Artificial Intelligence and Human Rights: Challenges to the Right to Work

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ABSTRACT

As artificial intelligence continues to take over various tasks, reshape labor dynamics, and influence hiring practices, its effects on job availability, working conditions, and employment security are becoming increasingly significant. Most existing research tends to emphasize AI's economic efficiency and technological capabilities, which leaves a noticeable gap in the legal analysis connecting AI-driven labor changes to international human rights standards regarding the right to work. This study takes a doctrinal and critical legal perspective to explore international human rights instruments, labor law principles, and emerging regulatory responses, evaluating whether current frameworks sufficiently safeguard workers. The analysis brings to light risks like algorithmic bias, diminishing job stability, and the marginalization of vulnerable workers. It advocates for a rights-based regulatory framework to ensure that AI promotes human dignity and social justice.

INTRODUCTION

The rapid growth of artificial intelligence (AI) marks one of the most significant changes in modern society, fundamentally altering economic systems, labor dynamics, and governance structures around the globe. AI technologies spanning from self-driving cars and management algorithms to predictive tools in healthcare have transitioned from experimental phases to essential elements in both public and private decision-making processes. While these innovations have greatly improved efficiency and productivity, especially in the advanced economies of the Global North, they have also transformed labor markets and heightened job insecurity, particularly in the Global South, where regulatory protections and social safety nets tend to be less robust.

From a human rights standpoint, these changes directly relate to the right to work and the right to fair and favorable working conditions, as outlined in Articles 6 and 7 of the International Covenant on Economic, Social and Cultural Rights (United Nations, 1966). Key conventions from the International Labour Organization stress the importance of decent work, non-

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discrimination, and protection against wrongful termination principles that are increasingly under threat from AI-driven automation and algorithmic management (International Labour Organization, 2022). Additionally, the UN Guiding Principles on Business and Human Rights (2021) highlight that private entities using AI technologies have a duty to uphold human rights, perform due diligence, and mitigate negative impacts on workers and vulnerable communities.

Artificial intelligence (AI) is making a significant impact on modern production systems and labor relations by automating tasks, boosting efficiency, and gradually taking over roles that were once the domain of human workers. In various fields like manufacturing, logistics, finance, and customer service, AI technologies are simplifying workflows, improving accuracy, and enhancing decision-making through machine learning and extensive data analysis (Rashid & Kausik, 2024). While these advancements have led to remarkable increases in productivity and innovation, they have also changed the very nature of work, affecting job roles, employment structures, and the skills needed. From the standpoint of international labor standards, these changes directly relate to the right to work as outlined in Article 6 of the International Covenant on Economic, Social and Cultural Rights, which requires States to ensure access to employment and to implement policies that foster full, productive, and freely chosen work (Saul, Kinley, & Mowbray, 2014).

As AI technologies keep advancing, worries about job loss, labor market divides, and growing socio-economic inequality are becoming more pronounced. The automation of both routine and increasingly complex tasks has sparked concerns that entire job categories could vanish, hitting low and middle-skilled workers the hardest (Upreti & Sridhar, 2024). These developments pose challenges to fundamental principles found in International Labour Organization (ILO) conventions, such as the commitment to decent work, equal opportunities, and protection against unfair dismissal. Without strong reskilling and upskilling initiatives, along with social safety nets, the spread of AI could jeopardize States' responsibilities to provide fair and favorable working conditions as stated in Article 7 of the ICESCR. As a result, policymakers are faced with the urgent challenge of finding a balance between technological innovation and the protection of workers' rights.

Beyond the economic aspects, the rise of AI-driven automation brings forth important ethical and legal issues tied to human rights. Employment goes beyond just being a paycheck, it is a cornerstone of human dignity, social inclusion, and personal freedom. The UN Guiding Principles on Business and Human Rights (UNGPs) highlight that both governments and private entities have a duty to prevent, address, and remedy any negative impacts on human rights that may arise from business operations, including the use of AI in workplaces (Business & Human Rights Centre, n.d.). If AI is used excessively or without proper regulation, leading to widespread job loss or systematic exclusion from job markets, it could undermine the fundamental right to work. Without strong regulations, transparency, and human oversight, AI could deepen existing inequalities and push vulnerable groups whose jobs are most at risk of being replaced by technology further to the margins (Capraro et al., 2024). Therefore, it is crucial to ensure that AI development is in line with international human rights and labor standards to protect dignity and promote decent work in this digital era.

This chapter critically examines the implications of AI-induced labor replacement through the lens of human rights, with particular emphasis on the right to work. It explores the technological, economic, and normative background of AI-driven automation, while analyzing the methodologies and policy approaches used to assess its impact on employment structures. By focusing on key sectors most affected by automation, the chapter highlights how AI reshapes labor relations and challenges existing legal frameworks designed to protect workers. In addition, it evaluates potential regulatory and policy responses,