Ass. iur. Fabian Luetz, Maître en droit (Paris), LL.M. (Bruges), PhD-Candidate - Université de Lausanne (UNIL)

representation are only one, albeit important, issue for

Ass. iur. Fabian Luetz, Maître en droit (Paris), LL.M. (Bruges), PhD-Candidate - Université de Lausanne (UNIL)

representation are only one, albeit important, issue for

Ass. iur. Fabian Luetz, Maître en droit (Paris), LL.M. (Bruges), PhD-Candidate - Université de Lausanne (UNIL)

Regulation of AI as 'conditio sine qua non' to mitigate human rights impacts and discrimination for women and girls

International and regional organizations and States are increasingly reflecting on the regulation of AI and its human rights impacts[12] notably in relation to the classical issues[13] such as transparency[14], explainability[15]

Ass. iur. Fabian Luetz, Maître en droit (Paris), LL.M. (Bruges), PhD

Ass. iur. Fabian Luetz, Maître en droit (Paris), LL.M. (Bruges), PhD

Ass. iur. Fabian Luetz, Maître en droit (Paris), LL.M. (Bruges), PhD-Candidate - Université de Lausanne (UNIL)

distinguish between three varieties: responsibility (moral or legal), inspectability (process or technical[23]) and accessibility.[24]

A. Core principles

1. Rather than focusing (only) on abstract concepts of fairness, more specific concepts such as non-

Ass. iur. Fabian Luetz, Maître en droit (Paris), LL.M. (Bruges), PhD-Candidate - Université de Lausanne (UNIL)

A. Core principles

1. Better design of algorithms with more equal representation in the world of AI coding

Potential positive and negative consequences for   s due to the use of AI and automated decision-making systems needs to include not only public but also private decision makers as well as civil society.[27] As a result of the omnipresence of AI, the equal and inclusive representation in decision-making systems of women becomes even more urgent. But as decisions are not only taken at political and company level, the approach to equal representation of women needs to include equal representation among AI designers, developers, and AI companies. Decisions affecting value choices and equality are increasingly taken by algorithms, and without women sitting at the design and developing table for AI, there is more risk of creating algorithms with biases and the potential to discriminate.[28]

Existing human rights instruments that address the role of businesses, such as the *UN Guiding Principles on Business and Human Rights* (UNGPs)[29] or the *OECD Guidelines for Multinational Enterprises*

Ass. iur. Fabian Luetz, Maître en droit (Paris), LL.M. (Bruges), PhD-Candidate - Université de Lausanne (UNIL)

3. Ensure equal access to the world of data creation

While AI developers shape the way algorithms might reproduce biases, stereotypes, and lead to discrimination (choice of models, algorithms, and datasets), everybody with internet access contributes to the datasets used by algorithms. Due to the *digital gender divide[36]*, many women and girls lack access to the world of data because they cannot access the internet and therefore miss the opportunity to contribute to more representative and diverse datasets.[37] Narrowing the