A Comparative Analysis on International Standards of Artificial Intelligence (AI) with Bangladesh's Legal Paradigm: A Rights-Based Approach

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The growing significance of artificial intelligence in civil services, governance, and private sector innovation has raised questions about whether it complies with human rights laws worldwide. While it creates enormous potential to uphold and secure human dignity, foster state sovereignty, and advance the legal order, it also poses certain undeniable risks. Recognizing these dual attributes of AI, the Council of Europe has taken initiatives to ensure AI development and application align with established human rights standards. It urges addressing the moral implications and regulatory traits of digital and AI technologies, which provide practical guidance for lawmakers and human rights lawyers. This will be accomplished by reviewing existing policies, doing extensive legal research, and analyzing international ethical instruments. Drawing on global best practices, the article proposes actionable recommendations for Bangladesh to harmonize its digital governance with international human rights norms. By embedding rights-based safeguards into AI policy and legal reforms, Bangladesh can ensure the progression of ethical, comprehensive, and accountable AI, while mitigating the risk of technological harm.

Keywords: Artificial Intelligence, Privacy, Data Protection, Rights, Ethical Considerations

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Introduction

Artificial Intelligence (hereinafter referred to as 'AI') has gradually evolved as a quintessential platform in the contemporary world, with implications for governance, healthcare, education, and security. Besides its enormous advantages in everyday life, AI poses significant threats both for 'human life and human existence',[4] including control and manipulation of people, obsolescence of human labour, economic disruption, phishing, lack of emotion and creativity, drone swarm, to name just a few.[5] The growing threat posed by AI applications has also become a major concern for Bangladesh. Consequently, Bangladesh launched two conducive schemes to address the issue at hand: Smart Bangladesh Vision 2041 and the Project to Implement Digital Bangladesh.[6] However, with the change in government in August 2024, the tech/ICT policy direction has been reoriented in several respects. For instance, the interim government has drafted a "National Digital Transformation Strategy" with the intention of achieving a digital era across the sector economy and governance, thereby accelerating what was earlier envisioned under Smart Bangladesh 2041.[7]

The UNESCO Recommendation on the Ethics of Artificial Intelligence encompasses ten ethical AI usage guiding principles, with emphasis on the standard of data protection, data privacy, equitable treatment, the no-harm principle, accessibility, accountability, and sustainable governance.[8] The emphasis on inclusive governance, multi-stakeholder participation, and accountability reflects the global effort to ensure that AI serves humanity fairly.

Globally, AI has been used to improve governance, transparency, and efficiency, as well as to solve concerns like human trafficking and healthcare access.[9] Yet, there persist certain obvious risks, like systematic bias, issues relating to data privacy, and misapplication.[10] The establishment of effective and robust AI regulatory frameworks both in national and international

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[4] Frederik Federspiel and others, 'Threats by Artificial Intelligence to Human Health and Human Existence' (2023) 8 BMJ Glob Health e010435.

[5] ibid.

[6] Bhuiyan AJMSA, 'The Vision for a Smart Bangladesh' *Dhaka Tribune* (Dhaka, 2024) <https://www.dhakatribune.com/opinion/op-ed/335769/the-vision-for-a-smart-bangladesh>.

[7] ibid.

[8] Ibid.

[9] Francisca Chibugo Udegbe and others, 'The Role of Artificial Intelligence in Healthcare: A Systematic Review of Applications and Challenges' (2024) 4 Int Med Sci Res J 500.

[10] Andrzej Barczak, 'Artificial Intelligence. Challenges and Threats' (2023) 29 Stud Inform Syst Inf Technol 5.

areas is expected to resolve the aforementioned AI-driven irregularities. In 2021, an international attempt has been taken to promote stringent AI security measures in association with basic human rights standards, including risk reduction, impartiality, transparency, and accountability.[11] A risk-based approach towards AI governing regulation has also been introduced within the EU legislative framework. The framework categorizes the platform according to its perceived risks and thereby develops applicable and necessary regulatory prerequisites.[12] The USA also advances its AI-based regulatory framework in compliance with basic human rights norms.[13] These multinational initiatives underscore the universal consensus that human rights must be given top priority in AI rules.

Thereby, the national government's responsibility is high in this perspective for the proper collaboration of the strategies aligned with the human rights principles.[14] The government of Bangladesh is facing tremendous challenges to ensure this basic protection. Lack of skilled manpower, vague legal draft, absence of AI-specific regulations, resource constraints, and so on, are the main reasons why the government is not successful in incorporating the AI tools productively, especially in the banking, governance, health, and education areas.[15] Though the Bangladesh National AI Strategy 2020 and the Cyber Security Ordinance 2025 laid the groundwork for AI-driven national development, yet get rigorous criticism due to legislative ambiguity and an imprecise and wide legal definition. Besides, Bangladesh's legal framework lacks explicit provisions for HRIA, potentially overlooking human rights considerations in AI deployment. For instance, Bangladesh's Draft AI Policy 2024 has been criticized for broad exemptions for law enforcement and intelligence agencies, which could undermine privacy

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[11] Sridharan Sankaran, "Enhancing Trust through Standards: A Comparative Risk-Impact Framework for Aligning ISO AI Standards with Global Ethical and Regulatory Contexts," version 1, preprint, arXiv, 2025, https://doi.org/10.48550/ARXIV.2504.16139.

[12] Paolo Ceravolo and others, 'HH4AI: A Methodological Framework for AI Human Rights Impact Assessment under the EUAI ACT' (arXiv, 2025) <https://arxiv.org/abs/2503.18994> accessed 13 September 2025.

[13] Edith M Lederer, 'The UN Adopts a Resolution Backing Efforts to Ensure Artificial Intelligence Is Safe' *The Associate Press* (22 March 2024) <https://apnews.com/article/united-nations-artificial-intelligence-safety-resolution-vote-8079fe83111cced0f0717fdecefffb4d>.

[14] Hyungseok David Yoon et al., "Privacy Protection Laws, National Culture, and Artificial Intelligence Innovation around the World," *Journal of International Business Studies* 56, no. 7 (2025): 853–73, https://doi.org/10.1057/s41267-025-00790-2.

[15] Md Mohshin Molla, 'Artificial Intelligence (AI) and Fear of Job Displacement in Banks in Bangladesh' (2024) 42 Int J Sci Bus 1.

protections.[16] Hence, there are substantial gaps in Bangladesh's alignment with international standard-based rights regulation of AI.

Defining a Rights-Based Approach to AI

Human rights principles underpin the core standard on the rights-based approach (RBA) to AI. The approach is a promising framework and runs the AI system in a fashion that upholds human dignity while implementing, administering, and applying it in AI domains. Additionally, it integrates human rights norms into policymaking, focusing on accountability, participation, and legality. In terms of AI governance, the approach further implies three core values: (a) prioritizing human rights standards in AI implementation and application processes, (b) evaluating the impact of AI in light of human rights norms like privacy, equality, non-discrimination, and freedom of speech, and (c) facilitating accountability to hold governments, and independent bodies for transgression.[17]

Relevance of AI Ethics and Regulation with Fundamental International Human Rights Instruments

Ethics and regulations are crucial to operating and framing AI governance. The parameter of AI ethics encompasses basic human rights norms, including the right to freedom of speech, the right to data privacy, principles of equality, and non-discrimination (Table 1). The core international human rights instruments address all fundamental values of AI ethics (Table 1).

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[16] Robert F Kennedy, 'Joint Statement on Emerging Digital Laws in Bangladesh' *Human Rights Watch* (February 2025) <https://www.hrw.org/news/2025/02/25/joint-statement-emerging-digital-laws-bangladesh?utm_source=chatgpt.com>.

[17] Kate Jones, 'AI Governance and Human Rights Resetting the Relationship' (Research Paper, The Royal Institute of International Affairs 2023) <https://www.chathamhouse.org/sites/default/files/2023-01/2023-01-10-AI-governance-human-rights-jones.pdf>.

Table 1: Fundamental International Human Rights Instruments and Their Relevance to AI

Human Rights Instruments	Key Rights Relevant to AI
Universal Declaration of Human Rights (UDHR) 1948	Right to privacy (Art. 12), Non-discrimination (Art. 7), Freedom of expression (Art. 19)
International Covenant on Civil and Political Rights (ICCPR), 1966	Privacy (Art. 17), Due Process (Art. 14), Expression (Art. 19), Non-discrimination (Art. 26)
International Covenant on Economic, Social and Cultural Rights (ICESCR) 1966	Right to work (Art. 6 - *AI can automate jobs and reshape labor markets*), Education (Art. 13 - *AI is transforming educational delivery through adaptive learning systems*), and Social security (Art. 9 - *AI can be used in welfare eligibility decisions and benefit distribution*)
The United Nations Convention on the Rights of the Child (UNCRC), 1989	Protection of minors from harmful technologies
Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), 1979	Gender parity in access and outcomes of technology

Comparative Assessment

Global Perspective on Regulating the Issue of Artificial Intelligence (AI) and Human Rights

In the digital age, AI has been revolutionizing sectors across industries and governance, and even impacting personal lives. However, in the absence of adequate regulation, AI technology also poses significant human rights risks, including discrimination, increased surveillance, infringement of privacy rights, and a potential decline in democratic freedoms.

As the world navigates through this new era of the breakthrough of technological innovation, there is an increasing understanding of the necessity for ethical and human-centric AI that is firmly rooted in international human rights principles. Subsequently, it becomes crucial to affirm that the implementation of the AI system needs to focus on upholding human dignity, promoting fairness, transparency, and accountability. The UNESCO Recommendation on the Ethics of Artificial Intelligence (2021) establishes a fundamental ethical standard that prioritizes openness, accountability, and human rights alignment (Table 2). This global initiative informs policies across regions and advocates for fair AI governance. The Organization for Economic Co-

operation and Development (OECD) unveiled another historic set of guidelines prior to the UNESCO Recommendation in 2019, providing one of the first globally acknowledged policy frameworks for reliable AI (Table 2). However, the European Union Artificial Intelligence Act of 2024 is the first legally binding regulatory step, which initiates a risk-based stance by structuring the AI mechanisms into four hierarchical scales: unacceptable, extreme-risk, moderate-risk, and minimal-risk.[18] The high-risk area covers health, education, and law. The high-risk sector necessitates stringent monitoring, transparency, data quality, and human rights evaluation.

On the flip side, the Council of Europe's Convention on Artificial Intelligence, Human Rights, Democracy and the Rule of Law is the first authoritative international treaty (Table 2). The Convention begins its trip and becomes readily accessible to all states, including non-European ones, to sign. The treaty mandates that AI decision-making be subject to human oversight, transparency, risk and impact assessments, and remedy access. The ITU/WHO AI for Health Guidelines represent a technical and ethical framework for the protective and efficient arrangement of AI in clinical services (Table 2). The Guidelines are designed to affirm AI-driven technologies to uphold patient dignity, reduce bias and risks, and improve health equity.

In terms of governing artificial intelligence (AI) following human rights norms, the South Asian region takes a fragmented approach. "Fragmented" here implies a weak, scattered, sectoral, or disparate legal framework, rather than a cohesive, robust regulatory structure that substantially adheres to human rights standards. Many countries in the region do not (yet) have a dedicated AI law. Instead, AI is regulated indirectly by existing laws (data protection, IT laws, telecom, etc.). This creates gaps, leading to the fact that not all sectors adequately address issues like algorithmic transparency, accountability, liability, or prejudice.[19] Similarly, in Pakistan, draft policies emphasize ecosystem readiness, infrastructure, innovation funds, etc., alongside mentions of ethics or secure AI, but detailed rights-based regulation remains under

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[18] European Commission, 'AI Act' (*Shaping Europe's Digital Future*, 1 August 2025) <https://digital-strategy.ec.europa.eu/en/policies/regulatory-framework-ai?utm_source=chatgpt.com#ecl-inpage-a-risk-based-approach>.

[19] Sheshadri Chatterjee and Sreenivasulu N.S., 'Artificial Intelligence and Human Rights: A Comprehensive Study from Indian Legal and Policy Perspective' (2022) 64 Int J Law Manag 110.

development.[20] Even though some nations have passed laws and policies, there are still significant gaps in guaranteeing the full protection of fundamental rights (Table 3). Two out of the seven major South Asian nations, for example, have laws pertaining to data protection (Table 3). Other nations are endeavoring to implement their own data protection regulations. However, Bangladesh and India are actively developing a comprehensive AI regulatory framework to ensure ethical and human-rights-compliant AI deployment (Table 3).

Table 2: International Legal Paradigms and Their Core Principles on Regulating AI and Human Rights

Legal Parlance	Issuing Body	Legal Enforceability	Key Principles/Standards
UNESCO Recommendation on the Ethics of AI (2021)	*UNESCO*	Non-binding (soft law)	Human rights and dignity Fairness and inclusivity Privacy and data governance
OECD AI Principles (2019)	*OECD (Endorsed by G20)*	Non-binding	Value-based principles Accelerate Democratic values Economic growth and social welfare Environmental sustainability Robustness, security, and safety
EU Artificial Intelligence Act (2024)	*European Union*	Legally binding (within the EU)	Rights impact assessments Bans on high-risk uses (e.g., biometric surveillance) Risk-based regulatory approach
Council of Europe Convention on AI, Human Rights, Democracy and Rule of Law (2024)	*Council of Europe*	Legally binding (within the signatory states)	Rights-respecting AI activities Describes common minimum risk management practices Encompasses procedural safeguards Public consultation and digital literacy efforts
Global Partnership on AI (GPAI)	*OECD & member countries*	Voluntary multilateral initiative	Responsible AI innovation Multidisciplinary research on AI and rights
G7 Hiroshima AI Process (2023)	*G7 Nations*	Political commitment	Human-centric AI governance Common principles on generative AI Exploration of AI accountability mechanisms
ITU/WHO AI for Health Guidelines	*ITU & WHO*	Advisory	Privacy in health data Bias reduction in AI diagnostics Ethics in AI medical decision-making

Source: Author

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[20] Irum Saleem, 'UNESCO Holds Multi-Stakeholder Dialogue for an Ethical and Inclusive AI' (*Pak Destiny*, 9 May 2025) <https://www.pakdestiny.com/unesco-holds-multi-stakeholder-dialogue-for-an-ethical-and-inclusive-ai/?utm_source=chatgpt.com>.

Table 3: Legal Areas in the South Asian Region on Regulating AI and Human Rights

Country	Regulatory Body	Statutory Laws and Policies	Central Focus
Bangladesh	*Ministry of Posts, Telecommunications and Information Technology (MoPTIT)*	- Cyber Security Act, 2023 (replaces Digital Security Act, 2018) - Personal Data Protection Act 2023 (draft) - National Strategy for Artificial Intelligence, 2020 (ICT Division)	- Cybersecurity threats - Freedom of expression and surveillance - Protect citizens' data rights
India	*Ministry of Electronics and Information Technology (MeitY)*	- Digital Personal Data Protection Act, 2023 - Indian Copyright Act 1957 - National Strategy for AI, 2018 (NITI) - AI Safety Institute (AISI)	- Protects personal data and privacy - Establish consent-based data processing - Regulate data fiduciary - IP protection for AI-generated works
Pakistan	*Ministry of Information Technology and Telecommunication (MoITT)* *National Commission for Personal Data Protection (NCPDP)*	- Prevention of Electronic Crimes Act, 2016 - Personal Data Protection Bill, 2023 (draft) - National Artificial Intelligence Policy (draft)	- Cybercrimes - Free speech and digital surveillance - Regulates data collection, consent, and cross-border flow
Sri Lanka	*Ministry of Technology Data Protection Authority (MoTDPA)*	- Personal Data Protection Act, 2022 - National Policy on Artificial Intelligence (draft stage)	- Protecting personal data - Regulates AI systems using identifiable personal information - Individual rights and organizational obligations
Nepal	*Ministry of Communications and Information Technology (MoCIT)*	- Draft Personal Data Protection Act (under review) - National Artificial Intelligence Policy (draft stage)	- privacy and data protection in the digital space - Baseline for regulating AI-related data practices
Bhutan	*Ministry of Information and Communications (MoIC)*	- Draft Personal Data Protection Bill (under review) - National Artificial Intelligence Strategy (draft stage)	- Focuses on the responsible use of personal data - Addresses data governance and AI accountability from a rights-based perspective

Source: Authors

Bangladesh's Current Legal and Policy Landscape

In Bangladesh, AI is being used in agriculture, healthcare, and e-governance; however, on a lower scale than in other countries. AI-powered applications are used to forecast crop yields, track disease outbreaks, and improve disaster response. Artificial intelligence is being integrated into e-governance platforms to streamline public service delivery and boost administrative efficiency. For example, digital efforts such as the 'Digital Bangladesh Vision 2021' have created the basis for incorporating AI into a variety of governmental and nongovernmental sectors. However, the adoption of AI remains limited due to infrastructure issues, a scarcity of experienced personnel, and insufficient financing.[21]

The implementation of artificial intelligence in Bangladesh has generated worries about human rights issues. Biometric surveillance technologies, such as facial recognition systems, are increasingly being utilized in public places without proper safeguards, endangering privacy.[22] AI-powered systems for recruiting and social welfare allocation have also been criticized for possible algorithmic biases that contribute to prejudice. Furthermore, the lack of strong legal frameworks heightens the risk of AI misuse in areas such as surveillance, data mining, and automated decision-making, jeopardizing fundamental rights.[23]

In Bangladesh, there remain significant moral and regulatory issues with AI mechanisms. The lack of a comprehensive AI policy results in gaps in accountability and transparency. Ethical considerations, such as algorithm prejudice and a lack of diversity in AI design, compound the situation.[24] Legal frameworks, such as the Cyber Security Ordinance of 2025, the Bangladesh Telecommunication Regulation Act 2001, and the Information and Communication Technology Act 2006, are primarily concerned with cybersecurity and data protection, but fail to consider the broader human rights consequences. Furthermore, limited public knowledge of AI ethics exposes citizens to exploitation and misuse of their data.[25]

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[21] Mustak Ahmed, 'Role of Artificial Intelligence in Bangladesh: Current Insights and Future Prospects' [2022] South Asian J Soc Stud Econ 8.
[22] ibid.
[23] Ishtiaq Mahmud, 'Artificial Intelligence: Risks and Hazards of Rising AI in Bangladesh' *The Financial Express* (Dhaka, 2025) <https://thefinancialexpress.com.bd/sci-tech/risks-and-hazards-of-rising-ai-in-bangladesh>.
[24] Ibid.
[25] Mahmud (n 24).

Bangladesh's swift shifting towards AI networks shows the urgency for ethical frameworks and legislation to make sure that technical breakthroughs do not affect fundamental individuals' basic rights. To tackle these challenges, Bangladesh is taking initiatives to create a more ethical and human rights-compliant AI landscape. Government initiatives are investigating the development of AI-specific regulations, while collaborations with international organizations such as UNESCO seek to align the country with worldwide ethical standards. Efforts to raise public awareness and digital literacy, such as the 'Digital Skills for Bangladesh' program, are critical to developing an informed citizenry. Bangladesh can build an inclusive and comprehensive AI governance framework to avoid risks and maximize benefits by encouraging collaboration among academia, industry, and policymakers.[26]

Bangladesh is still lagging behind in carrying out any fruitful legislative measures to govern the area of AI. Nonetheless, several existing laws frame multiple regulatory guidelines and restrictions for the application and performance of AI-driven arrangements, albeit in a dispersed manner.

Cyber Security Ordinance, 2025

The ordinance was enacted with the aim of addressing modern cyber threats by including provisions against AI-driven crimes, online gambling, and sexual harassment, and for the first time, recognizes internet access as a civic right in Bangladesh.[27] The statute outlawed actions like cyberterrorism, phishing, and online defamation. It also creates mechanisms to oversee online activities by restricting unauthorized use of digital devices.[28] The sections that were utilized to intimidate journalists and the public at large under the pretext of criticism, false information, and defamatory content pertaining to the Liberation War, its spirit, Bangabandhu Sheikh Mujibur Rahman, the national song, and the flag have been removed by the ordinance. Therefore, by eliminating dubious and repressive provisions—like those that penalize criticizing national figures or disseminating 'false information'—the legislation lessens the potential for

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[26] Farjana Yesmin, 'Bangladesh Needs a Comprehensive Framework to Address the Risks of Ai' *The Business Standard* (Dhaka, 2023) <https://www.tbsnews.net/thoughts/bangladesh-needs-comprehensive-framework-address-risks-ai-732414>.

[27] The Cyber Security Ordinance 2025.

[28] Yesmin (n 27).

misuse and creates room for free expression, opposition, and journalism.[29] Additionally, it covers previously unregulated topics like online gambling, digital sexual abuse, and offenses based on artificial intelligence.[30] Yet, the statute invokes certain risks. Clauses addressing hate speech or communal disharmony, while conceivably beneficial, when implemented impartially, may be mishandled without proper and clear guidelines. Consequently, without well-defined criteria, such clauses could become instruments for suppressing minority voices or targeting political opposition.[31] Secondly, the Ordinance instructs to establishment of an institutional mechanism, namely the national cyber security agency. However, it remains silent about the duties, responsibilities, accountability, and freedom to work; therefore, a weak administrative structure might be harmful to the foreseeable and successful vision.[32]

Data Protection Ordinance, 2025

A crucial turning point in Bangladesh's digital governance platform was reached on July 15, when the interim administration tabled the draft Personal Data Protection Ordinance of 2025 to the cabinet. A wide range of personal data categories are covered in detail by the draft, including sensitive data like genetic information, biometric data, health records, and information about sexual orientation, religion, and ethnic minorities.[33] It further introduces mandatory consent requirements for personal data processing.[34] Thereby, it is pertinent that with its extensive data protection rules that are in line with worldwide norms and include particular measures for data sovereignty and national security concerns, the ordinance marks a momentous shift in Bangladesh's approach to digital governance from one of little regulation to comprehensive obligations.

National Strategy for Artificial Intelligence Bangladesh 2019-2024

The national AI Strategy was promulgated with the vision to accelerate AI-driven enterprise across the nation. The scheme aims to cover multidimensional industries and service sectors, notably health, agriculture, and education. AI transforms the service sectors by enhancing

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[29] Legal Giant, 'Cyber Security Ordinance 2025: Is It Better or Worse?' *Legal Giant Bangladesh* (22 May 2025) <https://legalgiantbd.com/cyber-security-ordinance-2025-is-it-better-or-worse/>.
[30] Ibid.
[31] Ibid.
[32] Ibid.
[33] Personal Data Protection Bill, 2025 2025.
[34] Luis Rijo, 'Bangladesh Finalizes Comprehensive Data Protection Ordinance Draft' (*PPC Land*, 28 June 2025) <https://ppc.land/bangladesh-finalizes-comprehensive-data-protection-ordinance-draft/>.

productivity, efficiency, accuracy, and accessibility. However, since the continuous advancement also exposes certain significant risks, the strategy further stresses the necessity of an all-inclusive regulatory and ethical regime to govern the deployment of AI devices within these domains.[35] Also, the strategy highlights that its beneficial outcome should be realized in ethically, legally, and socially acceptable ways.[36]

The scheme is structured around six fundamental strategic pillars: (a) research and development, (b) skilling workforce, (c) digital infrastructure, (d) ethics and governance, (e) boosting AI-driven startups, and (f) industrialization of AI technologies. The strategic pillars give primacy to building hubs of excellence, encouraging public-private partnership, framing regulatory and ethical guidelines, and upholding areas of innovation.

Challenges and Future Prospects

Significance and Concerns of AI in the Legal System

AI presents both pros and cons in the field of law. Precisely, it enriches documentary analysis, cultivates argumentation, advances legal research, and aids in judgment drafting. Yet, the sector poses multiple concerning issues, like problems with the accuracy of information, the possibility of creating bias, and an increase in unreasonable digital information reliability. The risk also includes the question of moral standards, data privacy, and possession of legal data.

The lawyers are more often relying on AI-generated automated review of their legal documents, as well as figuring out the vital legal phase and relevant statutory clauses. This essentially lessens the duration and effort imperative for manual analysis.

This method is potentially highly profitable and cost-effective in comparison with the traditional research techniques. Thirdly, AI also assists judges by summarizing petitions, highlighting key arguments, diagnosing relevant case laws, and statutory provisions. This provides immense help by making structural or linguistic improvements while drafting judgments.

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[35] Chowdhury MH, 'The Power of AI in Law: The Rise of AI in Legal Systems in Asia' (*Asian Law Portal*, 2023) <https://asialawportal.com/the-power-of-ai-in-law-the-rise-of-ai-in-legal-systems-in-asia/>.
[36] ibid.

On the flip side, the continuous use of AI-based tools and persistent reliance on AI-generated information pose a momentous risk in legal areas. For instance, AI-based tools continued to encounter notable limitations with respect to accuracy and trustworthiness. They often misidentify or fail to detect vital and accurate legal terms and provisions, particularly in complex or highly technical documents. Therefore, lawyers' verification of legal documents remains crucial.[37] Furthermore, the incorporation of AI into legal services raises concerns with data privacy, confidentiality, and ownership.[38] Any biases detected in the training data will be replicated by the AI-based tools, potentially leading to prejudice in legal decision-making. Another concern is that artificial intelligence (AI) will eventually replace human lawyers. While AI can hasten legal work, it cannot supersede human reasoning, compassion, and moral considerations. Human observation and perception are crucial, while the verdict has substantial social, psychological, and economic implications.[39]

Ethical and Legal Considerations

Artificial intelligence applications in the legal area raise several ethical and legal concerns, including bias, inaccuracy in judgment, and job collision in judicial service.[40] Legal concerns include liability for AI system errors, the need for AI to follow norms and guidelines in the field of law, and potential risk caused by the AI platform towards established justice principles and fairness.[41] On the other hand, its application remained at the preliminary stage, with much potential for additional growth and refinement. As artificial intelligence technology advances, its impact on the legal profession is certain to grow.

In 2021, UNESCO ratified a new AI Declaration by recognizing its transformative potential in promoting sectors like academic, research, and novelty. However, it also admits the threat, misapplication, deception, and criminality associated with its swift growth.

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[37] Nicola Lucchi, 'ChatGPT: A Case Study on Copyright Challenges for Generative Artificial Intelligence Systems' (2024) 15 Eur J Risk Regul 602.

[38] MH (n 36).

[39] 'Seven Ways Artificial Intelligence Can Benefit Your Law Firm' *The American Bar Association (ABA) News* (America, 2017) <https://www.americanbar.org/news/abanews/publications/youraba/2017/september-2017/7-ways-artificial-intelligence-can-benefit-your-law-firm/>.

[40] 'How AI Is Transforming the Legal Profession' *Thomson Reuters* (Canada, 2023) <https://legal.thomsonreuters.com/blog/how-ai-is-transforming-the-legal-profession/>.

[41] Zixuan Luo, 'How Artificial Intelligence Is Reshaping Legal Practice' (*NYU Journal of Law & Business*, 2024) <https://www.nyujlb.org/single-post/how-artificial-intelligence-is-reshaping-legal-practice>.

Data Eco-System

The domain of AI largely depends upon high-quality and fast-rate data with proper accessibility mechanisms.[42] Limited accessibility and the absence of free use of data are identified as the most significant hurdles facing Bangladesh in AI domains.[43] Additionally, the unavailability of a large portion of public data in digital format poses another major concern. Consequently, in Bangladesh, unavailability and limited accessibility to data storage pose a risk for new enterprises, research work, and the policy-making process.[44]

Technology and Infrastructure

The scarcity of digital infrastructural development and inadequate improvement of technical appliances applied for AI technology are other prime challenges for AI advancement in Bangladesh.[45] This includes effective organizing of data, robust data storage, adaptability, scaling, and data safety.[46] The problem further exacerbates due to poor management of the big data domain, the absence of training or a comprehensive research facility for digital machine learning, and the lack of decision-making AI tools and technologies.[47] Establishing a cloud platform, high-performance computer tools, and spreading AI education can be instrumental in addressing the crisis.

Skilled AI Resources

Since the AI domain is considered the most recent development, its job market in the public and private sector is very limited. The scenario is more alarming in Bangladesh where only a few IT

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[42] 'Artificial Intelligence (AI), Data and Criminal Justice'' (*Fair Trials*) <https://www.fairtrials.org/campaigns/ai-algorithms-data/>.

[43] Mustafizur Rahman and others, 'Addressing the Deficits: An Action Plan for Data Revolution in Bangladesh' (*Southern Voice*, 2016) <https://southernvoice.org/addressing-the-deficits-an-action-plan-for-data-revolution-in-bangladesh/>.

[44] Winston Percy Onipede Cole and others, 'Bangladesh Open Data Readiness Assessment Report: Open Data for Economic and Social Development and Improving Public Service' (*World Bank Group*, 2020) <https://documents1.worldbank.org/curated/en/274541588741142529/pdf/Bangladesh-Open-Data-Readiness-Assessment-Report-Open-Data-for-Economic-and-Social-Development-and-Improving-Public-Service.pdf>.

[45] Rahman and others (n 46).

[46] Shadab Bin Ashraf and Masrur Islam, 'Ai and the Future of Human Rights in Bangladesh: A Call for Robust Legal and Ethical Frameworks' (2024) 31 IJLIT Oxf Acad 331.

[47] Tom Wheeler, 'Commentary: The Three Challenges of AI Regulation' [2023] *The Brookings* <https://www.brookings.edu/articles/the-three-challenges-of-ai-regulation/>.

training initiative are taken over the last decade. As a result a good number of skilled professionals for AI technologies is very minimal in Bangladesh.

Accountability, Transparency, and Privacy

A strategic turmoil within AI domain may emerge due to insufficient transparency, lack of accountability, and incompetence in machine learning process. Since AI rapidly boosts or substitutes human judgment, it turns out far harder to grasp the rational underpinning of algorithmic responses or to figure out the factors triggering automated conclusions.[48] While an unanticipated or adverse consequence happens, this lack of disclosure also leads to concerns about accountability, which is alternatively dubbed as algorithmic "inversion."

Human Dignity, Autonomy, and Psychological Impact

It is appalling that an individual's employment opportunities could become less valuable as we allow technology greater autonomy across countless aspects of our everyday lives.[49] Lastly, and perhaps most importantly, it becomes increasingly unpredictable how humans will interact with AI networks and tools, since they evolve more efficiently equipped with natural language and influence social and professional areas instinctively.[50]

Future Prospects

Developing AI Policies for Human Rights in Bangladesh

Like many other nations around the world, Bangladesh is striving to adopt a well-defined regulatory framework to govern the rapidly expanding AI domain. Handset devices, web browsing, and online communication platforms are the main avenues where the paradigm of AI intersects with every aspect of life. Of late, we can hardly find any household that has no intersection with the technologies of the AI platform. This urges an all-inclusive and cooperative approach to develop an AI governance regulatory framework.

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[48] Sara Brown, 'A New Study Measures the Actual Impact of Robots on Jobs: It's Significant'' (*MIT Management*, 2020) <https://mitsloan.mit.edu/ideas-made-to-matter/a-new-study-measures-actual-impact-robots-jobs-its-significant>.

[49] Araz Zirar, Syed Imran Ali and Nazrul Islam, 'Worker and Workplace Artificial Intelligence (AI) Coexistence: Emerging Themes and Research Agenda' (2023) 124 Technovation 102747.

[50] ibid.

Bangladesh drafted a national AI policy in 2024 with the aim of ensuring ethical application of AI domains in every sector. The policy is further attempting to achieve the vision articulated in the scheme titled 'Smart Bangladesh by 2041'. The policy is based on three fundamental pillars: (a) economic progression, (b) social revolution, and (c) national security. Another significant feature of the policy is the recognition of a data-driven governance system. However, a data-driven policy framework raises considerable concerns, like domination of human choice, creating biased decision, and weakening accountability.

The National AI policy is an additional legal tool that works in tandem with all other digital statute laws to safeguard fundamental rights, privacy, and public safety while preventing exploitation, discrimination, and abuse through digital technology. However, in practice, these legal instruments encounter heavy criticism from all sectors. Argued that these legal instruments are often used by the state to suppress public criticism, weapons for opposition, and restrict freedom of speech and the press. Besides, these also pose certain human rights concerns, including: weak data protection laws lead to more privacy violations, automation poses a danger to job security for low-income people, contributing to economic disparities, and AI surveillance techniques or tools may be misused for political control. Strategies planning is required to address these dangers, likewise Bangladesh should implement a multi-stakeholder strategy that includes government agencies developing and enforcing AI legislation, academic institutions conduct studies on AI ethics and human rights, as well as civil society organizations promoting ethical AI practices and increasing public awareness.

UNESCO's Recommendation on the Ethics of Artificial Intelligence in Bangladesh

Implementation Status

Bangladesh has taken initial efforts to adopt UNESCO's recommendations on AI ethics. However, these efforts are limited to policy measures and do not include actual implementation.

Policy Formulation

a. To meet with UNESCO principles, Bangladesh must develop comprehensive legislation that addresses AI ethics and human rights.
b. Train stakeholders on AI governance and ethical practices to strengthen institutional capacity.

c. Encourage international collaboration by sharing best practices and resources.[51]

Recommendation

Global Concerns Regarding Bias and Harm in AI Systems

The rapid advancement of AI technologies and their ever-increasing harmful impact on human society and knowledge make the global community think about preparing a robust AI regulatory framework. In response, the international legal framework articulates rights-based protection mechanisms against automated digital operations that cause adverse impact on human safety. A widely cited AI regulatory mechanism is the European Union's General Data Protection Regulation (GDPR). The regulation is a breakthrough in the field of AI governance as it provides safeguard against adverse impact of automated AI decision. Notably, the workers like Uber or Ola drivers successfully leverage the clause of GDPR to demand the accessibility of AI generated data and can make challenges against automated cancellation decision.

Limitation on GDPR

However, the GDPR entails certain limitation on its application, which reduce its effectiveness. Firstly, its application only limited to automated decision processing, but not extent to decision where human involvement with AI-assisted decision has been traced. Secondly, AI operation that creates discriminatory practices, like exclusion from opportunities, defamatory threat, or structural bias, remain beyond the scope of its protection. For Bangladesh, it's an opportunity to frame regulatory structure by addressing the limitation posed from GDPR regulation.

The EU Artificial Intelligence Act as a Regulatory Reference Point

Bangladesh can take advantage of another cutting-edge AI regulatory measure adopted in the EU regions, namely the European Union Artificial Intelligence Act (EU AI Act) of 2024. The statute establishes a risk-based AI regulatory standard by strictly restricting certain harmful AI practices that have an adverse impact on human dignity and social values. Besides, the Act also prohibits exploitative AI practices towards vulnerable groups based on gender, age, disability, or social

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[51] Hamidul Mishbah, 'Trends and Developments: Artificial Intelligence 2024 Bangladesh' (*Chambers and Partners*, 2024) <https://practiceguides.chambers.com/practice-guides/artificial-intelligence-2024/bangladesh/trends-and-developments/O16928>.

status. Thirdly, the Act disallows unauthorized and non-consensual biometric data that are used for personal identity recognition.

The Need for Context-Specific AI Regulation in Bangladesh

In Bangladesh, diverse integrated resistance respects the application and governance of the AI platform, urging prompt legislative remedy. In this regard, Bangladesh can take advantage of the insightful observations by cultivating a comparative assessment of the AI regulatory framework from other jurisdictions. More precisely, the sector requires a contextual and risk-based governance framework in compliance with human rights norms due to its intersected problems, like skilled workforce scarcity, lack of structural transparency, and social disparity.

Proposed Ameliorative Measures for Bangladesh

To fill the gap by addressing governance challenges and AI-driven risks, Bangladesh should take ameliorative measures. Bangladesh must enact strong data protection legislation to protect information gathered and processed by AI mechanisms.[52] AI developers and organizations should follow clear ethical rules that address fairness, accountability, and openness.AI systems must disclose their decision-making processes. The underprivileged communities should be encouraged to participate in AI policy talks so that their viewpoints are taken into account. Moreover, a specialized authority can be established to monitor AI-related activities and ensure compliance with laws and ethical principles. Again, Funding research regarding AI ethics, specifically in the Bangladeshi context, to uncover potential hazards and mitigating solutions should be taken into consideration. International Collaboration for best practices and create common AI rules can be taken into consideration.

Conclusion

International legal instruments like the OECD AI Principles, UNESCO's Recommendation on the Ethics of AI, and the European Union's AI Act underscore transparency, accountability, human rights protection, and risk-based regulatory approaches. These frameworks collectively underline the significance of embedding individual dignity, privacy, as well as equality integral to AI governance. In contrast, Bangladesh's legal landscape remains largely fragmented and

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[52] Tahmidur Rahman, 'Artificial Intelligence Law in Bangladesh' (*Global Law Firm in Bangladesh*) <https://tahmidurrahman.com/artificial-intelligence-law-in-bangladesh/>.

technologically underdeveloped to deal with multidimensional AI-driven threats, including data breaches, algorithmic biases, and socioeconomic inequalities. Though constitutional guarantees under Articles 27, 31, and 32 provide a rights-based foundation, fail to enact a comprehensive AI-specific legislative initiative further exacerbates the challenges.

Though the draft National Artificial Intelligence Policy 2024 grounds a platform for ethical AI governance, it lacks enforceable methods, accountability structures, and inclusion of vulnerable people. On the flip side, on a global basis, frameworks like the UNESCO Recommendation on the Ethics of Artificial Intelligence and the EU Artificial Intelligence Act highlight the significance of aligning AI technologies with moral values and human rights norms. This study, thereby, highlights the urgent need for Bangladesh to adopt a forward-looking, rights-based AI governance model that is aligned with international standards yet tailored to its socio-economic realities. Such an approach should focus on drafting comprehensive AI legislation, strengthening institutional capacity, and integrating ethical code such as impartiality, transparency, accountability, and diversity.

To fully achieve AI's promise for human rights protection, Bangladesh must emphasize thorough legislative reform, stakeholder involvement, and public education. The government, academia, civil society, and international partners must work together to create an ethical and human rights-compliant AI environment. Bangladesh may position itself as a model for responsible AI governance by establishing a clear roadmap and a strong commitment to ensuring that technological breakthroughs benefit humanity while protecting fundamental rights.