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From Mapping Risks to Governing Power: Reassessing the Human-Rights Project of Artificial Intelligence

Alberto Quintavalla and Jeroen Temperman (eds.), *Artificial Intelligence and Human Rights*, Oxford University Press, Oxford, 2023, First Edition, xxxv + 688 pp., ISBN 978-0-19-288248-6 (Hardback), eISBN 978-0-19-288250-9, £155.00.

Artificial intelligence (AI) is no longer merely a technological subject. Its deployment in policing, employment, healthcare, migration control, content moderation, financial services, education and political communication has transformed questions that were traditionally understood as matters of technological design into questions of law, accountability and human dignity. The regulatory challenge is therefore not simply whether AI should be developed, but under what legal conditions its development and deployment can remain compatible with fundamental rights.

It is within this rapidly changing landscape that Artificial Intelligence and Human Rights, edited by Alberto Quintavalla and Jeroen Temperman, assumes significance. Published by Oxford University Press in 2023, the volume brings together contributions examining the interaction between AI and a remarkably broad range of human rights. Rather than restricting the inquiry to the now familiar concerns of privacy and algorithmic discrimination, the book examines liberty and security, religious freedom, expression, assembly, intellectual property, asylum, fair procedure, food, housing, labour, health, consumer protection and the environment.¹

The editors' principal intervention is to challenge the tendency to treat AI and human rights as a relationship concerning only a small group of "digital rights". Their introductory chapter locates AI and modern human rights as phenomena that developed largely in parallel before their convergence became increasingly visible in law, policy and scholarship. The editors identify a gap in existing discourse: although privacy, data protection, equality, procedural fairness and accountability had received substantial attention, the implications of AI for many other rights remained insufficiently mapped.²

¹Alberto Quintavalla and Jeroen Temperman (eds.), *Artificial Intelligence and Human Rights* 3–15 (Oxford University Press, Oxford, 2023).

² Alberto Quintavalla and Jeroen Temperman, "Introduction", in Alberto Quintavalla and Jeroen Temperman (eds.), *Artificial Intelligence and Human Rights* 3–15 (Oxford University Press, Oxford, 2023).

This review argues that the book makes a substantial contribution by demonstrating that AI has implications across the architecture of human rights. Its most valuable contribution, however, lies not simply in the number of rights it discusses but in its insistence that human-rights norms can operate as a normative framework for evaluating technological development. At the same time, the book's comprehensive mapping exercise exposes an unresolved problem: identifying rights at risk is considerably easier than designing institutions capable of preventing, allocating and remedying those risks. Developments after 2023 make this institutional question even more pressing.

THE BOOK'S CENTRAL THESIS AND INTELLECTUAL ARCHITECTURE

The conceptual starting point of the volume is deliberately simple but powerful: AI is neither inherently beneficial nor inherently harmful to human rights. It possesses a “double-edged” character. AI may enhance rights, for example, through improvements in healthcare and environmental monitoring while simultaneously creating risks of discrimination, surveillance, exclusion and manipulation. The editors consequently reject binary accounts of AI as either a technological solution or an inherent threat.³

The editors ultimately develop three connected propositions. First, AI has both beneficial and detrimental effects on human rights. Second, human-rights norms can function as a system of prevention and mitigation capable of shaping the development and deployment of AI. Third, the eventual relationship between AI and human rights depends substantially upon social and institutional choices. AI is therefore not presented as an autonomous legal subject determining its own normative consequences; society determines the boundaries within which AI is permitted to operate.⁴

This approach is particularly significant because it avoids technological determinism. The question is not whether technology “causes” rights violations in isolation. Instead, the relevant inquiry concerns the institutional environment in which technological systems are designed, trained, deployed and supervised.

The structure of the book reinforces this proposition. The first part establishes the legal and technical background, including an

³ Martina Šmuclerová, Luboš Král and Jan Drchal, “AI Life Cycle and Human Rights: Risks and Remedies”, in Alberto Quintavalla and Jeroen Temperman (eds.), *Artificial Intelligence and Human Rights* 16–42 (Oxford University Press, Oxford, 2023).

⁴ Alberto Quintavalla and Jeroen Temperman, “Conclusion”, in Alberto Quintavalla and Jeroen Temperman (eds.), *Artificial Intelligence and Human Rights* 567–570 (Oxford University Press, Oxford, 2023).

interdisciplinary account of the AI life cycle. Parts II to VIII then examine AI's implications for civil and political rights, privacy, non-discrimination, fair procedure, asylum, economic and social rights, and third-generation rights. Part IX moves towards broader theoretical and regulatory questions, including legal personality, decision-making, smart cities, business responsibility, human-rights impact assessments and regulatory experimentation. The final part draws the principal findings together.⁵

BEYOND PRIVACY: THE BOOK'S MOST IMPORTANT CONTRIBUTION

The most convincing achievement of the volume is its refusal to allow privacy and data protection to monopolize the legal conversation surrounding AI. The thematic organisation makes visible rights that can be obscured by a data-centric approach. AI may influence liberty, asylum, housing, employment, healthcare or environmental conditions even where the immediate legal issue does not appear to concern personal data.

This is conceptually important because an AI system can influence a person's opportunities, mobility, access to services or treatment without necessarily producing the kind of privacy infringement traditionally associated with data protection law. The book therefore exposes a weakness in approaches that regard data protection as a comprehensive proxy for human-rights protection.

The chapter on AI and the right to a healthy environment is especially valuable because it recognises the technology's dual environmental character: AI may assist environmental monitoring and efficiency while its infrastructure can itself impose environmental costs.⁶ The chapter on women's rights and deepfake technology similarly connects emerging AI capabilities with established patterns of gender-based harm.⁷ These contributions demonstrate the volume's broader methodological strength: the same technological application may advance one human interest while threatening another.

The book's breadth consequently provides a corrective to narrow conceptions of AI governance. Human-rights analysis cannot stop at the point where data is collected. It must follow the AI lifecycle through

⁵ Supra note 1.

⁶ Alberto Quintavalla, "Artificial Intelligence and the Right to a Healthy Environment", in Alberto Quintavalla and Jeroen Temperman (eds.), *Artificial Intelligence and Human Rights* 425–438 (Oxford University Press, Oxford, 2023).

⁷ Marília Papaléo Gagliardi, "Artificial Intelligence and Women's Rights: Deepfake Technology" in Alberto Quintavalla and Jeroen Temperman (eds.), *Artificial Intelligence and Human Rights* 235–248 (Oxford University Press, Oxford, 2023).

design, training, deployment, decision-making, dissemination and remediation.

FROM RIGHTS RECOGNITION TO RIGHTS ENFORCEMENT

The strongest criticism of the volume concerns the distance between normative recognition and institutional implementation. The book repeatedly demonstrates that existing human-rights standards can be applied to AI-related harms. Yet identifying an applicable right does not automatically answer the institutional questions that follow. Who must conduct the assessment? At what stage? What evidence must be disclosed? Who bears the burden of proving harm? What happens when an AI system is supplied through a complex chain of developers, deployers and intermediaries? What remedy is available when causation is technically difficult to establish?

The volume does address this problem. The chapter on business and human rights applies the United Nations Guiding Principles on Business and Human Rights to AI and examines human-rights due diligence as a mechanism through which technology companies can identify and address their human-rights impacts.⁸ This is an important step towards operationalisation because it recognises that AI-related harms cannot be governed solely through state-centred prohibitions.

More significant still is the chapter proposing an Artificial Intelligence Human Rights Impact Assessment (HRIA-AI). Building on the European data-protection impact-assessment model, the authors argue that a data-protection-centred assessment is insufficient because AI can affect human rights even where personal-data processing is not the relevant source of harm. Their proposed five-step framework includes pre-assessment, system description, necessity and proportionality assessment, rights-risk assessment, and mitigation.⁹

This is arguably one of the volume's most practically valuable contributions. It transforms human rights from an abstract evaluative framework into a potential ex ante governance mechanism. Yet the proposal also exposes a broader limitation of the volume: an impact assessment is meaningful only if its findings have consequences. An assessment that merely identifies risks without requiring mitigation, redesign, suspension, disclosure or accessible remedies risks becoming

⁸ Isabel Ebert and Lisa Hsin, "Putting Private Sector Responsibility in the Mix: A Business and Human Rights Approach to Artificial Intelligence" in Alberto Quintavalla and Jeroen Temperman (eds.), *Artificial Intelligence and Human Rights* 517–530 (Oxford University Press, Oxford, 2023).

⁹ Alessandro Ortalda and Paul De Hert, "Artificial Intelligence Human Rights Impact Assessment" in Alberto Quintavalla and Jeroen Temperman (eds.), *Artificial Intelligence and Human Rights* 531–550 (Oxford University Press, Oxford, 2023).

another procedural compliance exercise.

THE POST-2023 REGULATORY TRANSFORMATION

The book must now be read against a regulatory environment that has developed considerably since its publication. Most importantly, the European Union's Artificial Intelligence Act entered into force on 1 August 2024 and established a horizontal, risk-based framework addressing AI systems according to levels of risk and imposing obligations concerning transparency, human oversight, risk management and fundamental rights.¹⁰

This development strengthens the book's central proposition that human rights should be embedded into AI governance rather than treated merely as an after-the-fact remedial consideration. At the same time, the EU experience reveals something the book could have explored more extensively: rights-based governance requires institutional architecture, not merely rights-based reasoning. The practical effectiveness of AI regulation depends on risk management, documentation, conformity mechanisms, supervision and enforcement.

The Council of Europe Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law provides an even closer vindication of the book's conceptual approach. The Convention was opened for signature in September 2024 and represents an international treaty framework centred on human rights, democracy and the rule of law in relation to AI. In May 2026, the European Union ratified the Convention.¹¹

These developments make the book's institutional question more not less important. The legal system must decide how rights are protected when they conflict: transparency may interact uneasily with intellectual-property interests; automated fraud detection may enhance security while increasing discrimination risks; predictive systems may improve administrative efficiency while reducing individual participation in

¹⁰ Regulation (EU) 2024/1689 of the European Parliament and of the Council of 13 June 2024, *Artificial Intelligence Act*, OJ L, 2024/1689, 12 July 2024, available at: https://eur-lex.europa.eu/eli/reg/2024/1689/oj?locale=en&utm_source.com (last visited on August 12, 2026).

¹¹ Council of Europe, *Framework Convention on Artificial Intelligence and Human Rights, Democracy and the Rule of Law*, CETS No. 225 (opened for signature on September 5, 2024), available at: https://www.coe.int/en/web/artificial-intelligence/the-framework-convention-on-artificial-intelligence?utm_source.com (last visited on August 12, 2026); Council of Europe, "European Union Ratifies the Council of Europe Framework Convention on Artificial Intelligence," May 15, 2026, available at: https://www.coe.int/en/web/artificial-intelligence/-/european-union-ratifies-the-council-of-europe-framework-convention-on-artificial-intelligence?utm_source.com (last visited on August 12, 2026).

decision-making.

The book identifies many such tensions, but its breadth occasionally comes at the cost of developing a general theory for resolving them. Its contribution is strongest as a framework for identifying the questions that regulation must answer.

THE GLOBAL SOUTH AND REGULATORY CONTEXT

A further issue deserving emphasis is geographical diversity. The volume does engage with the Global South, including the relationship between facial-recognition technologies, privacy, political participation and digital authoritarianism. It also recognises that AI development and deployment are unevenly distributed. Nevertheless, much of the institutional vocabulary of AI governance remains shaped by European and international human-rights frameworks.

This becomes important when AI governance is considered in jurisdictions with different regulatory capacities, constitutional structures and socioeconomic conditions. India provides a useful contemporary illustration. The Digital Personal Data Protection Rules, 2025 were notified by the Ministry of Electronics and Information Technology on 13 November 2025 (published in the Official Gazette on 14 November 2025), with a phased commencement structure for the statutory framework.¹² Yet data protection is only one component of AI governance. Algorithmic discrimination, synthetic media, automated decision-making, deepfakes and public-sector AI raise questions that cannot necessarily be resolved through personal-data regulation alone.

This validates the book's argument that privacy cannot serve as a universal substitute for human-rights analysis. At the same time, it reveals the need for a more explicit framework capable of translating human-rights principles into different national institutional contexts. A sophisticated impact-assessment requirement may remain ineffective where regulators lack technical expertise, affected individuals lack accessible remedies, or public authorities cannot meaningfully audit proprietary systems.

METHODOLOGICAL STRENGTHS AND LIMITATIONS

Methodologically, the volume benefits enormously from its interdisciplinary character. Its contributors approach AI through public

¹² Ministry of Electronics and Information Technology, Government of India, *Digital Personal Data Protection Rules, 2025*, November 13, 2025, available at: https://xn--m1bdba5a7gresc7dsa.xn--11b7cb3a6a.xn--h2brj9c/documents/act-and-policies/digital-personal-data-protection-rules-2025-gDOxUjMtQWa?utm_source.com (last visited on August 12, 2026).

law, human rights, technology, philosophy, business and regulatory perspectives. This prevents the book from treating AI as merely another category of legal subject matter.

The book is also commendably rights-inclusive. Its organisation across civil and political rights, economic and social rights, and collective or third-generation rights provides a more complete picture than regulatory literature focused exclusively on privacy and discrimination. The editors' decision to "zoom in" on particular rights and subsequently "zoom out" to systemic questions is especially effective because it allows the volume to demonstrate both interdependence and divergence among rights.¹³

The volume's principal methodological weakness is correspondingly its breadth. Thirty-seven chapters cannot provide equivalent depth across every human right. Some chapters necessarily function as mapping exercises rather than fully developed theories of regulation. This is not a defect that invalidates the work; it is the trade-off produced by its ambition.

The editors themselves acknowledge that the volume cannot provide detailed answers to every institutional question because the field remains novel and exploratory. They identify three continuing challenges: gaps in international human-rights law, the pervasive and mixed impact of AI across rights requiring careful balancing, and geographical inequalities in AI development and deployment.¹⁴ This candour strengthens the book's credibility, but it also identifies the principal limitation: the book is stronger at identifying the landscape than at prescribing a universally applicable institutional route through it.

HUMAN RIGHTS AS AN EX ANTE CONSTRAINT

The most enduring insight of the volume is its movement from remedy to prevention. Traditional legal responses often begin after harm has occurred. AI governance makes that approach increasingly inadequate. Once an algorithm has denied employment, misidentified an individual, facilitated surveillance or produced discriminatory outputs, the harm may be difficult to reverse fully.

This is why the volume's attention to human-rights impact assessments, corporate responsibility and controlled experimentation is particularly valuable. The AI lifecycle chapter identifies risks arising at different stages from data preparation through deployment and emphasises the need for remedies that correspond to the stage at which a risk arises.¹⁵

¹³ Supra note 2 at 13–15.

¹⁴ Supra note 4 at 569–570.

¹⁵ Supra note 3.

The book therefore contains the foundations of a preventive governance model even though it does not consolidate them into a single institutional theory.

Future scholarship can build on that foundation by asking whether impact assessments should be mandatory for specified categories of AI; whether affected persons should have participatory rights in assessment processes; whether regulators should possess powers to suspend or prohibit deployment; and how liability and remedies should operate when multiple actors contribute to an AI system's harmful outcome.

OVERALL SCHOLARLY CONTRIBUTION

Artificial Intelligence and Human Rights deserves recognition as an important early comprehensive contribution to the emerging field of AI and human-rights law. Its greatest achievement is conceptual. It demonstrates that AI is not simply a privacy problem, nor merely a discrimination problem, nor exclusively a question of technological ethics. It is a cross-cutting governance problem capable of affecting virtually every category of human rights.

Its second major contribution is methodological. By bringing together doctrinal, interdisciplinary and policy-oriented perspectives, the volume creates a framework through which subsequent scholarship can investigate particular rights in greater depth. Its third contribution is normative: it rejects the idea that technological development should be assessed independently of human-rights standards.

Nevertheless, the volume's comprehensive character also limits its ability to resolve institutional questions concerning enforcement, accountability, conflicts between rights, regulatory capacity and remedies. The rapid evolution of AI regulation since 2023 has made these questions even more urgent. The book should therefore not be understood as the final word on AI and human rights. Its value lies in establishing the intellectual terrain upon which the next generation of scholarship can build.

CONCLUSION

Alberto Quintavalla and Jeroen Temperman's *Artificial Intelligence and Human Rights* appeared at a decisive moment: AI had become sufficiently pervasive to expose serious human-rights consequences, yet regulatory frameworks remained fragmented. The book's central achievement is to demonstrate the breadth of that encounter.

Its most persuasive insight is that AI and human rights are not naturally “friends” or “foes”. Their relationship is institutionally constructed. The

consequences of AI depend upon the legal, political and social choices governing its design and deployment. The editors themselves ultimately describe society as determining whether AI becomes a friend or foe of human rights and identify institutionalisation as an unresolved challenge.¹⁶

Developments after publication substantially reinforce this conclusion. The EU AI Act and the Council of Europe Framework Convention demonstrate that human-rights considerations are increasingly being translated into formal governance structures, while India's developing data-governance framework illustrates the importance of adapting rights-based regulation to national institutional contexts.

The volume's lasting contribution is therefore not that it provides a definitive regulatory model, but that it changes the question. AI governance can no longer be understood merely as a problem of technological safety or innovation. It is ultimately a question of who exercises technological power, over whom, under what legal constraints, and with what avenues for accountability when those constraints fail. That shift, from identifying technological risks to interrogating technological power, is where the book's enduring scholarly importance lies.

¹⁶ Supra note 4.