
THE ROLE OF LEGAL LIABILITY IN SAFEGUARDING THE RIGHT TO LIFE IN THE CONTEXT OF ARTIFICIAL INTELLIGENCE

Gobinda Naskar, Research Scholar, Department of Political Science, Sidho-Kanho-Birsha University, Purulia, West Bengal

ABSTRACT

The rapid evolution of Artificial Intelligence Technologies (AI) presents profound challenges to legal structures that govern responsibility, particularly in relation to the protection of the right to life. Traditional legal systems, which emphasize human agency and responsibility, face difficulties in addressing autonomous decision-making skills of AI systems. When AI operates with limited human supervision, assigning responsibility for consequences arising from its actions becomes complex. This ambiguity can undermine protection measures to protect life, as it raises questions about who - if someone - is responsible when an AI damage system.

The application of legal responsibility structures should therefore adapt to these technological advances. Current liability regimes, including the crime law and product responsibility, may address inadequately incidents involving AI, leading to insufficient resource for individuals affected by AI-related accidents. For example, in situations where AI systems fail due to failures in their programming or unforeseen operating conditions, victims may have difficulty obtaining justice if responsibility remains diffuse between developers, manufacturers and end users.

Also, comprehensive regulatory structures that prevent the risks of AI may increase responsibility, establishing clear patterns of development and implementation. Such regulations may require security assessments, thus strengthening the right to life, ensuring that AI technologies comply with strict safety standards before being operationalized.

Finally, by promoting accountability through transparent responsibility and robust regulatory practices, legal systems can sail better in ethical and operational complexities presented by the advanced AI, ensuring that the protection of life remains fundamental amid technological progress.

Keywords: Legal Liability, Right to Life, Artificial Intelligence, Human Rights, AI Regulation.

The Role of Legal Liability in Safeguarding the Right to Life in the Context of Artificial Intelligence

The integration of Artificial Intelligence (AI) in decision-making processes is quickly transforming various sectors, reflecting its wide influence on modern society. In the realm of automated vehicles, artificial intelligence algorithms are crucial for the decision-making process in real time, improving safety and efficiency; these vehicles use advanced automatic learning techniques to analyse large quantities of data from the sensors, allowing them to make informed decisions that significantly reduce human error. In health care, AI helps diagnostic processes, planning of treatment and personalized medicine. Automatic learning models can analyse patients' data to predict health results, allowing timely interventions that improve patient care. Research indicates that the AI based decisions improve the accuracy and efficiency of clinical decisions, making the supply of health care more effective. Also, the AI is modelling more and more military strategies, in which the data-based decision-making process is vital for operational success. The ability of artificial intelligence to elaborate and analyse intelligence data allows military leaders to make strategic decisions informed quickly and accurately. This ability can significantly improve national security, since AI can provide potential threats and recommend adequate counter measures based on historical data and real-time analysis.

The incorporation of AI in everyday life is evident through applications in personal devices, domestic automation and customer service. Virtual assistants fuelled by artificial intelligence make routine decisions on programming, reminders and recovery of information, thus simplifying daily activities for users. While artificial intelligence technologies continue to evolve, their role in the daily decision-making process will expand further, strengthening their ubiquity in various sectors. Overall, the expansion influence of artificial intelligence in the decision-making process improves operational efficiency, improves results in the critical sectors and remodelling daily interactions, marking a significant change in the way in which decisions are taken in contemporary society.

Also, AI brings significant threats to human life, mainly because of the gaps in the responsibility that complicate effective regulation. These gaps hinder the institution of clear legal paintings and ethical standards necessary to safeguard the damage related to the AI. With the progress of the advancement of artificial intelligence technologies, the lack of mechanisms

of responsibility can lead to adverse results, which requires urgent attention from the politicians and parties concerned to guarantee human security in an increasingly automated world. Santoni De Sio and Mecacci (2021)¹ identify four gaps of responsibility that amplify the risk represented by artificial intelligence systems, including issues of intentionality, attribution, predictability and control. For example, autonomous drones, capable of making life or death decisions without human intervention, pose substantial ethical concerns regarding the responsibility of their actions. The potential for malicious malfunction or piracy exacerbates these risks, as seen in cases of AI operated vehicles that have been involved in fatal accidents. Similarly, biased algorithms used in the application of the law and hiring processes can perpetuate systemic inequalities, which leads to discriminatory results. The current technological regulations and ethical frameworks are insufficient to address these problems in an integral way. Particularly, the principles that govern the development of AI often lack enforceable standards, creating a gap in responsibility when the systems of AI cause harm. These requires the establishment of solid regulatory frameworks that prioritize ethical considerations and guarantee human supervision, thus safeguarding society against multifaceted threats raised by AI.

In scenarios in which AI systems cause or exacerbate threats to life, determine responsibility becomes full of ambiguity, which leads to ethical dilemmas with respect to responsibility. The lack of clear frames can lead to reduced incentives so that developers prioritize security and ethical considerations, thus undermining life protection. Also, potential regulatory improvements are essential to promote an environment where responsibility is clear and ethical standards are maintained. The development of adaptive legal structures that incorporate the abilities and limitations of AI can improve the safeguarding of human rights, particularly the right to life. Ultimately, guaranteeing a robust legal resource for victims of AI-related damage is essential to establish a more responsible and ethically solid technological landscape.

Navigating the Intersection of Right to Life, Legal Liability and Artificial Intelligence

The rise of AI has profound implications for the right to life and legal liability, convincing a revaluation of responsibility, ethical considerations and legal paintings in contemporary society. As artificial intelligence systems become increasingly autonomous, the question of

¹ Filippo Santoni de Sio & Giulio Mecacci, "Four responsibility Gaps with Artificial Intelligence: Why They Matter and How to Address Them" 34 *Philosophy & technology*,1067 (2021).

those who are responsible when a system causes damage is fundamental. Traditional legal framework struggle to accommodate these new realities, bringing to gaps in responsibility. For instance, if an autonomous driving car is involved in a fatal accident, determining the responsibility, whether it falls on the manufacturer, on the developer of the software or on the owner of the complex and controversial vehicle.²

The deployment of technology AI can lead to human rights violations, including the right to life, in particular in the high-content scenarios such as autonomous weapons systems or health algorithms that dictate patient treatment protocols.³ When the decisions on life and death are taken by algorithms, the potential for prejudices and errors raises serious ethical concerns. These challenges require a revaluation of existing ethical paintings to ensure that they understand the implications of the AI on human rights.

The evolving legal landscapes must adapt to these emerging challenges, integrating the specific regulations of artificial intelligence capable of dealing with the unique characteristics of artificial intelligence systems. As noted by Hoxhaj et al. (2023)⁴, the objectives of the legal paintings should give priority both to responsibility and to the protection of human rights, ensuring that technological progress does not replace fundamental rights. This makes it essential for legislators and decision makers to develop a coherent legal approach that captures the complexity of the AI by safeguarding the right to life.

The impact of the AI on legal liability and the right to life is multifaceted, involving a delicate balance between innovation and ethical responsibility. While society continues to integrate the IA in various aspects of life, it is essential to establish solid mechanisms of responsibility and ethical guidelines to effectively protect human rights⁵. This evolving speech will modify the future of law and ethics in an increasingly automated world.

Risk and impact of AI on the Right to Life

The rapid advancement of artificial intelligence technologies (AI) in India has considerably

² Oljana Hoxhaj, Belinda Halilaj and Ardi Harizi, "Ethical Implications and Human Rights Violations in The Age of Artificial Intelligence" 22 *Balkan Social Science Review* 159 (2023).

³ Beata Polok, Homam Reda El-Taj & Afrasiab Ahmed Rana, "Balancing potential and peril: the ethical implications of Artificial Intelligence on Human rights" 9 *Multicultural Education* 98, (2023).

⁴ Oljana Hoxhaj, Belinda Halilaj and Ardi Harizi, "Ethical Implications and Human Rights Violations in The Age of Artificial Intelligence" 22 *Balkan Social Science Review* 159 (2023).

⁵ Beata Polok, Homam Reda El-Taj & Afrasiab Ahmed Rana, "Balancing potential and peril: the ethical implications of Artificial Intelligence on Human rights" 9 *Multicultural Education* 98, (2023).

transformed many sectors, including health care, transport and police. However, this technological wave is delivered with deep ethical implications, potential biases and an insufficient regulatory framework, which raises substantial concerns concerning the right to life. The intersection of AI and human rights requires an in-depth examination of the way in which these technologies could compromise the fundamental rights of individuals.

First and foremost, the deployment of AI systems in decision-making processes often lacks transparency, which is vital to ensure responsibility. For example, predictive police algorithms can lead to the disproportionate targeting of marginalized communities, reflecting finished societal biases⁶. This automated discrimination undermines not only the ethical responsibility to protect all citizens, but also constitutes a direct threat to their right to life by endangering vulnerable populations. The absence of clear ethical directives on the implementation of these systems exacerbates this problem, because individuals can be subject to unjustified surveillance and profiling without recourse.

Moreover, biases anchored in AI algorithms can cause systemic injustice. These algorithms are trained on historical data, which may intrinsically contain prejudice reflecting the inequalities of society. The spread of these biases through AI can lead to decisions that modify life that have a disproportionate impact in certain groups, essentially violating their right to life and freedom. For example, in health care, AI diagnostic tools that have misinterpreted the data due to a bias can lead to erroneous diagnosis or ill-treatment, putting the lives of patients in danger more.

The regulatory landscape in India was struggling to keep up with the rate of rapid development of AI technologies. There is currently a rudimentary framework governing the ethical use of AI, which does not adequately approach the complexities and challenges posed by these technologies. This regulatory vacuum allows uncontrolled experimentation with AI applications, often neglecting the potential consequences on human rights⁷. Effective regulation is essential to mitigate the risks associated with AI deployments, ensuring that all applications comply with established ethical standards and protected fundamental right to life.

⁶ Sheshadri Chatterjee and Sreenivasulu N.S., “Artificial Intelligence and Human Rights: A Comprehensive Study from Indian legal and Policy Perspective” 64 *International Journal of Law and Management* 124, (2022).

⁷ Ibid.

By approaching these ethical implications, it is crucial for political decision-makers to prioritize human rights in AI strategies and governance frameworks. An inclusive approach that considers the prospects of various stakeholders, including civil society organizations and affected communities, is essential to develop directives that prevent damage to individuals. Reddy (2022)⁸ underlines the need for interdisciplinary collaboration to create a robust framework that protects human rights in the context of rapid technological advancement.

So, the integration of AI technologies presents both opportunities and challenges. It is imperative that discourse surrounding these technologies understands a rigorous analysis of their ethical implications and their potential biases. Also, the establishment of a complete regulatory framework suitable for maintaining the right to life is essential to promote a fair and fair company in India. Without adequate measures in place, the risks associated with AI could lead to significant human rights violations, stressing the urgent need for a vigilant approach and focused on rights in the incorporation of artificial intelligence in Indian society.

Legal Liability Mechanisms and Frameworks in India Compared to Western Countries

The mechanisms of legal liability are crucial to maintain responsibility and justice within company practices. This document analyses and compares the legal liability paintings of India with those of the selected Western countries, such as the United Kingdom and the United States, focusing on their effectiveness, application and impact of cultural influences on legal practices.

In India, legal liability is largely governed by the Indian criminal code, by the law on companies and various environmental regulations. The corporate legal framework in India is evolving, incorporating more rigorous penalties for the offenses and promoting responsibility within the companies⁹. This has increased transparency and responsibility between businesses, but the application remains a challenge due to bureaucratic delays and corruption. On the contrary, Western countries such as the United Kingdom employ a more structured approach to corporate responsibility, giving priority to the return of the victims and the corporate government¹⁰. The

⁸ A Amarendar Reddy, "Human Rights vs Artificial Intelligence". 4 *Indian Journal of Law and Legal Research* 1 (2022).

⁹ Saakshi Gupta and Manish Kumar Yadav, "Comparative Study of Multinational Corporation's Frameworks for Legal Environmental Compliance with Special Reference to India" 3 *Ethiopian Journal of Governance and Development* 27 (2024).

¹⁰ Mrinalini Banerjee & Abhay Singh, "Corporations, Its Wrongdoings and State Instrumentality of Justice: A Comparative Study on United Kingdom & India" 13 *GNU Journal of Law Development and Politics* 61 (2023).

establishment of regulatory bodies, such as the financial conduct authority, underlines the proactive monitoring and application, with consequent higher conformity rates among companies.

A significant cultural influence that influences legal practices is the difference in society's expectations regarding corporate behaviour. In India, the concept of corporate social responsibility has still matured, often seen as a secondary obligation rather than a primary commitment¹¹. This contrasts with Western countries, in which the commitment of stakeholders and ethical commercial practices are deeply rooted in corporate culture. The divergence in these cultural bases model the reactivity of the legal paintings, with the Indian societies surfing in a landscape that intertwines traditional values with modernization.

Also, the application of the legal principles differs significantly due to institutional skills. In the United States, for example, the judicial system is seen as more accessible, allowing a greater number of cases against companies for requests for responsibility¹². This contrasts with the Indian context, in which access to justice is hindered by systemic inefficiencies and economic barriers, limiting the avenues for victims to seek compensation. The application of liability laws requires not only legislative paintings, but also robust judicial trials that can quickly face complaints.

Ultimately, while both India and the selected Western countries strive for effective mechanisms of legal responsibility, the effectiveness and application of these laws are influenced by cultural attitudes towards corporate responsibility, institutional skills and social expectations. Therefore, the search for an effective legal liability framework must be sensitive to these cultural institutional nuances and realities, aiming for a balanced approach that promotes both responsibility and justice.

Proposed reforms to ensure Right to life in the era of AI

The rapid development of artificial intelligence technologies presents significant challenges and opportunities in the field of human rights, particularly in relation to the right to life. The

¹¹ Saakshi Gupta and Manish Kumar Yadav, "Comparative Study of Multinational Corporation's Frameworks for Legal Environmental Compliance with Special Reference to India" 3 *Ethiopian Journal of Governance and Development* 27 (2024).

¹² Mrinalini Banerjee & Abhay Singh, "Corporations, Its Wrongdoings and State Instrumentality of Justice: A Comparative Study on United Kingdom & India" 13 *GNU Journal of Law Development and Politics* 61 (2023).

proposed reforms in AI's responsibility and governance structures play a critical role in establishing structures that can effectively protect these rights through the implementation of strict principles of responsibility and ethical design. The effectiveness of these reforms justifies the rigorous assessment to determine their potential impact on supervision and provision of human accounts.

One of the main concerns in the implementation of AI systems is the potential for damage arising from their actions. The concept of strict responsibility emerges as a central mechanism that could ensure that entities that implement AI systems are responsible for any adverse results, regardless of failure¹³. This change of traditional standards of negligence to strict responsibility can force organizations to take diligent precautions in the development and implementation of AI, thus increasing the safety of AI applications and reinforcing the protection of fundamental human rights.

Arcila (2024)¹⁴ emphasizes the need to complement AI responsibility structures with robust risk regulation. Effective governance structures should not only address the legal repercussions of AI damage, but also integrate ethical considerations in design and implementation processes. The principles of ethical design - such as justice, transparency and the right to responsibility - are essential to cultivating public trust and ensuring that AI systems operate within acceptable moral limits. The incorporation of these principles can contribute to a culture of responsibility between developers and AI users, potentially reducing the risks associated with AI technologies.

However, the implementation of AI's responsibility reforms faced criticism of its scope and effectiveness. Hacker (2023)¹⁵ argues that the current European responsibility guidelines of AI represent a heartless approach that can fail to address the depth of AI. These guidelines, although progressive, may need additional refinement to truly incorporate the principles of strict responsibility and ethical governance necessary to effectively protect human rights. It is crucial that policy formulators are involved in continuous dialogue and evaluation to improve

¹³ Beatriz Botero Arcila, "AI liability in Europe: How does it complement risk regulation and deal with the problem of human oversight?" 54 *Computer Law & Security Review* 02 (2024).

¹⁴ Ibid.

¹⁵ Philipp Hacker, "The European AI liability directives—Critique of a half-hearted approach and lessons for the future". 51 *Computer Law & Security Review* 16 (2023).

these structures, ensuring that they continue to respond to the evolving scenario of AI technologies.

Finally, the effectiveness of AI responsibility reforms and governance structures in the protection of human rights depends on a multifaceted approach that intertwines the strict principles of responsibility with ethical considerations. Through this integration, society can work towards a future of AI that prioritizes the right to life and maintains human dignity, promoting an environment in which technology serves humanity responsibly and ethically.

Challenges in Fault Attribution and Responsibility in India's Technological Landscape

The rapid advance of technology has introduced a series of complex challenges in India, particularly in relation to the attribution of failures in cases of illegal behaviour and the growing prominence of AI in several sectors. An important problem comes from inherent technological opacity that characterizes many AI systems. These systems often function as 'black boxes', which makes it increasingly difficult to discern decision-making processes behind the results. This opacity raises a challenge for legal award, since interested parties struggle to determine responsibility when the actions taken by AI lead to harmful consequences.

Furthermore, the regulatory landscape in India exhibits a marked delay in response to technological advances. Legislative frameworks remain to a large extent, without properly addressing the nuances of emerging technologies. The absence of clear regulations exacerbates difficulties in establishing failures, which leads to prolonged legal disputes and uncertainty. For example, without precise legal definitions of responsibility in the context of AI technologies, the parties can be entangled in litigation without a clear route towards justice. Legal interpretations can vary widely, which further complicates the attribution of the failure.

Also, global inconsistencies in regulatory approaches are added to the challenges they face in India. As technologies increasingly transcend national borders, the lack of uniformity in laws leads to difficulties in responsibility. The different jurisdictions operate under disparate frames, creating an environment where companies can exploit regulatory gaps to evade responsibility. This not only complicates the legal landscape, but also raises ethical concerns about fair practice and consumer protection.

The tension between moral and legal responsibility also justifies the exam. With advances in

technology, ethical considerations often collide with prevalent legal frameworks. For example, although a technology can be legally solid, it could still result in results that are considered morally representable. This disjunction can create public distrust both in technological solutions and in the entities that develop them. The ethical dimension of the deployment of AI requires a re-evaluation of existing legal standards, since interested parties seek to ensure that technological progress is aligned with social values.

So, the challenges raised by the attribution of the failure, aggravated by technological opacity, regulatory delay, global inconsistencies and the division of moral responsibility versus legal, create a complex panorama for the Government in India. Addressing these problems requires a multifaceted approach that harmonizes regulatory frameworks with technological advances, while considering ethical implications, guaranteeing responsibility and promoting public confidence in emerging technologies.

Legal Frameworks and Human-Centered Governance in AI Development

The growing integration of AI in various sectors raises profound implications for the protection of fundamental human rights, particularly the right to life. As AI become more autonomous and make critical decisions previously reserved for human discretion, the responsibility associated with their actions must be strictly examined to ensure responsibility, promote preventive measures and protect individuals against damage.

The absence of clear responsibility may result in a significant deterrent effect on the necessary security measures. This uncertainty can undermine public confidence in AI applications, which may have terrible consequences for individuals who trust in these security systems. Therefore, clear legal attributes defining who is responsible in cases of damage induced by the AI, the developers, users, or are essential manufacturers to promote an effective responsibility system that can respond adequately to emerging challenges.

Also, the development of proactive legal structures allows the anticipation of potential risks associated with AI implementation. These structures should prioritize human-centred governance that is flexible enough to evolve alongside technology. Traditional regulatory approaches may fall short of the approach of the unique ethical considerations presented by AI, particularly regarding autonomous decision making. Human-centred governance prioritizes the well-being of individuals, incorporating various perspectives of stakeholders in the

development process. This approach ensures that the legal obligations imposed on AI developers not only emphasize compliance, but also an ethical commitment to the protection of human rights.

At a time when AI has the potential to infringe the right to life through autonomous weapons, biased decision making in health care or public safety algorithms, it is imperative that responsibility considerations boost the development of AI systems. Effective legal structures should not only accommodate innovation that respects dignity and human rights. Thus, proactive measures in legal regulation, along with a commitment to human-centred governance, will be essential to ensure that AI advancement does not reach the expense of the right to life. Finally, the integration of responsibility for AI governance is not just a legal necessity, but a moral imperative to defend the lasting commitment to human rights in an increasingly automated world.