



**Commissioner for Human Rights
(Ombudsman) of the Republic of Azerbaijan**



**ARTIFICIAL INTELLIGENCE
AND HUMAN RIGHTS:
WHAT SHOULD
WE KNOW?**

Commissioner for Human Rights (Ombudsman) of the Republic of Azerbaijan

The publication is designed to inform state bodies, private companies, and citizens about the impact of artificial intelligence (AI) on human rights. The goal is to raise the awareness of target groups, explain potential risks, and contribute to the formation of appropriate approaches to protecting rights.

WHAT IS ARTIFICIAL INTELLIGENCE?

Artificial intelligence (AI) is a complex field of technology that simulates the functions of human intelligence, such as learning, logical reasoning, and self-improvement, through machines and software.

WHAT PRINCIPLES SHOULD BE FOLLOWED WHEN IMPLEMENTING AI?

- ✓ **Human-centeredness and public benefit:** AI technologies should serve the goals of enhancing inclusion, improving social well-being, and sustainable development;
- ✓ **Legal and ethical compliance:** AI systems should be developed and implemented in a manner consistent with the rule of law, human rights, and democratic values;
- ✓ **Transparency and awareness:** People should be informed about AI systems and how they affect their rights and obligations so that they can understand and, where necessary, challenge AI-based decisions;

- ✓ **Reliability and security:** AI systems should be technically stable, reliable and secure, their performance should be continuously monitored and potential risks should be managed;
- ✓ **Accountability and responsibility:** Those who develop, implement and operate AI systems are legally and ethically responsible for the proper functioning of these systems.

IN WHAT AREAS CAN AI POSE RISKS TO HUMAN RIGHTS?

- **Inviolability of personal life and protection of data access to which is restricted by law:** The processing of large amounts of data by AI systems creates risks related to the protection of personal and other legally restricted data. In this regard, it is necessary to collect and process data on a lawful basis;
- **Ensuring the right to equality:** AI analysis based on data prepared in previous periods may lead to indirect discrimination against certain social groups;

- **Right to information:** The application of AI can lead to limited access to open information (data filtering) and censorship, disinformation (making access to accurate information complicated through fake news and “deepfake” content), algorithmic bias, and other negative situations;
- **Right to work and employment:** The widespread use of AI may create risks related to job losses in some sectors, structural changes in the labor market, and negative impacts on the rights of employees;
- **The right to education:** Improper use of AI can lead to a weakening of children and young people’s knowledge, analytical abilities, also creativity, critical thinking and problem-solving skills in different ways, as well as memory impairment and attention deficit;
- **Intellectual property rights:** Generative AI has become a tool that imitates the style of creative people. Since these systems are trained on copyrighted sources, using them without the author’s consent increases the risk of intellectual property rights infringement. Also, the issues of authorship and liability for the content generated by the AI itself are not regulated by law;



- **The right to a fair trial and effective remedy:** Since the decision-making mechanisms of the AI are in some cases non-transparent and closed (black box), it becomes difficult to determine the justification and logical explanation of the decision taken. As a result, the possibilities to challenge the legality and validity of those decisions and to effectively appeal them may be limited.

WHAT SHOULD BE DONE TO PREVENT RISKS?

- ✓ Ensuring human control: Decisions made by AI systems, especially in important areas such as justice, healthcare and social security, should not be fully automated, they should be carried out under human control. This is important both in terms of determining legal responsibility and preventing wrong decisions;
- ✓ Prior risk assessment, algorithmic audit and implementation of monitoring mechanisms: Organizations should assess the potential impacts of AI systems, including possible risks of interference with human rights, before applying them;



- ✓ The legal status of AI-created content should be clearly defined, effective mechanisms for tracking the origin of data, detection tools that determine whether content was created by AI should be implemented, and internal policies on the use of AI systems by institutions should be developed;
- ✓ Improving the regulatory framework: In this area, it is necessary to implement international standards into national legislation, develop and apply ethical standards, as well as to improve legal regulations related to the protection of personal data, including other data access to which is restricted by law;
- ✓ Increasing digital literacy: For the effective and safe use of AI technologies, it is important to shape a culture of digital literacy and information security, and to implement educational programs for target groups;
- ✓ In order to prepare for technological changes, it is necessary to study the labor market by regions, develop a collective action plan aimed at protecting the rights of employees, and create support mechanisms for those who will be laid off or experience adaptation difficulties as a result of the AI application;



- ✓ The impacts that AI can have on the quality of education, the formation of knowledge and skills, as well as the future development of the individual should be taken into consideration. These new opportunities should be encouraged as an auxiliary tool in the development of the knowledge and skills of pupils and students, and should be integrated into the educational process under control and in a purposeful manner;
- ✓ Improving and strengthening pre-trial redress mechanisms: These mechanisms monitor the AI systems' operation, investigate potential cases of bias, discrimination or unlawful interference, and contribute to the elimination of systemic problems. Thus, they serve to minimize the negative impact of AI on human rights by performing both preventive and reactive functions.

WHAT SHOULD CITIZENS PAY ATTENTION TO?

- Citizens should be aware of their rights regarding the processing of their personal data and should demonstrate an active position in the implementation and protection of these rights;

- When using digital services, citizens should demand clear and transparent information about how and for what purposes their data is used;
- They should be aware of the impact of AI systems on their rights and obligations and should continuously improve their knowledge in this area;
- They should be careful when sharing personal data in the internet environment and on AI-based platforms;
- In cases of violation of rights, they should apply to relevant state bodies, including the Ombudsman and courts.

WHAT IS THE ROLE OF THE OMBUDSMAN IN THIS AREA?

- ✓ To monitor the impact of the implementation of the AI on human rights;
- ✓ To carry out activities for investigating complaints;
- ✓ To organize awareness-raising events and prepare informational materials;



- ✓ To carry out necessary work to improve legislation, to analyze the process of implementing state programs in this area;
- ✓ To apply to the Constitutional Court of the Republic of Azerbaijan with a request if rights are violated by existing regulatory acts.



NATIONAL STRATEGIES FOR INFORMATION SECURITY AND ARTIFICIAL INTELLIGENCE

- “Strategy of the Republic of Azerbaijan on Information Security and Cybersecurity for 2023-2027”, approved by the Order No. 4060 of the President of the Republic of Azerbaijan dated August 28, 2023;
- “Digital Development Concept of the Republic of Azerbaijan”, approved by the Decree No. 287 of the President of the Republic of Azerbaijan dated 16 January 2025.

- “Artificial Intelligence Strategy of the Republic of Azerbaijan for 2025–2028”, approved by Order No. 530 of the President of the Republic of Azerbaijan dated March 19, 2025.
- “Strategy for the Development of the Digital Economy in the Republic of Azerbaijan for 2026-2029”, approved by the Decree No. 841 of the President of the Republic of Azerbaijan dated 10 December 2025.
- “Action Plan for 2026-2028 on Accelerating Digital Development in the Republic of Azerbaijan.”



INTERNATIONAL STANDARDS

- ✓ The Organization for Economic Co-operation and Development's Principles on Artificial Intelligence (OECD AI Principles), adopted in 2019 and updated in 2024;
- ✓ UNESCO's Input in reply to the OHCHR report on the Human Rights Council Resolution 47/23 entitled “New and emerging digital technologies and human rights (UNESCO Recommendation on the Ethics of Artificial Intelligence)” dated November 24, 2021
- ✓ Regulation (EU) 2024/1689 of the European Parliament and of the Council of 13 June 2024 (the EU Artificial Intelligence Act);

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- ✓ The Council of Europe Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law dated September 5, 2024.


CONCLUSION

The integration of AI technologies into society requires not only a technological, but also a legal and ethical approach. In this regard, both government agencies, the private sector, and citizens must bear joint responsibility and ensure the safe and fair integration and use of AI.



CONTACT US

 Baku city, Uzeyir Hajibeyli 80,
Government House, Entrance II

 e-gov.az

 aparat@ombudsman.az

 916 Call Center

 Reception days:
Monday – Friday
9:00 – 18:00

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REGIONAL OFFICES OF THE OMBUDSMAN

Western Regional Office
AZ2000, Ganja city, Heydar Aliyev Square,
administrative building, 1st floor
Tel: (022) 266 05 65

North-Western Regional Office
AZ5500, Sheki city, Sheki «ASAN service» center,
Zarifa Aliyeva Street 104
Tel: (024) 244 01 33

Northern Regional Office
AZ4000, Quba city, Yusif Gasimov Street, 68
Tel: (023) 335 15 99

Southern Regional Office
AZ4000, Masalli city, Heydar Aliyev Avenue,
Masalli «ASAN hayat» complex
Tel: (025) 215 19 16

