestions, they can take a formal approach to their work and limit their involvement to "stamping" decisions made entirely by machines, with no human oversight.

#### How Long Shall Man be the Measure of All Things?

Among the areas in which, according to the European parliament, the use of AI should not be allowed, are the automated analysis and recognition in publicly accessible spaces of human characteristics, such as gait, fingerprints, DNA, voice and other biometric and behavioural manifestations.

It is an indisputable fact that AI systems facilitate the mass surveillance of people. Given that they have the capacity to process and analyze multiple data streams in real time, it is not surprising that they are already being used for mass surveillance around the world (Mozur, 2018). One of the most common and dangerous examples of this is the use of AI in facial recognition software.

In this case, the main question is about the balance and proportionality in the use of Al. On the one hand, facial recognition has important applications in the security and criminal law fields to identify suspected terrorists and perpetrators of other serious crimes, but on the other hand, by allowing illegal tracking and affecting freedom of movement it can lead to serious violations of fundamental rights (Mijatovic, 2018).

Although still imperfect, governments are using facial recognition technology as a tool to monitor their citizens, facilitate profiling of certain groups, and even identify and locate individuals. The surveillance itself is carried out with arguments for the prevention of crime and the capture of perpetrators of crimes, but the possibility of abuse of the right to privacy and personal data is more than real. Such surveillance can lead to discriminatory profiling when facial recognition software is not used solely for surveillance and identification.

For example, Amazon has come under fire for directly marketing to law enforcement a facial recognition product called Rekognition. The product is used in conjunction with police

body cameras, which would allow police to identify people in real time. The product has been introduced to police departments in Orlando, Florida and Washington County, Oregon (Anderson, 2018, Wang, 2018).

Another example is with an Israeli company called Faception, which bills itself as a "facial personality analysis technology company" and claims it can categorize people into personality types based solely on their faces. This is reminiscent of Cesare Lombroso's approach from the dawn of forensic science, belied by time and practice. Moreover, it was craniometry and anthropometry that underpinned the "scientific racism" that flourished during the Holocaust. The classifiers he uses include "white-collar offender," "high IQ," "podophile", "terrorist," even sexual orientation.

The company does not provide information about how its software program profiles people based on their faces alone, but this leads to direct discrimination and labelling, which, in addition to directly violating the right to privacy and being a discriminatory practice, can also lead to the creation of inadmissible databases on the basis of which decisions can be made regarding specific persons.

Another drastic example is when private companies create their own facial recognition databases. The EU Parliament explicitly calls for a ban on such actions. An example in this regard is the Clearview AI system (Clearview, 2022). It is a facial recognition system that collects data and photos from the internet to create a global facial recognition system. The data was collected from social networks and other publicly available sources, without the consent of the persons depicted on them. The system also monitors their behaviour and offers information on commercial services. Due to violation of personal data protection rules, this company has been fined by the UK Data Protection Commissioner with 20 billion Euros in 2022. The system is banned in a number of countries such as Sweden, France and Australia (Dinkova, 2022).

In the field of crime prevention, with a view to protecting basic human rights, it is important to prevent mass tracking of people through the use of AI and to make efforts to avoid automated discrimination and biased law enforcement. In their report on artificial intelligence, the members of the European Parliament called for a moratorium on the deployment of facial recognition systems by law enforcement agencies for identification purposes, unless they are used solely for the purpose of identifying victims of crime, until technical standards can be considered to fully respect fundamental rights.

The European Parliament is also concerned about research projects funded under the Horizon 2020 program that deploy AI at the external borders, such as the iBorderCtrl project: an intelligent system to recognize false data provided by travelers entering the EU. It called on the EC to enforce, if necessary through criminal proceedings, the ban on any processing of biometric data for law enforcement purposes leading to mass surveillance in publicly accessible areas.

#### Freedom of expression

Another right that can be seriously threatened by the use of AI systems is freedom of expression. Observations show that AI impose restrictions on opinions expressed by people on the Internet and social networks, through software, under the excuse of stopping extreme, offensive, obscene speech and opinions, as well as preventing hate speech.

In its research, the Council of Europe states that social networks such as Facebook and YouTube filter the content of comments or information that is uploaded to the Internet through a specially designed mechanism. Although with pre-set parameters, the judgment is left to the software, but due to the lack of flexibility in the application of the evaluation criteria, mistakes are often made and the result is a limitation of opinions that are not aggressive (Decl(17/03/2021)2).

In this regard, the question of transparency in decision-making by AI systems, as well as in the creation of their algorithms, is raised again. The lack of transparency leads to a real risk of infringement of rights and the imposition of restrictions without being clear about the reasons or criteria that have been applied to the assessment where the content of a comment is determined to be illegal or unacceptable (for example because it contains offensive comments, language of hatred or calls for violence).

It is undisputed that comments with unacceptable content should be limited and not published. The question is to what extent the assessment of the AI is objective and made in accordance with the legally established standards for the protection of fundamental rights, for instance the freedom of expression.

An issue worth mentioning is the exercise of freedom of conscience and freedom of religion in the context of using AI. It should be noted that AI systems are not yet advanced enough to have a conscience or belief or selfawareness on which to have an understanding of these concepts. This makes their task of identifying violations extremely difficult for the people. How Long Shall Man be the Measure of All Things?

#### Conclusion

Regardless of the fact that the digital revolution is changing our values and priorities, in essence they are not changing so drastically. Human leadership in decisionmaking in areas such as fundamental human rights and freedoms cannot (and should not) be easily replaced by "management by AI systems" because this may lead to undue restriction or deprivation of rights as well as to discrimination.

Even in times of mass digitization in these areas, the management and decision-making, or, at least the control over these decisions, should remain with the human.

The era of human rights should not end with the development of artificial intelligence systems. To the extent that humans still set the rules and create the algorithms for the operation of intelligent machines, they must strengthen safeguards to protect people's fundamental rights. The lack of awareness and understanding of the value of fundamental rights in self-learning machines is not malice, but a difference we should be aware of. Intelligent machines are still a tool for improving people's lives, but their dynamic self-improvement and upgrading, if left unchecked, can lead to changes that render the principle that man is the measure of all things inapplicable.

The emergence of the AI systems makes people's lives easier, but this process must be developed with the understanding that human rights are inalienable and the guarantees for their effective exercise should be consistently and unwaveringly applied. Protecting human rights ensures human well-being. Therefore, the right to work, freedom of expression, the right to a fair trial and the protection of personal data, which today are already subject to a number of violations, should be protected

and guaranteed through the legislation and the practice of the institutions.

In the modern world, thanks to new technologies for institutions, and often for representatives of the private sector, it is much easier to monitor people and violate their right to privacy or the right to a fair trial, to limit freedom of expression, abuse their personal data or restrict their freedom of movement. Thus, the development of Al leads to increasingly tangible risks for human rights.

For this reason, the issue of "ethical oversight" has been increasingly discussed. In detailed and highly complex algorithmic systems, accountability mechanisms cannot be based on interpretations and interpretations alone (Cath, 2018).

Ethical oversight is not a mechanism for evaluating the performance of AI, it is seen as a possible solution that reviews and evaluates algorithm decisions for lack of objectivity and possible harm. Technologies are the product of man, and no matter how much they have advanced in their development, the basis of their self-upgrading and self-education should remain the values and ethical categories that are important to man, such as justice, transparency, accountability and the prohibition of violation of fundamental rights and discrimination.

#### References

#### Articles, legal studies and reports

Anderson, L., Human rights in the age of artificial intelligence, 2018, Accessnow org, https://www.accessnow.org/cms/assets/ uploads/2018/11/Al-and-Human-Rights.pdf

Cataleta, M., Cataleta, A., Artificial Intelligence and Human Rights, an Unequal Struggle. IFILE *Journal of International Law*, Journal Vol. 1, No. 2, 2020, pp. 40-63, http://www.cifilejournal. com/article\_107380\_67c700d685169c365119 d8c673919772.pdf

Cath, C. Governing artificial intelligence: ethical, legal and technical opportunities and challenges, The Royal Society publishing, 2018,

https://royalsocietypublishing.org/doi/10.1098/ rsta.2018.0080

Club Z magazine, China introduces artificial intelligence in its judicial system, July 25, 2022, https://clubz.bg/125607

Dinkova, M., Clearview AI in the focus of the authorities, Capital newspaper, 26 May, 2022, h t t p s : / / d i g i t a I k . b g / biznes/2022/05/26/4350604\_clearview\_AI\_ otnovo\_e\_pod\_pricela\_na\_vlastite/

IBM Cognitive Business, Watson helps cities help citizens: how artificial intelligence transforms services, Medium, January 31, 2017, https://medium.com/ cognitivebusiness/ watson-assists-cities-with-311-3d7d6898d132

Iglezakis, I., The Right to Be Forgotten in the Google SpAIn Case (Case C-131/12): A Clear Victory for Data Protection or an Obstacle for the Internet?, Aristotele University of Thessaloniki, 26 July 2014

Jones, N., How Machine learning could help us to improve climate forecast, 2017, Sientific american, a division of Springer nature America,

https://www.scientificamerican.com/article/ how-machine-learning-could-help-to-improveclimate-forecasts/

Kovatcheva, D, The new subjects of law - are artificial intelligence systems already among us?, 2022, Comptes rondus, Bulgarian Academy of Sciences (under proceedings)

Larson, G., Anguin, J., Mattu, S., Kirshner, L., Machine Bias, There's software used across

the country to predict future criminals. And it's biased agAInst blacks, 23 May 2016, https:// www.propublica.org/article/machine-bias-riskassessments-in-criminal-sentencing

La Rue, F., Report of the Special rapporteur on the promotion and protection of the right to freedom of opinion and expression. A/ HRC/17/27, UN Council on human rights, https://www2.ohchr.org/english/bodies/ hrcouncil/docs/17session/A.HRC.17.27\_en.pdf

Marin, N., Noneva-Zlatkova, Y, Algoritmic state as a new paradigm in contemporary Constitutional and European law, European Yearbook on Constitutional Law (under proceedings)

McConnon, A., AI Helps Cities Predict Natural Disasters, The Wall Street Journal, June 26, 2018, https://www.wsj.com/articles/AI-helpscities-predict-natural-disasters-1530065100

Mehr, H., Artificial Intelligence for Citizen Services and Government, Ash Center for Democratic Governance and Innovation, Harvarf Kennedy School, August 2017, https:// ash.harvard.edu/files/ash/files/artificial\_ intelligence\_for\_citizen\_services.pdf

Michalsons Giles Inc., Robot Law is an emerging field of law, 2021, https://www. michalsons.com/focus-areas/robot-law

Mijatovic, D., In the era of artificial intelligence: safeguarding human rights, OpenDemocracy 3 July 2018, Commissioner for Human Rights of the Council of Europe, https://www. opendemocracy.net/en/digitaliberties/in-eraof-artificial-intelligence-safeguarding-humanrights/

Mijatović, D., Unboxing Artificial Intelligence: 10 steps to protect Human Rights, 2019, Commissioner for Human rights of the Council of Europe, https://rm.coe.int/unboxingHow Long Shall Man be the Measure of All Things?

artificial-intelligence-10-steps-to-protecthuman-rights-reco/1680946e64

Mozur, P., Inside China's Dystopian Dreams: Al, Shame and Lots of Cameras, The New York Times, July 8, 2018, https://www.nytimes. com/2018/07/08/business/china-surveillancetechnology.html

Reymond, M., The future of the EUropean Union "Right to be Forgotten", 2019, Latin American Law Review

Slavov, V., Punev B., Nenkov, R., Markova, K., Dissenting opinion of the constitutional judges on on constitutional case No. 6/2012 regarding the established partial unconstitutionality of Art. 3, para. 1 and Art. 24, para. 3 and 4 of the Law on Forfeiture of Illegal Assets, (SG No. 38 of 2012), https://constcourt.bg/bg/Acts/ GetHtmlContent/907a15fa-30d7-4162-a349f2dbec7fe3ea

Sparrentak, K., (rapporteur), Opinion of the Committee on the internal Market and Consumer Protection on artificial intelligence in education, culture and the audiovisual sector, 6 July 2020, https://www.EUroparl. EUropa.EU/doceo/document/A-9-2021-0127\_ EN.html#\_section4

Valcheva, A. Human rights and artificial intelligence, 2022, Skopje, Knowledge - International Journal

Verheyen, S., (rapporteur), Report on artificial intelligence in education, culture and the audiovisual sector, Report - A9-0127/20212020/2017 (INL), 19 April, 2021, European Parliament Committee on culture and education, https://www.EUroparl.EUropa. EU/doceo/document/A-9-2021-0127\_EN.html

Vitanov, P., (shadow reporter), Artificial intelligence in criminal law and its use by the police and judicial authorities in criminal matters, European parliament, 2020,

Committee on Civil Liberties, justice and Home Affairs (LIBE),

https://oeil.secure.EUroparl.EUropa.EU/oeil/ popups/printficheglobal.pdf?id=710029&I=en

Wang, J., Recipe for authoritarianism: Amazon under fire for selling face-recognition software to police, The Guardian, 23 May 2018

h t t p s : / / w w w . t h e g u a r d i a n . c o m / technology/2018/may/22/amazon-rekognitionfacial-recognition-police

Winston, A., Palantir has secretly been using New Orleans to test its predictive policing technology, 2018, https://www.theverge. com/2018/2/27/17054740/palantir-predictivepolicing-tool-new-orleans-nopd

#### Other Documents:

BBC, Durham police criticised over 'crude' profiling, 9 April 2018, https://www.bbc.co.uk/ news/technology-43428266

Big Brother Watch Team, A Closer Look at the Experian big data and Artificial intelligence in Durham police, 6 April 2018, https:// bigbrotherwatch.org.uk/2018/04/a-closerlook-at-experian-big-data-and-artificialintelligence-in-durham-police/

Committee of Ministers of the Council of EUrope, Declaration on the risks of computerassisted or artificial-intelligence-enabled decision making in the field of the social safety net, Decl(17/03/2021)2), adopted on 17 March 2021, https://rm.coe.int/0900001680a1cb98

Committee of Ministers of the Council of Europe, Declaration on the manipulative capabilities of algorithmic processes, Decl(13/02/2019)1, adopted on 1 February 2019, https://search.coe.int/cm/pages/result\_ detAlls.aspx?ObjectId=090000168092dd4b

Committee of Ministers of the Council of EUrope, Recommendation on the roles and

responsibilities of internet intermediaries, CM/ Rec(2018)2, adopted on 7 March 2018, https://rm.coe.int/1680790e14

Committee of Ministers of the Council of EUrope, Recommendation on the human rights impacts of algorithmic systems, CM/ Rec(2020)1, adopted on 8 April 2020, https:// search.coe.int/cm/pages/result\_detAlls. aspx?objectid=09000016809e1154

Consultative Committee of the Convention for the Protection of Individuals with Regard to Automatic Processing of Personal Data, Guidelines on Artificial Intelligence and Data Protection, T-PD(2019)01, 25 January 2019, https://rm.coe.int/guidelines-on-artificialintelligence-and-data-protection/168091f9d8

Council of EUrope, Algorithms and Human Rights, Study on the human rights dimensions of automated data processing techniques and possible regulatory implications,, Decl(17/03/2021)2, 2018, https://rm.coe. int/algorithms-and-human-rights-enrev/16807956b5

Council of Europe, Study on the human rights dimensions of automated data processing techniques and possible regulatory implications, 2018, https://edoc.coe.int/en/ internet/7589-algorithms-and-human-rightsstudy-on-the-human-rights-dimensions-ofautomated-data-processing-techniques-andpossible-regulatory-implications.html

EU Fundamental Rights Agency (FRA), Bigdata, Discrimination in data supported decision-making, May 2018, https://fra. EUropa.EU/sites/default/files/fra\_uploads/fra-2018-focus-big-data\_en.pdf

European Commission on Efficiency of Justice (CEPEJ), European Ethical Charter on the use of artificial intelligence in judicial systems, https://www.coe.int/en/web/cepej/cepej-EUropean-ethical-charter-on-the-use-of-

artificial-intelligence-Al-in-judicial-systemsand-their-environment

European Commission, Proposal for Regulation of the European Parliament and of the Council Laying Down Harmonised Rules on Artificial Intelligence (Artificial Intelligence Act) and Amending Certain Union Legislative Acts, https://EUr-lex.EUropa.EU/resource. html?uri=cellar:e0649735-a372-11eb-9585-01aa75ed71a1.0001.02/DOC\_1&format=PDF

European Commission, White paper on Artificial Intelligence - A EUropean approach to excellence and trust, COM(2020) 65 final, 2020, https://ec.EUropa.EU/info/sites/default/ files/commission-white-paper-artificialintelligence-feb2020\_en.pdf

European Court on Human Rights, Case GC and Others (C-136/17), https://curia.EUropa. EU/juris/liste.jsf?num=C-136/17

European Court on Human Rights, Case Google v CNIL(C-507/17), https://EUr-lex. EUropa.EU/legal-content/en/ TXT/?uri=CELEX:62017CJ0507

European Parliament, Resolution on artificial intelligence in criminal law and its use by the police and judicial authorities in criminal matters, 2020/2016(INI), 6<sup>th</sup> of October 2021, https://www.EUroparI.EUropa.EU/doceo/document/TA-9-2021-0405\_EN.html

European Parliament, Al rules, what the European Parliament wants, May, 2022, https://www.EUroparl.EUropa.EU/news/en/ headlines/society/20201015ST089417/Alrules-what-the-EUropean-parliament-wants

#### How Long Shall Man be the Measure of All Things?

European Parliament, Resolution with recommendations to the Commission on Civil Law Rules on Robotics of 16 February 2017, 2015/2103(INL) https://www.EUroparl.EUropa. EU/doceo/document/TA-8-2017-0051\_ EN.html

European Parliament, Resolution with recommendations to the Commission on a framework of ethical aspects of artificial intelligence, robotics and related technologies of 20 October 2020, 2020/2012(INL), https:// EUr-lex.EUropa.EU/legal-content/EN/ ALL/?uri=CELEX%3A52020IP0275

IBM's Watson Health system, https://www. ibm.com/watson/health/

State Gazette of the Republic of Bulgaria No. 110 of 2020, in force since 30.06.2021

Toronto Declaration on the Protection of Rights https://www.torontodeclaration.org and https://en.wikipedia.org/wiki/Toronto\_ Declaration

UN Council on Human rights, Resolution on the promotion, protection and enjoyment of human rights on the Internet, adopted by on 1 July 2016, A/HRC/RES/32/13 https://www. article19.org/data/files/Internet\_Statement\_ Adopted.pdf

https://www.weforum.org/agenda/2019/08/ how-can-automation-and-ai-be-beneficial-toworkers-wellbeing/ - "Frontier tech like AI is changing the world – here's how we can keep up and prosper"- Christopher Pissarides, Word Economic Forum, Aug 6 / 2019