International Journal of Humanities Social Science and Management (IJHSSM)
Volume 5, Issue 4, Jul. - Aug., 2025, pp: 563-568 ISSN: 3048-6874
www.ijhssm.org

AI and Human Rights: Global South Perspectives

Mr. PRAGAT CHAUHAN

Date of Submission: 01-08-2025 Date of Acceptance: 11-08-2025

Abstract
This paper critically examines the ambivalent role of Artificial Intelligence (AI) in shaping human rights outcomes within the Global South, where the intersection of technological adoption with structural inequalities and governance deficits is particularly notable. While AI offers transformative possibilities for enhancing justice delivery, public service efficiency, and administrative transparency, its deployment in socio-politically complex contexts raises pressing ethical and legal concerns. Drawing on empirical evidence and case studies from India, Kenya, and Brazil, the paper interrogates how AI technologies, particularly those used in biometric identification, predictive policing, and welfare automation, have produced both empowering and exclusionary effects.
The paper highlights that algorithmic bias, opacity in decision-making processes, inadequate data protection regimes, and the marginalization of digitally disenfranchised populations frequently compromise the promise of digital justice. It argues that the adoption of AI in the Global South often replicates existing hierarchies of power, exacerbates surveillance capacities, and externalizes control to multinational tech corporations, contributing to a form of "automated injustice."
In examining current governance mechanisms, including international ethical frameworks, regional digital policies, and civil society interventions, the paper underscores the urgent need for a rights-based, contextually informed, and participatory approach to AI design and deployment. Ultimately, it calls for a paradigm shift from technocratic optimism to critical engagement, advocating for AI systems that are not only efficient but also equitable, accountable, and inclusive. This review contributes to emerging scholarship on digital governance and human rights by foregrounding the unique challenges and imperatives of AI ethics in the Global South

I. Introduction

Artificial Intelligence (AI) is increasingly becoming a cornerstone of governance, judicial reform, and public service delivery worldwide. Proponents argue that AI holds transformative potential for democratizing access to justice, enhancing administrative efficiency, and improving transparency in state functions (Surden 2014; NITI Aayog 2021). In the context of the Global South, however, these optimisms are tempered by a growing body of scholarship that warns against the uncritical deployment of AI in fragile socio-political environments. As Reetika Khera (2019) and Anita Gurumurthy (2019) contend, algorithmic systems often entrench existing power asymmetries, particularly when implemented without adequate safeguards, public consultation, or contextual sensitivity.

In countries marked by underdeveloped legal frameworks, insufficient data protection, and stark digital divides, AI can exacerbate structural inequalities rather than alleviate them. For instance, U. A. Mejias and Nick Couldry (2019) describe this phenomenon as "data colonialism," wherein Global South states become sites for technological experimentation and extraction by Global North corporations. The opacity of algorithmic decision-making, commonly referred to as the "black box" problem, further complicates accountability and redress mechanisms (Rahwan et al. 2019). Moreover, AI-driven systems, particularly in biometric identification, surveillance, and welfare targeting,have raised acute human rights concerns, including privacy violations, discriminatory profiling, and systemic exclusion of marginalized populations (SFLC.in 2020; Privacy International 2020).

This paper critically interrogates these dynamics by examining whether AI serves as a vehicle for digital justice or a mechanism of automated injustice in the Global South, thereby contributing to an evolving discourse on ethical and equitable technology governance.

The Promises of AI for Justice and Development

Artificial Intelligence (AI) is increasingly viewed as a transformative force in justice delivery and public administration, particularly in the Global South, where institutional capacity is often constrained. AI-driven tools such as legal chatbots, predictive analytics, and automated documentation systems are being developed to enhance access to justice by reducing procedural complexity and cost

International Journal of Humanities Social Science and Management (IJHSSM)
Volume 5, Issue 4, Jul. - Aug., 2025, pp: 563-568 ISSN: 3048-6874
www.ijhssm.org

barriers. While platforms like 'DoNotPay' in the United States demonstrate the potential of AI in democratizing legal support, similar pilot initiatives in India reflect growing interest in leveraging technology for legal empowerment (Surden 2014). Scholars such as Richard Susskind (2019) argue that these technologies can significantly enhance access to legal remedies for underserved populations. In the realm of public service delivery, countries like India have deployed AI within digital identification frameworks such as Aadhaar, using algorithmic systems to automate the distribution of welfare benefits, monitor subsidy leakages, and streamline service access across sectors including healthcare, education, and finance (Khera 2019). Proponents, including India's policy think tank NITI Aayog (2021), contend that AI-driven governance can address inefficiencies and enhance service precision. However, critics caution against the over-reliance on such systems, highlighting exclusionary risks for marginalized groups due to technical glitches, data inaccuracies, or opaque algorithmic decision-making (Drèze 2017). Beyond service delivery, AI is also being employed to improve institutional efficiency and transparency in countries like Brazil and South Africa, where it is used to manage court case backlogs, automate documentation, and reduce human error in administrative processes (UNESCO 2021). While such advancements promise improved governance outcomes, experts like Shoshana Zuboff (2019) emphasize that efficiency should not undermine democratic accountability, due process, or human oversight. Thus, the deployment of AI in governance and justice systems must be carefully calibrated to balance innovation with ethical safeguards and contextual sensitivity, especially within the structurally diverse and socio-politically complex landscapes of the Global South.

Human Rights Risks of AI Systems

Despite the transformative potential of Artificial Intelligence (AI) in governance and public administration, its deployment in the Global South has raised significant concerns regarding human rights, particularly in the domains of bias, transparency, privacy, and inclusion. One of the most pressing challenges is algorithmic bias, wherein AI systems, trained on historical or skewed datasets, replicate and reinforce existing social prejudices. This is particularly evident in contexts like India, where facial recognition and surveillance technologies have been disproportionately used against marginalized Muslim communities, raising concerns about discriminatory policing and digital profiling (SFLC.in 2020). Similarly, in Brazil, the deployment of predictive policing algorithms has resulted in the over-targeting of Afro-Brazilian populations, thereby entrenching racial biases within algorithmic systems (Monahan 2019). The opacity of these AI systems, often described as the "black box" phenomenon, further compounds these risks by making it nearly impossible for affected individuals to understand, contest, or seek redress for algorithmic decisions. In India, for example, beneficiaries of welfare programs have been wrongfully excluded due to algorithmic errors linked to biometric authentication failures, often without any formal grievance mechanisms or accountability structures in place (Khera 2019). Privacy violations are another critical concern, as AI-driven surveillance infrastructures rapidly expand in countries like Kenya, where the Huduma Namba biometric ID initiative has been criticized for lacking robust data protection standards and for enabling invasive state monitoring without meaningful consent (Privacy International 2020). Furthermore, the widespread deployment of AI technologies often overlooks the deep digital divides that characterize much of the Global South. In regions across rural India and sub-Saharan Africa, limited internet connectivity, low digital literacy, and infrastructure deficits lead to the systematic exclusion of vulnerable populations from AI-enhanced services and governance platforms (Gurumurthy and Chami 2019). These multifaceted risks underscore the need for a critical reassessment of AI integration, calling for regulatory frameworks that ensure algorithmic transparency, data justice, participatory design, and the inclusion of marginalized voices in shaping ethical AI governance.

Case Studies from the Global South

Empirical evidence from the Global South reveals that the deployment of Artificial Intelligence (AI) technologies in governance, while often justified under the rhetoric of efficiency and modernization, in many cases, exacerbated existing socio-political vulnerabilities. In India, the Aadhaar biometric identification system, promoted as a means to streamline welfare distribution and eliminate corruption, has faced widespread criticism for its exclusionary effects. Although initially lauded for enhancing transparency and reducing leakage in public service delivery, the system has resulted in numerous documented instances of denial of entitlements due to biometric mismatches, authentication failures, or data inconsistencies. Scholars such as Jean Drèze (2017) have highlighted cases where such technological exclusions have had

International Journal of Humanities Social Science and Management (IJHSSM)
Volume 5, Issue 4, Jul. - Aug., 2025, pp: 563-568 ISSN: 3048-6874
www.ijhssm.org

fatal consequences, including starvation deaths resulting from the inability to access food rations under the Public Distribution System. These incidents underscore the peril of placing technological determinism above socio-economic realities, particularly in contexts where people rely heavily on state support.

Similarly, in Kenya, the Huduma Namba project, intended to consolidate multiple government services under a single biometric ID, has raised serious human rights concerns. Civil society organizations and digital rights advocates, including Privacy International (2020), have flagged the lack of comprehensive data protection legislation and the absence of meaningful public consultation as significant shortcomings. The program has been critiqued not only for its potential to enable mass surveillance but also for its disproportionate impact on marginalized ethnic communities, such as the Nubians, who have faced historical documentation challenges.

In the Latin American context, Brazil's adoption of predictive policing technologies offers yet another cautionary tale. While marketed as tools to enhance public safety through data-driven crime prevention, these AI systems have been shown to disproportionately target Afro-Brazilian communities. As Marda and Narayan (2020) argue, such technologies risk reproducing systemic racism within law enforcement by relying on historically biased data and opaque algorithmic processes. The outcome is the reinforcement of discriminatory practices under the guise of neutrality and objectivity. Collectively, these case studies illuminate the complex interplay between AI technologies and entrenched socio-political inequalities, demonstrating that without robust legal safeguards, community engagement, and ethical oversight, AI can deepen marginalization and automate injustice. They underscore the necessity of context-sensitive governance frameworks that prioritize human rights, accountability, and inclusivity in the design and deployment of AI in public systems.

Governance and Regulatory Gaps

A critical barrier to the ethical and equitable deployment of Artificial Intelligence (AI) in the Global South lies in the structural governance deficits that characterize many of these regions, particularly in relation to legal safeguards, regulatory autonomy, and contextual relevance. A predominant concern is the absence or inadequacy of comprehensive data protection and AI-specific legislative frameworks. Although some progress has been madefor example, India's enactment of the Digital Personal Data Protection Act in 2023experts argue that enforcement mechanisms remain weak, transparency is limited, and accountability structures are underdeveloped (Internet Freedom Foundation 2023). Such legal fragility creates environments where citizens' rights to privacy, consent, and redress are poorly protected, particularly in the context of expansive state and corporate AI deployments. Compounding this challenge is the pervasive influence of multinational technology corporations based in the Global North, whose dominance over AI infrastructure, platforms, and standards significantly constrains the digital sovereignty of Global South nations. Scholars such as Couldry and Mejias (2019) describe this phenomenon as "data colonialism," whereby extractive relationships are reproduced through technological dependency, with local institutions adopting imported digital governance models that often reflect the priorities of foreign entities rather than domestic needs. These dynamics foster a form of techno-colonialism, in which Global South societies are positioned primarily as passive consumers or data sources rather than as co-creators of AI systems. Furthermore, the technical architectures and training data that underpin many of these imported AI models are frequently misaligned with local socio-cultural, linguistic, and economic contexts. As Ghosh (2021) notes, the result is the proliferation of algorithmic systems that are not only biased but operationally ineffective, as they fail to account for the diversity and complexity of local realities. This lack of contextual adaptation amplifies the risk of discriminatory outcomes and service delivery failures, particularly when such systems are used in sensitive domains like policing, welfare, or healthcare. Collectively, these issues underscore the urgent need for region-specific regulatory frameworks, greater investment in indigenous technological capacity, and participatory governance models that center local knowledge, rights, and values in AI design and implementation across the Global South.

6. Ethical and Policy Frameworks

Efforts to address the ethical challenges posed by Artificial Intelligence (AI) in the Global South have increasingly drawn upon international frameworks that promote transparency, human rights, and accountability. Notably, UNESCO's *Recommendation on the Ethics of Artificial Intelligence* (2021) represents a landmark global agreement, advocating for principles such as non-discrimination, inclusivity, and data governance

International Journal of Humanities Social Science and Management (IJHSSM)
Volume 5, Issue 4, Jul. - Aug., 2025, pp: 563-568 ISSN: 3048-6874
www.ijhssm.org

aligned with fundamental rights. Although non-binding, this normative framework has guided national AI strategies and highlighted the importance of culturally sensitive and participatory approaches to AI governance. Complementing this, the United Nations Guiding Principles on Business and Human Rights offer a critical foundation for assessing the responsibilities of corporate actors involved in AI development and deployment. These principles emphasize the duty of states to protect human rights, the responsibility of businesses to respect them, and the need for accessible remedies in cases of abuse. However, scholars note that the practical impact of such global instruments remains limited in the absence of enforceable mechanisms or alignment with domestic legal systems in the Global South. The challenge thus lies in translating these ethical aspirations into regulatory action, capacity building, and institutional oversight at the national and regional levels.

Regionally, initiatives such as the African Union's *Digital Transformation Strategy (2020–2030)* demonstrate growing awareness of the need for human-centered digital governance frameworks that prioritize inclusivity and socio-economic development. The strategy outlines goals related to connectivity, digital literacy, and ethical AI development, reflecting a broader shift toward regional digital sovereignty. In South Asia, India has taken preliminary steps through the publication of AI ethics guidelines by NITI Aayog, which promote responsible AI that is inclusive, safe, and accountable (NITI Aayog 2021). However, the implementation and enforcement of these principles remain inconsistent, hampered by institutional fragmentation and limited regulatory capacity. In this context, civil society organizations play a vital role in bridging the gap between policy and practice. Groups such as the Software Freedom Law Center (SFLC.in) in India and Paradigm Initiative in Nigeria have been instrumental in raising public awareness, litigating data rights violations, and lobbying for stronger regulatory safeguards. Their efforts exemplify the importance of grassroots engagement and watchdog activism in shaping AI governance that reflects local realities and upholds democratic accountability. Strengthening such actors and ensuring their involvement in policy-making is essential for fostering equitable and rights-respecting AI ecosystems in the Global South.

7. Toward a Rights-Based AI Future

Addressing the risks of AI-driven injustice in the Global South necessitates a reimagining of how AI systems are conceived, designed, and governed. Central to this transformation is the principle of participatory design, which calls for the meaningful inclusion of local communities, civil society actors, and marginalized populations in all stages of AI development. Such participatory approaches not only enhance the cultural and socio-economic relevance of AI applications but also ensure that community needs and values are embedded into the technological architecture. Scholars and practitioners increasingly advocate for co-design models that democratize technical expertise and foster trust among end-users, particularly in high-stakes domains like social welfare, policing, and healthcare. In parallel, algorithmic transparency remains critical to overcoming the so-called "black box" problem, wherein opaque decision-making processes hinder public understanding and institutional accountability. Requiring algorithmic explainability, regular documentation, and independent audits, as suggested by Rahwan et al. (2019), can help build trust in automated systems and mitigate the risks of arbitrariness and discrimination. Furthermore, transparency mechanisms must be accessible and linguistically appropriate, ensuring that affected populations can effectively engage with and challenge AI-driven decisions.

In tandem with these technical and participatory reforms, the strengthening of legal and institutional frameworks is essential to uphold human rights in AI governance. This includes the enactment of comprehensive digital rights legislation, robust AI regulatory frameworks, and the establishment of independent oversight bodies with clear mandates for monitoring, enforcement, and redress. Laws must also be adaptable to evolving technological landscapes and grounded in internationally recognized human rights norms. Beyond domestic reform, fostering global solidarity through South–South cooperation presents a critical opportunity to resist technological dependency on Global North corporations and institutions. Collaborative efforts among Global South countries, such as joint development of ethical AI standards, shared research infrastructure, and open-source innovation, can promote contextually appropriate technologies that align with local values and developmental priorities. Such solidarity also enables collective bargaining in global AI governance forums, empowering Global South actors to shape international norms rather than merely adapt to them. Taken together, these strategies advocate for a multi-level, justice-centered approach to AI governance, one that is

International Journal of Humanities Social Science and Management (IJHSSM)
Volume 5, Issue 4, Jul. - Aug., 2025, pp: 563-568 ISSN: 3048-6874
www.ijhssm.org

grounded in inclusivity, accountability, and autonomy for the Global South.

8. Conclusion

Artificial Intelligence (AI) holds immense promise for enhancing governance, service delivery, and socio-economic development across the Global South. In the Indian context, where digital initiatives such as Aadhaar and Digital India are reshaping public administration, the integration of AI technologies offers opportunities to address deep-rooted inefficiencies and extend critical services to underserved populations. However, as this review has demonstrated, the deployment of AI systems in structurally complex and institutionally fragile settings often amplifies existing inequalities, raises significant human rights concerns, and risks entrenching digital authoritarianism. Issues such as algorithmic bias, lack of transparency, exclusion due to infrastructural deficits, and weak legal safeguards are not merely technological failures but reflect systemic governance gaps. Yet, these challenges should not eclipse the transformative potential of AI if approached through a rights-based, contextually grounded, and inclusive governance model.

In India, recent policy strides such as the Digital Personal Data Protection Act (2023) and NITI Aayog's ethical AI guidelines indicate a growing awareness of the normative and regulatory dimensions of AI governance. While enforcement and public accountability mechanisms remain underdeveloped, these initiatives lay the foundational ground for a more equitable digital future. Moreover, the active engagement of civil society organizations, such as SFLC.in, alongside judicial scrutiny and academic advocacy, signals a maturing ecosystem of digital rights discourse. India's vast talent pool, institutional innovation capacity, and leadership in South–South cooperation uniquely position it to pioneer context-sensitive AI governance models that are both ethically robust and developmentally aligned.

Going forward, the path to digital justice must prioritize participatory design, algorithmic accountability, and global solidarity. For India and its peers in the Global South, building indigenous technological capacities, fostering collaborative regional frameworks, and embedding human rights into AI systems are not just safeguards;they are enablers of inclusive innovation. By aligning AI deployment with democratic values and social equity, India has the opportunity to not only prevent automated injustice but to lead a new paradigm of ethical and developmental AI governance tailored to the realities of the Global South.

References

[1]. Couldry, N., & Mejias, U. A. (2019). *The Costs of Connection: How Data Is Colonizing Human Life and Appropriating It for Capitalism*. Stanford University Press.
[2]. Drèze, J. (2017). "Aadhaar and Food Security in Jharkhand: Pain Without Gain?" *Indian Express*, September 11, 2017.
[3]. Ghosh, R. (2021). "AI Ethics in the Global South: Towards a Decolonial Tech Future." *IT for Change*. https://itforchange.net
[4]. Gurumurthy, A., & Chami, N. (2019). *Data Governance in the Digital Economy: Structures for Rights and Collective Ownership*. IT for Change.
[5]. Internet Freedom Foundation. (2023). *Analysis of the Digital Personal Data Protection Act, 2023*. https://internetfreedom.in
[6]. Khera, R. (2019). "Impact of Aadhaar on Welfare Programmes." *Economic and Political Weekly*, 54(9), 77–83.
[7]. Marda, V., & Narayan, S. (2020). "Data Governance and AI in the Global South." In G. Neave (Ed.), *AI for Good: Navigating Ethical, Legal and Societal Challenges*. Springer.
[8]. Mejias, U. A., &Couldry, N. (2019). "Data Colonialism: Rethinking Big Data's Relation to the Contemporary Subject." *Television & New Media*, 20(4), 336–349.
[9]. Monahan, T. (2019). "Predictive Policing and the Reproduction of Social Inequalities." *Social Justice*, 44(1), 77–91.
[10]. NITI Aayog. (2021). *Responsible AI for All: Part 1 – Principles for Responsible AI*. Government of India. https://niti.gov.in
[11]. Privacy International. (2020). *Kenya's Huduma Namba and the Risks of Biometric Surveillance*. https://privacyinternational.org
[12]. Rahwan, I., Cebrian, M., Obradovich, N., Bongard, J., Bonnefon, J. F., Breazeal, C., ... & Lazer, D. (2019). "Machine Behaviour." *Nature*, 568(7753), 477–486.
[13]. SFLC.in. (2020). *India's Surveillance State: Facial Recognition and the Legal Void*. https://sflc.in
[14]. Susskind, R. (2019). *Online Courts and the Future of Justice*. Oxford University Press.

[15]. Surden, H. (2014). "Machine Learning and Law." *Washington Law Review*, 89(1), 87–115.
[16]. UNESCO. (2021). *Recommendation on the Ethics of Artificial Intelligence*. https://unesdoc.unesco.org
[17]. United Nations. (2011). *Guiding Principles on Business and Human Rights*. https://www.ohchr.org
[18]. African Union. (2020). *Digital Transformation Strategy for Africa (2020–2030)*. https://au.int