

ARTIFICIAL INTELLIGENCE AND THE FUTURE OF ETHICAL GOVERNANCE: BALANCING INNOVATION, ACCOUNTABILITY AND HUMAN RIGHTS

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ABSTRACT

Artificial intelligence (AI) has evolved from a niche technical discipline into a significant actor in the contemporary political, social and economic field. AI-powered technology is becoming more integral in various sectors such as healthcare, education, banking, hiring, public administration, communication and decision-making among many others. Efficiency, innovation, the provision of public services, and human capacities might all see significant boosts from these innovations. At the same time, issues raised by the pervasive adoption of AI across a range of domains include privacy, discrimination, algorithmic bias, lack of openness, responsibility, human autonomy, workers' rights, disinformation, and employment.

The critical question for government and policy makers therefore is not so much whether AI needs to continue being developed; it is how to manage its further development and application in a way that will maximise the benefits and minimise the potential harms to people and societies. Human rights, ethical governance, and artificial intelligence are the topics of this article's investigation. The study adopts a qualitative and conceptual perspective on reviewing scholarly literature, global policy frameworks and emerging regulatory measures. The importance of fairness, transparency, explainability, accountability, human supervision, privacy, inclusivity and sustainability in responsible AI governance are highlighted, as are key ethical issues associated with AI.

Important international developments including the AI Act of the European Union, the UNESCO Recommendation on the Ethics of AI, the OECD AI Principles and UN activities on trustworthy and safe AI are highlighted. Human rights and dignity are at the core of the UNESCO's AI framework. Aiming toward AI that is trustworthy, creative, and in line with democratic norms is also a goal of the OECD principles. The EU AI Act takes a risk-based approach to regulating AI systems, whereas the UN has put more and more emphasis on global collaboration and human rights protection in the context of regulating new technology.

Beyond voluntary moral approaches to AI governance, the paper argues for creating frameworks that will ensure participation, accountability, and legal obligation. Assessment of

risks, algorithmic accountability, independent audits, openness, effective human supervision, public involvement, international collaboration, and institutional responsibility are all parts of the human rights-based governance strategy that is proposed. Technological innovation does not need to be balanced against efficient regulation, the research found. The appropriate governance mechanisms exist to establish trust and confidence with the public, foster ongoing innovation, and prevent overuse of AI in research and practice that detracts from democratic values and human dignity or violates the law.

Keywords: AI, Digital governance, Innovation, Algorithmic bias, Accountability, Human rights

I. INTRODUCTION

Artificial Intelligence (AI) undoubtedly is considered one of the most impactful technological advancement of the 21st century. Advancements in machine learning, generative AI, automated decision making, computer vision and natural language processing over the last few years have changed the world of technology, organisations and society. Today, AI can sift through vast amounts of data, recognize patterns, create materials and suggestions, and supply forecasts and help with decisions—all tasks that human customers used to do.

As AI becomes a greater part of society, it's crucial to ask, what are the steps society can take to reap the benefits of AI while maintaining a respect for human rights, democratic values and ethical principles?

AI systems are not self-determinate as they are dependent on other systems in society. These are designed by humans, taught by data generated from societies and applied by organisations in different aspects, can directly impact the individual person. Consequently, AI can re-entrench inequalities or engender new forms of discrimination. For instance, an AI recruiting software can perpetuate bias that is present in historical employment data, and facial recognition systems could have varying performance for different demographic groups. However, this automatic credit scoring system could have a detrimental impact on other groups, assume for example, that this system stems from historical inequities.

AI is also a source of new and powerful technologies and information. For the groups with a large amount of data, computing ability and complex AI models, they can have enormous impact with markets, media, in the way people behave. This brings up issues concerning privacy, accountability, competition and democratic governance.

In the international organisations, there is increasing awareness of these challenges. The UNESCO Recommendation on the Ethics of Artificial Intelligence has a focus on human rights and human dignity linked to the governance of Artificial Intelligence, and on principles of proportionality, privacy, responsibility, transparency, human oversight, sustainability and non-

discrimination. In addition, the OECD Principles on Artificial Intelligence make reference to requiring trustworthy AI in accordance with the human rights and democratic values.

In March 2024, the United Nations General Assembly passed a Resolution to foster "the promotion of trustworthy and safe uses of AI, and safeguarding of human rights, throughout the AI value chain. The AI Act is also one of the most comprehensive regulatory frameworks for the use of AI in the European Union, which adopts a risk-based approach.

These insights merely exemplify the ways AI is progressing, making the regulation of AI more about than just technology. Importantly, it has become a matter of ethics, law and human rights as well as the institutional accountability and public policy issues. Thus we come to the next question for us – what approach and tool can be adopted to balance technologic innovation, accountability and protection of human rights in the ambit of ethical governance.

II. OBJECTIVES OF THE STUDY

The main aims of this article are:

- To explore the linkages between AI and ethical governance.
- To give an awareness to AI ethics and human-rights.
- To talk about the importance of transparency, accountability, fairness and human oversight.
- To analyse the emerging international approaches to AI governance.
- To investigate the relationship between technological innovation and regulation.
- Propose a HRC perspective of Responsible governance of AI.
- To make recommendations for policy proposals that will help foster public trust and institutional accountability.

III. RESEARCH QUESTIONS

In this study, the questions that were posed to the people were:

- To increase AI usage, what are some fundamental things that need to be taken into account when it comes to moral?
- How to secure accountability and responsibility in situations where AI has an impact on decisions?
- How to embrace AI innovation, while promoting human rights and democratic values?
- Transparency and human oversight should complement AI governance, in what ways?
- How can global partnerships help in inclusive and effective governance of AI?

- What are the governance mechanisms needed to achieve a good balance of innovation, accountability and human rights??

IV. METHODOLOGY

This is the type of article that is qualitative, conceptual and analytical. It is not targeted towards a specific AI system, nor uses statistical survey methodology. In practice, it is more about the interdependency of these in an international framework, regulatory development and concept literature concerning AI.

The study primarily considers frameworks developed by UNESCO, the OECD, the United Nations and the European Union. UNESCO's Recommendation provides a human-rights-based approach emphasizing dignity, transparency, accountability, human oversight, fairness, privacy and sustainability. The OECD AI Principles provide an intergovernmental framework for trustworthy and innovative AI, while the United Nations places AI within the broader context of human rights, sustainable development and international cooperation.

The European Union's AI Act is examined as an important example of a risk-based regulatory approach. The study uses thematic analysis to identify major governance principles, including accountability, transparency, fairness, privacy, human oversight, inclusion, sustainability and international cooperation.

V. ARTIFICIAL INTELLIGENCE AND THE TRANSFORMATION OF GOVERNANCE

Traditional governance relies on institutions, laws, administrative systems and human decision-makers. AI introduces a new dimension by allowing computational systems to support or partially automate decision-making.

AI can contribute to governance in several areas. Governments may use AI for public health analysis, traffic management, fraud detection, disaster management, environmental monitoring and public-service delivery. By processing large quantities of information quickly, AI can help identify patterns, automate repetitive tasks and support administrative decision-making.

However, the use of AI also changes the nature of institutional responsibility. In conventional decision-making, it is generally easier to identify the person or institution responsible for a decision. With AI, responsibility may be distributed among developers, data providers, technology companies, government departments and individual users.

This can create an accountability gap.

When an AI-supported decision causes harm, important questions arise:

- Who is responsible for the decision?

- Who is responsible for the data used?
- Who designed and tested the system?
- Who approved its deployment?
- Who monitors its performance?
- Can affected individuals challenge the decision?
- What remedy is available when the system produces an incorrect result?

Ethical governance must provide clear answers to these questions. AI should then not just be viewed as a technology, but a landscape of institutional decision-making processes as such, and furthermore, as related to employment, education, healthcare, finance, welfare, policing or justice.

VI. MAJOR ETHICAL CHALLENGES OF ARTIFICIAL INTELLIGENCE

6.1 Algorithmic Bias and Discrimination

- Algorithmic bias is among the top ethical concerns of AI. If the data which the AI systems learn from, mirrors a reality of discrimination or social inequality in the past, then the system can reproduce and/or reinforce discrimination/social inequality.
- We can give the example of when an AI recruitment system is trained with data from past recruitment, it may be more inclined towards candidates who come from groups that were traditionally put forward for a job. In the same way, AI systems can provide differences if data is not complete, or is not accurate in its representation of the various populations.
- Bias can be caused by:
 - incomplete datasets;
 - unrepresentative samples;
 - historical inequalities;
 - inappropriate variables;
 - biased labels;
 - design assumptions;
 - unequal access to technology; and
 - differences in system performance across populations.

Therefore, fairness and non-discrimination should be evaluated throughout the AI lifecycle rather than only after problems occur.

6.2 Privacy and Data Protection

The lifeline of AI is data. Big data can enable organisations to analyse the system and predict actions – customising the services to the individual. But there are huge problems of data collection and data processing with regard to privacy.

AI can generate all sorts of personal information concerning identity, location, health, financial, communication, behaviour and preference.

This is the reason why the ethical issues surrounding the collection of the data is not just a question of whether data can be collected, but also the way, and whether it should be collected.

Important considerations include:

- Was the data collected lawfully?
- Was appropriate consent obtained?
- Is the intended use consistent with the original purpose?
- Can individuals understand how their data is being processed?
- Can unauthorized use be prevented?
- How long should personal data be retained?

Privacy and data protection should therefore be incorporated into AI governance from the beginning of the development process.

6.3 Transparency and Explainability

Complex machine learning systems, for instance, can be hard to comprehend by regular users. This poses accountability and public trust issues.

Some information about AI and how it was created should be made available, if AI was an important factor to a decision that has a large impact. Transparency doesn't mean having to publish all code.

Meaningful transparency can include information on:

- the purpose of the AI system;
- the type of data used;
- system limitations;
- the role of human decision-makers;
- potential risks;
- performance characteristics;

- procedures for challenging decisions; and
- correction and redress mechanisms.

Explainability should therefore be treated not merely as a technical requirement but as an important tool for accountability.

VII. ACCOUNTABILITY AS THE FOUNDATION OF ETHICAL AI

One of the fundamental principles of ethical governance of AI is accountability. AI should by no means be a means to avoid responsibility.

“Automation should distribute tasks, not eliminate responsibility.”

The roles and responsibilities of different stakeholders such as developers, organisations, tech providers and government and the decisions they will have to make must be clearly outlined.

There should be at least 5 key elements involved for effective accountability:

7.1 Traceability

Appropriate historical data should be kept, as necessities may dictate for the development, testing, deployment and operations of AI.

7.2 Auditability

In high impact scenarios AI systems should be able to self-revaluate.

7.3 Responsibility

The decision made by an artificially intelligent system should be readily transferable, and the person/organization taking that decision held accountable.

7.4 Contestability

When an AI decision does not provide a meaningful opportunity for the individual concerned to question and/or challenge it, then this should be provided.

7.5 Redress

It should also be able to provide the recommended action and remedies to anyone that has been affected because of the use and application of AI.

All these mechanisms must work cohesively to make sure that decisions assisted by AI are accountable.

VIII. HUMAN OVERSIGHT AND THE PRINCIPLE OF HUMAN AGENCY

A key ethical concern is that as AI systems get more autonomous, is it still the responsibility of humans? Under high impact scenarios, yes should be the response.

Although AI can offer suggestions and forecasts/classifications, allow human beings to have proper authority for crucial decisions.

Characters include aspects like some of the following:

- criminal justice;
- healthcare;
- employment;
- education;
- social welfare;
- immigration;
- financial services;
- public benefits; and
- fundamental rights.

However, actual and not symbolic human rescue should be carried out. If a man himself picks up a suggestion which has been given to him automatically, without learning the limitations, he is not able to effectively supervise the AI.

Meaningful oversight requires:

- adequate training;
- ability to reject AI suggestions
- information on (that is appropriate for)
- knowledge about the constraints of the system:
- escalation procedures; and
- opportunity to time and resources to make independent judgements.

Ultimately, people should still be held accountable for decisions made with the help of AI that have a significant impact.

IX. AI, DEMOCRACY AND PUBLIC TRUST

AI has the potential to impact democratic processes positively and negatively. It could facilitate access to information and application of the information in public administration and public

involvement. AI-generated misinformation, however, could have an impact on public opinion and democratic processes through manipulative and automated influence campaigns.

In the context of a democratic society, citizens' access to reliable, information is essential. They may also not trust the information if they cannot determine what is real and what's AI-generated or manipulated.

However, the excessively strict regulation of ChatGPT by the government can also be a hazard to freedom of speech:

Information Integrity + Freedom of Expression + Democratic Participation

As such, there is a need to seek a balance between ethical and AI governance. These fall in the area of Information Integrity & Freedom of expression and Democratic participation. But, AI governance isn't just about technology regulations. It's also an important part of public trust – and public governance under democracy.

X. INTERNATIONAL APPROACHES TO AI GOVERNANCE

10.1 UNESCO

The Ethics of Artificial Intelligence (AI) Recommendation adopted by UNESCO is one of the most full-fledged international positions on AI ethics. Promotes and is based on human rights, emphasizes:

- human rights and human dignity;
- peaceful, just and interconnected societies;
- diversity & inclusion; and
- protection of the environment and the ecosystem.

“Importance of proportionality, importance of safeguard, importance of confidentiality, importance of responsibility, importance of transparency, importance of human oversight, importance of sustainability, importance of awareness and literacy, importance of equity” also has been a focus.

What's important about the UNESCO document? They desire a link between ethics and action in policies!

10.2 OECD

The OECD AI Principles emphasize a number of principles of trustworthy AI on an international scale.

A focus on the principles is given to:

- inclusion and sustainable development;
- human rights and values of democracy;
- transparency and explainability;
- robustness, security and safety; and
- accountability.

In 2024, the principles were updated to meet fast-changing tech advancements, such as generative AI, privacy, and IP safety and integrity.

It is clear that in the OECD world model, innovation and responsible governance are not mutually exclusive and can co-exist.

10.3 United Nations

AI has become paramount in the United Nations focus on an international cooperation, human rights and sustainable development.

The UN General Assembly passed a March 2024 resolution which highlighted “the need to urge safe and secure and trustworthy uses of artificial intelligence and respect for human rights throughout the AI lifecycle.”

Being able to cooperate at the international level is especially crucial since AI systems extend beyond borders. AI model can be developed in one country, trained on database data from numerous countries and deployed on the worldwide level.

Therefore, national regulation alone might not be sufficient to regulate all of the risks of AI.

10.4 European Union

An important example of the risk-based approach towards the regulation of AI is the EUs AI act.

In the framework, it categorizes the risk levels but it doesn't transition with a common "one size fits all" pattern to each type of AI application. There's some coverage on practices that are deemed to present unacceptable risk, as well as some transparency/gov and high-risk AI.

Some of the requirements do not align with each other, a few have staggered timelines, the implementation of some other will even be longer: August 2026 is the general application of the AI Act.

The EU solution illustrates that there should be proportionality in relation to the potential consequences for a specific application when regulating the use of AI. Requirements shouldn't differ based on the context of the AI system in question: whether the use is for entertainment selections, the impact is on employment, health or access to critical services, etc.

XI. INNOVATION VERSUS REGULATION: A FALSE DICHOTOMY?

One of the frequently mentioned issues is that rigorous AI regulations can hinder technological innovation. This is something that should be considered as the regulation could be complex, long, and have the effect of increasing expenses – particularly of the small business – and squelching exploration.

However, there's no rule saying one cannot have regulation and innovation.

Uncontrolled AI can result in:

- legal uncertainty;
- reputational damage;
- public distrust;
- discriminatory outcomes;
- cybersecurity risks;
- privacy violations; and

Challenges to using Technology.

These issues can constrain innovation, on their own.

Good governance could set up procedures and practices and organisations will have a clear idea of what can be permitted and what should not be.

So regulation may serve as a facilitator for sustainable innovation.

Appropriate + Proportionate + Adaptive Regulation

Suitable, balanced and tailored control measures. Thus, society can be protected, and have an opportunity to experiment and responsibly grow with the technology.

XII. THE PROBLEM OF THE GLOBAL DIGITAL DIVIDE

- The tie between AI governance and global inequality is evident. The countries and organizations with lots of investment, access to lots of data and access to advanced computing resources are primarily focused on advanced AI development.
- The challenges that developing countries are facing include underdeveloped infrastructure, a more limited pool of AI researchers and a less developed regulatory capability.
- The potential for such an AI governance system to be deployed at large scale in the more technologically advanced countries may result in a "rule takers" versus "rule makers" scenario globally. This might widen technologic and economic inequities.

- Therefore, the emphasis in relation to international governance of AI should be on:
- digital infrastructure;
- AI education;
- local research capacity;
- language diversity;
- affordable computing resources;
- data governance;
- technology transfer;
- public-sector capacity; and
- Countries in the developing world's engagement in the international standard setting processes.

AI governance should be globally inclusive, not merely globally applicable.

XIII. AI AND ENVIRONMENTAL SUSTAINABILITY

AI governance would also entail the consideration of its environmental footprint. The complex AI system may be quite costly in terms of electric power requirement: electric power station is needed for power stations, cooling station, facilities.

Because of this, AI's ecological footprint should be taken into consideration throughout the lifecycle.

Organizations should evaluate:

- energy consumption;
- carbon emissions;
- water usage;
- hardware lifecycle;
- electronic waste;
- computational efficiency; and

impact to the environment along the AI supply chain.

Furthermore, there are essential elements for sustainability and environmental protection within the ethical aspect of the use of AI by UNESCO.

This technological advance should not therefore limited to viewpoints on the economy or computation. Persons and environmental impact of AI should be considered as seriously in Ethics.

XIV. TOWARDS A HUMAN-RIGHTS-CENTRED AI GOVERNANCE FRAMEWORK

Building on the above, a Human-Rights-Centred AI Governance Framework is suggested in eight pillars which owe their independence while maintaining their interdependence.

Pillar 1: Legality

AI systems must respect fundamental rights and the law as per the appropriate legislation.

Pillar 2: Proportionality

AI can only be considered where it is there is a legitimate aim sought and its use is proportionate to the aim.

Pillar 3: Transparency

Systematically communicate to people and organisations about the critical AI systems and their limitations.

Pillar 4: Accountability

Responsibility for decisions with the use of AI needs to be clearly defined.

Pillar 5: Human Oversight

Such decisions under high stakes should leave room for human meaningful control.

Pillar 6: Fairness

AI systems need to be assessed for potential discrimination and disproportionate effects.

Pillar 7: Contestability and Redress

Decisions made based on AI should be subject to dispute and possible redress when the impact or the decision is negative, and the AI is an incorrect decision.

Pillar 8: Sustainability and Inclusion

The development of AI should be dedicated to Sustainable Development and to how 'should its benefits be widely available to all populations?

These should be reflected all along the entire AI lifecycle:

Design → Development → Testing → Deployment → Monitoring → Review → Retirement

Hence, it is crucial to initiate ethical governance not only once AI systems start to harm, but at the outset of deployment.

XV. POLICY RECOMMENDATIONS

15.1 Establish Risk-Based AI Governance

You can use the following procedure to implement Risk Based AI Governance. Governments need to recognise various categories and the application of AI and regulate in a proper way accordingly. For a high impact application there should be more safeguards that there are in low impact applications.

15.2 Introduce Mandatory Impact Assessments

In case of high impact AI systems, the assessment of Algorithm and/or Human right impact is recommended as a precondition for the deployment.

The following needs to be evaluated:

- affected populations;
- possible discriminatory outcomes;
- privacy risks;
- security vulnerabilities;
- human-rights implications;
- environmental impacts; and
- possible mitigation measures.

An ongoing round the clock monitoring should be developed following deployment, as an impact assessment mechanism.

15.3 Strengthen Independent AI Auditing

Independence of evaluations of high-impact AI systems is required. Auditors should evaluate:

- accuracy;
- fairness;
- security;
- privacy;
- explainability;
- governance procedures; and
- legal compliance.

Independent auditing can assist with risk identification, where risks may not be identified by the internal systems.

15.4 Create Effective Redress Mechanisms

- If an AI decision could impact on an individual, they are given good remedies.
- They can be expected to:
 - request appropriate explanations;
 - challenge decisions;
 - obtain human review;
- Correct data that are wrong or incorrect; and
- seek suitable remedies.

15.5 Strengthen AI Literacy

The basic opportunities and risks of AI must be clearly understood by citizens, employees and public officials to be able to be responsible in its governance.

AI literacy should thus be made part of:

- education;
- public administration training;
- professional development;
- corporate governance;
- journalism; and
- civic education.

Informed use of AI is put forth in the EU AI Act, where literacy is included as a requirement.

15.6 Encourage Ethical Corporate Governance

- AI governance should be part of a company's internal frameworks and processes, which should include:
 - AI ethics committees;
 - responsible AI officers;
 - algorithmic risk registers;
 - internal audit systems;
- incident reporting mechanisms.

15.7 Promote International Cooperation

There should be a co-operative effort by governments on:

- technical standards;
- AI safety research;
- incident reporting;
- cross-border accountability;
- data governance;
- cybersecurity;
- human rights;
- AI capacity-building; and
- regulatory interoperability.

International cooperation is essential as the development and application of AI is turning into an inter-border issue.

XVI. DISCUSSION

AI Governance is a paradigm shift in terms of what "governance" is. In the traditional governance focus there is a hidden human institutional bias to the main actors that make decisions. Systems empowered by AI can rapidly and at an unprecedented scale process data and deliver recommendations.

The challenge is not only to regulate the machines, but to oversee the technology/institution processes to include the businesses, governments, individuals and other institutions.

Based on the analysis, three key conclusions can be drawn.

To begin, AI governance needs to be life cycle based. Risks can arise while collecting the data, during system development, at system testing, when the system is deployed, as well as when the system is being used.

Secondly, there must be human and institutional accountability. Do not use the presence of an algorithm as grounds for 'finger pointing'.

Thirdly: There is a need for international co-operation. Whilst national laws and regulations might be applicable to the use of AI on national territory, many activities and risks of AI are transnational.

This is manifested in the new thinking of UNESCO, OECD, the United Nations and the EU in the fields of human rights, transparency, accountability, fairness, safety and human monitoring.

However, that is insufficient because they will use principles. One of the biggest problems lies in the difference between the principles and practice of ethics. Organizations may agree that the applications of AI should be fair and transparent, but they may not have the systems in place to measure whether or not that is what the AI is doing.

Thus, more and more the future of AI governance should concentrate on the practical application.

Principles, Institutions, Procedures, Enforcement, Participation.

Even if there are good ethical principles, there needs to be capacity within the institutions to be realised.

XVII. CONCLUSION

The potential of revolutionizing the economy, public institutions and everyday life of human beings is there with Artificial Intelligence. Has the ability to contribute to productivity, scientific research, health care, education, public-service delivery as well as human creativity. In the interim, there are pressing problems of AI in issues of privacy, discrimination, accountability, misinformation, human autonomy, and environmental sustainability.

The relevant issue is whether technological advancements are friend or foe of human dignity and its fundamental rights, of democracy and the rule of law.

The analysis takes inspiration from many key principles of ethical governance of AI, including the need for transparency, accountability, fairness, privacy, human oversight, contestability, sustainability and inclusion, just amongst others. These concepts are becoming more influential in international frameworks developed under, e.g., UNESCO, the OECD and the United Nations (UN) through the EU AI Act.

The future of AI governance mustn't be a question of innovation vs regulation. Rather, societies need to create governance processes which enable responsible innovation while at the same time safeguarding individuals and societies.

“Innovation should serve humanity, accountability should accompany automation, and technological progress should remain subject to human rights.”

Using automation and embrace of technological advances must coexist with accountability and those innovations should never be out of human control.

But, as much as society is able to use ever-more capable AI systems, the success of ethics in good governance will depend upon how much society is able to use institutions of good governance that are more capable.

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