

# ***Redefining Rights in the Age of AI: Philosophical Perspectives in Shaping the Future of International Human Rights Law***

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**Abstract:** AI systems continue to evolve and become increasingly sophisticated, thereby causing concerns regarding their potential for consciousness, emotion, and self-awareness to come to the forefront. This study examines the ethical and legal challenges posed by advanced AI systems and their implications for the international human rights legislative frameworks. Thus, this research not only explores how different philosophical perspectives have defined the terms person and personhood, but also evaluated the shortcomings of current legal definitions and examined the difficulties these concepts present for the recognition of AI rights. The study also highlights the weaknesses of existing international human rights law related to AI rights and the need for more inclusive legal frameworks. The importance of non-governmental organizations (NGOs) in advancing AI rights and bridging the gap between governments, individuals, and international bodies is emphasized. Furthermore, this paper offers recommendations for the development and implantation of legal frameworks that can address AI rights while remaining responsive to future advances in AI technology.

**Keywords:** Artificial Intelligence, human rights, international law, global governance

## **1. Introduction**

Artificial Intelligence (AI) rights have emerged as a major topic of concern in international human rights legislation due to the progress of AI from its early roots to its current development level. Due to the rapid growth of AI technologies and their potential for consciousness, emotion, and self-awareness, AI rights have become increasingly significant. Their capabilities pose ethical issues and have a significant impact on legislative frameworks pertaining to international human rights.

AI can be defined and categorised according to its capabilities and form [1]. Russell and Norvig identified six primary AI disciplines: natural language processing, knowledge representation, automated reasoning, machine learning, computer vision, and robotics [2]. These AI systems possess the ability to accomplish complicated tasks and can influence human culture, human attitudes, and the natural environment [3].

When examining the implications of AI for international human rights regime, it is crucial to differentiate between two types of AI, namely: weak and strong AI. A computer system that is built to accomplish particular tasks intelligently is referred to as weak AI. Strong AI denotes machines that

have the ability to comprehend and exhibit other cognitive states [4,5]. Hence, strong AI raises more complex moral and legal issues involving consciousness, emotions, and self-awareness. As a consequence, it is the primary focus of this essay. With regard to the potential effects of AI technologies on human rights, this paper specifically examines philosophical perspectives, comparative analysis, and potential future developments in AI rights. The role of non-governmental organizations (NGOs) in addressing the opportunities and challenges related to AI rights will also be discussed.

The essay structure comprises four sections, the first of which explores AI rights and the philosophy of law, addressing the concepts of person and personhood and their relevance to AI. In the second section, there is a focus on AI rights in international human rights law, including an analysis of the inadequacies inherent in existing legal frameworks and the potential for incorporating different philosophical traditions. The third section examines the role of NGOs in advocating for AI rights and bridging the gap between international organizations, governments, and individuals. The final section synthesizes the findings and offers policy recommendations that can address the challenges and opportunities associated with AI rights.

This paper aims both to improve understanding of the implications of AI technologies in respect of international human rights legislation and to offer direction for future advancement in this area by examining the philosophical foundations, legal issues, and the role of NGOs in the context of AI rights.

## 2. AI Rights and Philosophy of Law

### 2.1. Current Status of Theoretical Research on AI Personhood

The current section explores the key philosophical ideas and discussions surrounding the idea of *AI personhood*, AI rights, and their interaction with the system of international human rights law. It is essential to investigate the philosophical underpinnings of *rights*, *personhood*, and *moral agency*, in addition to the manner in which they may be applied to AI entities. Only then is it possible to comprehend the discussions outlined in this paper.

Several philosophical traditions, including utilitarianism, deontological ethics, and natural rights theory, have examined notions of *person* and *personhood*. According to the natural rights theory proposed by philosophers such as John Locke and Thomas Hobbes, people are entitled to certain rights simply by virtue of their being human. Conversely, Jeremy Bentham and John Stuart Mill advocated the notion of utilitarianism, which stresses the overall happiness or utility derived from behavior and policies. This may include the extension of rights to non-human entities. Immanuel Kant's deontological ethics emphasizes the moral worth of an action based on the idea of duty rather than its effects. These philosophical approaches each provide distinctive insights into the issue of personhood. Their application to AI and robotics raises significant questions about the extent to which non-human entities may be considered persons. For example, Locke proposed that a *person* is an intelligent agent capable of experiencing happiness and misery, while Gray identifies a *person* as the subject of legal rights and duties [6,7]. The increasingly sophisticated and autonomous character of AI systems has prompted some commentators to argue that these systems may eventually become capable not only of experiencing emotions, but also of making decisions independently [8]. Anthropologists emphasize the cultural conceptualisation of personhood and the distinction between natural and artificial persons in legal personhood [9,10].

## 2.2. The Definition of *Personality* in Law and the Personality-related Issues in Artificial Intelligence

The current legal definition of a *legal person* varies across jurisdictions. However, it is typically deemed to refer to an entity that can hold rights and be assigned obligations under the law. Legal persons can be either natural persons (i.e., human beings) or artificial persons (i.e., companies and organisations). The rights of other non-human entities, including animals and the environment, would be significantly impacted if AI rights were to be recognized. Giving AI legal personhood might cause people to re-evaluate the status of animals in moral and legal terms, in addition to the rights and safeguards provided for the environment. This might lead to a broader, more inclusive understanding of rights and personhood, which could challenge traditional anthropocentric viewpoints. For example, Western legal systems distinguish between natural persons, human beings, sentient and currently alive persons, and artificial persons. This has the potential to include AI [11]. According to Tasioulas, human rights are grounded in normative values such as dignity, respect for persons, and justice, which are interdependent and mutually reinforcing. Freeman emphasized the inherent dignity of the human person as the basis for human rights [12,13].

The features of a *person* that can be ascribed to robotics may include self-awareness, consciousness, rationality, and the capacity for moral agency. In a variety of philosophical and legal contexts, these characteristics have been used as standards for personhood. Yet the necessity of granting human rights to AI remains debatable. Assigning human rights to AI could ensure moral treatment, prevent exploitation, and promote a sense of responsibility towards AI. On the other hand, detractors contend that granting human rights to AI could lessen the significance and importance of those rights for humans because AI does not have inherent rights or moral values. Coeckelbergh has suggested that moral distinctions can be based on historical and phenomenological conditions that are entangled with subjectivity [14]. Functionalist theory equates the ability to manipulate formal symbols with thinking, whereas biological naturalist theory argues that thinking is more than a sequence of translational tasks and requires an organic structure, such as a brain [2].

The notion that AI might have characteristics of personhood challenges many of the accepted rules of legal personhood, especially in the discussions surrounding mental disabilities and foetal rights. Therefore, it is critical to examine the ability of the law to define *what a person is*. As societal values and cultural norms have changed, so has the legal definition of personhood. In this context, the law functions as both a reflection of and a tool for influencing how society views personhood. The potential effects of AI personhood on discussions about mental disabilities and foetal rights present another obstacle. Imagine that highly developed cognitive AI systems are given the status of legal persons. In that case, it may raise questions about the rights and protections afforded to individuals with mental disabilities and the moral and legal status of foetuses. Turner argued that a legal subject is an entity that has rights and obligations under a particular system, in contrast to Solaiman's claim that an entity must be able to be a legal subject in order to have legal personhood [4,15]. Livingston and Risse have raised significant issues regarding the moral status of machines and the potential erasure of the human/machine distinction [16].

In conclusion, the question of AI rights and legal personhood is intricate and multifaceted. It involves both legal principles and philosophical theories. The characteristics of *personhood* that robots might possess, such as self-awareness, consciousness, rationality, and moral agency, raise crucial issues about whether AI should be granted human rights and the effects of such a choice on society. Recognition of AI personhood has the potential to challenge anthropocentric viewpoints, reshape perceptions of rights and personhood, and prompt a re-evaluation of the ethical and legal standing of other non-human entities. As increasingly complex AI systems are created, society must engage in thoughtful and critical discussions about the philosophical, legal, and ethical implications

of AI rights and personhood. In doing so, it is essential to consider the possible repercussions of granting legal personhood to AI, in addition to the wider range of entities that this choice could impact. Debates surrounding the idea that AI may possess features of personhood also force us to confront the complexities and nuances of existing norms on legal personhood. The legal definition of personhood will be examined, as will any potential obstacles that AI personhood may present to discussions of mental disabilities and foetal rights. It is possible to develop a more thorough and robust understanding of personhood that is responsive to the changing landscape of AI and robotics by tackling these challenges.

Ultimately, determining AI rights and legal personhood renders it necessary to carefully weigh competing interests and moral principles. There may be good reasons to give AI certain rights and protections, but it is crucial to ensure that this does not undermine the value and significance of human rights or have unintended implications for other non-human entities. It is crucial to work towards creating legal and ethical frameworks that adequately address the complexities and challenges of AI personhood in the present day by approaching this issue with a critical, inventive, and flexible mindset.

### **3. AI Rights in Human Rights Law**

It is critical to discuss the gaps in current domestic and international law regarding AI rights, not least because this paper compares AI rights to international human rights law. The focus on moral guidance and other forms of soft regulation has been replaced by specific national and international binding instruments as the direction of AI has changed [17]. The introduction to this section establishes a seamless connection to the section before it by emphasizing the challenges in defining personhood as well as the potential ethical and legal standing of AI systems.

#### **3.1. Current Legislation on the Handling of Artificial Intelligence Rights and Related Theoretical Issues**

With regard to addressing AI rights, it is possible to demonstrate the shortcomings of the current national legislation and international law. For instance, while the European Union's General Data Protection Regulation (GDPR) gives people certain rights regarding their personal data, it says nothing about the rights of AI systems. Similar to this, the United Nations' Universal Declaration of Human Rights (UDHR) largely ignores the rights of AI systems in favour of focusing on human rights. The ethical and legal implications of AI systems' actions and decision-making processes need to be addressed in these legal frameworks in light of AI's continued advancement and integration into a variety of societal contexts. To ensure that AI is created and used in ways that respect human dignity, democratic accountability, and the fundamental tenets of free societies, Donahoe and Metzger argued that a common global framework is required [18].

Another concern is the definition of personhood in existing international law and its Western philosophical underpinnings. International human rights law, which places a strong emphasis on individual rights and autonomy, is primarily influenced by Western philosophical thought. This viewpoint is compatible with Eastern and Indigenous attitudes towards personhood and rights, which frequently place a higher value on interdependence and communal values. For example, personhood is inextricably linked to social roles and relationships in Confucianism. Personhood may be extended to non-human entities, such as natural elements or ancestral spirits in non-Western cultures. A more inclusive and thorough understanding of personhood could result from incorporating these various viewpoints into international human rights law. Hence, this approach could help address the particular problems that AI systems present. One notable example of these diverse perspectives on personhood is the Japanese approach to robots, which stems from native Shinto religious doctrines. Human relationships are the context in which the Japanese system of ethics governing human-object

interactions is activated, giving personhood to both natural and artificial objects through those relationships [19]. In Japan, people view robots as both tools and friends [20]. This cultural attitude to robots emphasizes the importance of considering multiple viewpoints on personhood when debating AI rights.

### **3.2. Rethinking New Trends in Human Rights in Artificial Intelligence**

Further research is necessary on how current practices handle the reevaluation of human rights at the regional and international levels. In order to establish a framework for legal AI rights, the European Parliament, for instance, has called for the establishment of a European Agency for Robotics and AI [21]. A process to develop legislation for AI systems that prioritizes democracy, human rights, and the rule of law has also been initiated by the Council of Europe [22]. These modifications reflect a growing awareness of the necessity of reevaluating human rights in light of advancements in AI technology. These initiatives, though, are still in their infancy and have not yet led to the development of legal frameworks for AI rights.

The creation of a more inclusive and thorough legal framework for AI rights depends on collaboration between various actors and across governance levels. In this regard, cooperation among governments, international organizations, civil society, academic institutions, and the private sector is possible. Such collaboration is essential to ensuring that the legal framework for AI rights takes into account various points of view and adequately addresses the various ethical, social, and legal issues that AI systems raise. Both the UN Guiding Principles on Business and Human Rights and the International Bill of Human Rights can be used to guide the creation and application of AI. Additionally, the UN can contribute significantly to this process by encouraging stakeholder dialogue and ensuring adherence to current human rights standards [18].

An anchoring framework based on international human rights law can serve as a baseline for ensuring human interests are embedded in AI systems [23]. By incorporating diverse perspectives on personhood and recognizing the moral status of AI systems, a more inclusive legal framework for AI rights can be established. This would involve extending the legal concept of personhood to AI systems, not to make them human or grant them a divine spark, but rather to recognize their moral status, thereby ensuring their ethical treatment.

In conclusion, a more thorough approach to AI governance is required due to the limitations of current domestic and international law regarding AI rights and the difficulties associated with defining personhood. The demand for a more inclusive and thorough legal framework for AI rights will only increase as AI technology develops and is integrated into society. In order to create a legal framework for AI rights that acknowledges multiple perspectives on personhood and ensures the ethical treatment of AI systems, it is vital to establish cooperation between different actors and across levels of governance. It is possible to develop a legal framework that successfully addresses the particular problems engendered by AI systems and safeguards the rights and interests of both people and AI systems through collaboration and the acknowledgement of diverse stances.

## **4. The Role of NGOs in Considering AI Rights**

### **4.1. NGOs in the Global Governance of Law**

As the complexities of AI rights and international human rights law emerge, the significance of NGOs has grown. International organizations, governments, and individuals can all benefit from the communication, cooperation, and advocacy that NGOs are able to provide. NGOs play a significant role in combining international organizations, governments, and individuals in the pursuit of the recognition and protection of AI rights [24]. By promoting legislation that prioritizes the assignment of human rights within AI governance frameworks, NGOs can help create and implement legal

frameworks that address AI rights. In order to ensure that AI development accords with societal values and ethical principles, NGOs can engage with policymakers, industry stakeholders, and the general public. This section examines the difficulties and constraints that NGOs face when attempting to promote AI rights and the importance of their efforts to foster the recognition and defence of AI rights. This renders it possible to offer specific recommendations to those involved in the creation of legal frameworks that protect AI rights [25].

#### 4.2. Difficulties and Solution Trends

The challenges and limitations encountered by NGOs that seek the promotion of AI rights are complex and multifaceted. Schiff et al. noted that challenges can be most effectively addressed through interdisciplinary collaboration among policymakers, industry leaders, academics, and civil society organizations [26]. NGOs can use a variety of tactics to get past these barriers, including promoting public awareness campaigns, dialogue and cooperation among stakeholders, and investigating the moral, legal, and social ramifications of AI technologies.

The need for greater clarity and concord about the notion of *personhood* and the rights that AI systems should be accorded is one of the biggest obstacles NGOs encounter when promoting AI rights. The concept of *personhood* in current international law is based on Western philosophical principles, as discussed in the preceding section. A more inclusive understanding of AI rights might result from incorporating Eastern and Indigenous perspectives. NGOs must navigate these conflicting perspectives and help stakeholders communicate in order to reach an agreement about the rights and protections that should be extended to AI systems. NGOs are also challenged by the rapidly evolving nature of AI technology and its potential implications for AI rights and international human rights law regimes. New ethical and legal issues arise as AI systems advance, necessitating a continuous review of current legal frameworks and the creation of fresh strategies designed to deal with the particular problems that AI technology presents. NGOs must remain abreast of such developments and encourage ongoing discussion, investigation, and adaptation in response to the shifting nature of AI technology.

Despite these difficulties, NGOs can employ a number of approaches to circumvent existing obstacles so that they can play a determining role in the realization of the recognition and protection of AI rights. First, by setting up forums, workshops, and conferences that bring together various stakeholders to talk about AI rights and the creation of legal frameworks, NGOs can encourage communication and collaboration between international organizations, governments, and people. Building multidisciplinary platforms for the exchange of ideas and the fostering of collaboration could encourage cooperation between academic institutions, think tanks, and other pertinent organizations.

Second, NGOs can conduct research and analyse policies in order to formulate fact-based recommendations for decision-makers, scholars of law, and other stakeholders. This could involve the comparative analysis of existing legal frameworks and approaches related to AI governance in different countries, in addition to the exploration of the potential implications for AI rights of different philosophical perspectives. NGOs can provide specific, practical suggestions for the creation and application of legal frameworks that address AI rights by drawing on this research. In order to increase public understanding and support for AI rights, NGOs can also participate in advocacy and awareness-raising campaigns. Engaging with various audiences and promoting greater awareness of AI technology's ethical and legal implications entails utilising traditional and social media platforms, creating educational materials, and organising public events.

Finally, NGOs can help stakeholders involved in AI governance with capacity-building initiatives and the growth of technical expertise. To help policymakers, academics, and other stakeholders better

understand AI technology and its implications for AI rights and international human rights law could entail offering them training, materials, and technical support.

In conclusion, NGOs can employ a variety of tactics designed to bypass hurdles and support the creation of legal frameworks that address AI rights despite their difficulties and limitations. NGOs can influence the future of AI rights and international human rights law by fostering discussion and collaboration, conducting research and policy analysis, promoting advocacy and awareness-raising campaigns, and supporting capacity-building initiatives.

### 4.3. Synthesis and Recommendation

Philosophical stances, AI rights, comparative analysis, and the function of NGOs all support and contribute to one another. The comparison of Western and Non-Western philosophical perspectives demonstrates the need for a more inclusive and thorough understanding of personhood in order to fully comprehend personhood in the context of AI rights. The examination of AI rights in the context of international human rights law highlights the shortcomings of the current legal frameworks and the necessity of cooperation between various actors and levels of governance. The comparison of various AI governance strategies can aid in the development of new legal frameworks. NGOs are also essential for advancing debate, research, and the defense of AI rights.

This paper offers the following suggestions for policymakers, academics, and other stakeholders:

1. Encouraging multidisciplinary collaboration: Reaching an agreement in respect of the rights and protections that AI systems ought to receive; encouraging communication and collaboration between various stakeholders, including international organizations, governments, NGOs, AI developers, and ethicists.

2. Recognizing and valuing different perspectives: Integrating Indigenous and non-Western perspectives within international human rights law in order to create a more inclusive and thorough understanding of personhood in the context of AI rights.

3. Examining current strategies: Assisting in the creation of new legal frameworks that effectively and cogently address AI rights and conducting a comparative analysis of existing legal systems and AI governance tactics in various nations.

3. Intensifying NGO involvement: Assisting NGO efforts to advocate for AI rights by providing financial, material, and technical support. Joining forces with NGOs to plan forums, workshops, and conferences that unite a range of stakeholders and to advance the recognition and protection of AI rights.

4. Increasing stakeholder capacity: Creating programs designed to build stakeholder capacity and provide education and resources for legal experts, policymakers, and other stakeholders so that they might more successfully grasp the fundamentals of AI technology, its implications for AI rights, and the function of international human rights law.

5. Monitoring and reassessing: Constantly reviewing and updating current legal frameworks and approaches to AI governance in light of the rapidly evolving nature of AI technology and its potential implications for AI rights and the system of international human rights law. This calls for proactively adjusting to new advancements in AI technology and assessing the effectiveness of policy implementation.

Adhering to these recommendations while remaining adaptable enough to keep up with the quickly developing field of AI technology will enable the creation and implementation of legal frameworks intended to protect the rights of AI entities.

Future developments in AI technology and their implications for both AI rights and the framework of international human rights law highlight the necessity of ongoing deliberation, research, and adaptation. Not least because AI systems will become more complex and autonomous, new ethical and legal issues will put our understanding of personhood, rights, and responsibilities to the test. It is

essential for all stakeholders, including NGOs, to stay current with these developments and to continue critical analysis and dialogue in order to ensure that AI technology remains consistent with human values and interests. AI rights are acknowledged and protected by fostering a culture of continuous learning, collaboration, and adaptation. Thus, AI technology continues to be a positive force in society.

## 5. Conclusion

To conclude, as AI technology develops, it is crucial to address the ethical and legal ramifications of potential AI consciousness, emotion, and self-awareness. The investigation of AI rights presents serious challenges for the system of international human rights regime and raises difficult issues regarding personhood, legal rights, and the duties of different stakeholders.

This study has explored a variety of philosophical theories, examined the restrictions of current legal definitions, and considered the difficulties and weaknesses of international human rights legislation. However, it is essential to recognize the shortcomings inherent in this research, such as the potential for bias in the selection of philosophical theories and the need for additional empirical data to support the analysis.

Future research might examine the impact of developing AI technologies on legal frameworks and conduct a more profound evaluation of non-Western philosophical perspectives. It would also be beneficial to investigate the success of NGO advocacy efforts for AI rights and the potential for cooperation between various actors and levels of governance.

There is a marked need for a more inclusive and thorough legal system that can incorporate various viewpoints and promote cooperation. NGOs play a key role in advancing AI rights. Moreover, they serve as a bridge between governments, international organizations, and private citizens. This study seeks to make a significant contribution to ongoing discussions surrounding AI rights and the creation of legislative frameworks that address them by understanding the interconnectedness of philosophical perspectives, AI rights, comparative analysis, and NGOs.

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