A/HRC/59/32 Report Summary:

The practical application of the UN Guiding Principles on Business and Human Rights to the activities of technology companies including activities related to artificial intelligence (2025)

The report, mandated by Human Rights Council Resolution 53/29, analyses the application of the UN Guiding Principles on Business and Human Rights (UNGPs) to the activities of technology companies, including activities relating to artificial intelligence (AI). It builds on an earlier report on the application of the UNGPs to the technology sector (A/HRC/50/56 and A/HRC/50/56/Add.1).

While promising unprecedented advancements, AI innovation also brings challenges and risks for human rights. Clarifying the role and duties of States and the responsibility of companies when developing and deploying AI is crucial to ensure a responsible AI innovation ecosystem. The global governance landscape is evolving to address the societal challenges and opportunities presented by AI. These efforts, while laudable, remain fragmented and relatively incipient in relation to the rapid expansion of AI in both reach and sophistication.

Combining AI innovation with human rights: the corporate responsibility to respect

Based on the UNGPs, companies involved in AI development and deployment need to implement measures to safeguard human rights throughout their operations.

Human Rights Due Diligence (HRDD) for AI products and services

HRDD is essential for companies to actively manage potential and actual human rights impacts stemming from or being linked to their activities, AI products or services. This includes identifying and assessing human rights risks, integrating findings into company processes, taking appropriate action, tracking the effectiveness of measures and communicating how impacts are addressed. This should be done early and throughout AI product design, development and deployment. Companies also need to understand and demonstrate how they address possible adverse impacts, maintain a wide view of possible impacts and prioritize these by severity of harms. Independent audits, informed by human rights experts, strengthen oversight and accountability.

Business models in the AI ecosystem

Companies should also address situations in which business model-driven practices and AI design decisions create or exacerbate human rights risks. Investment into AI business models

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that prioritize human rights remains insufficient. Good practices to address business models' risk include reviewing performance incentives for top management and key functions to reward actions that respect human rights and stress-testing the design of AI products and services to minimise the risks of human rights harms.

Stakeholder engagement regarding AI products and services

Engaging with a wide range of stakeholders allows companies developing and deploying AI to better understand and address specific concerns related to their AI products and services. Five key aspects to consider include: (a) engaging external stakeholders across all aspects of human rights due diligence and remedy; (b) "closing the feedback loop" with stakeholders about how their inputs have shaped business practice and decisions; (c) establishing and nurturing relationships, not transactions; (d) collaborating to engage voices from the global South; (e) and resourcing stakeholders to engage with companies' human rights due diligence.

Current efforts to embed the Guiding Principles in corporate practice on AI

There is still no comprehensive analysis of how technology companies embed the UN Guiding Principles to their AI products and services, largely due to a lack of data disclosure by companies and the contextual nature of human rights impacts. While some companies have begun integrating human rights impact assessments into their AI practices, overall uptake remains limited. Challenges include fragmented governance frameworks, only late-stage consideration of human rights, lack of awareness among smaller firms, and insufficient disclosure of operational practices. This is particularly concerning in high-risk sectors like surveillance, military, and immigration, where AI technologies can be repurposed in ways that pose serious threats to human rights.

Safeguarding rights in the age of AI: The State's role in addressing corporate conduct

Pillar I of the UN Guiding Principles reaffirms the State's duty to protect human rights, emphasizing the obligation to safeguard against adverse impacts by third parties including corporations. This duty extends to the development and deployment of AI products and services.

Regulatory developments regarding AI

Grounding regulatory approaches to AI, including generative AI, in the international human rights framework helps ensure the protection of individuals' human rights and build policy coherence at the global level. Effective regulation should prioritize the impact on people over generic risk models and apply equally to both public and private sectors. It should include human rights impact assessments and ensure transparency, accountability, and robust data governance, while embedding human rights due diligence throughout the AI lifecycle – from design to deployment. In line with the UN Guiding Principles, transparency and process-oriented legislation should clarify what is expected of businesses, while remaining sensitive to the diversity of business models and realities regarding AI. Appropriate notice, due process, and non-discrimination requirements enable companies to integrate provisions in a rights-respecting manner in relevant corporate systems and processes related to AI products and services. A focus on the entire AI value chain ensures a holistic approach, while more targeted interventions may be necessary to regulate specific harms. To increase effectiveness, a comprehensive suite of incentive-based policy instruments, enforcement provisions and support for businesses should be established. Recent legislative efforts, such as the EU AI Act, South Korea's Basic Act on AI, and Brazil's proposed AI bill, reflect a growing trend toward mandatory due diligence and risk-based approaches aligned with the UN Guiding Principles.

Policy measures regarding AI

Regulation is closely interlinked with policy measures to incentivize a rights-respecting approach to AI. One way to achieve this is by anchoring industry policy in a commitment to encourage the development of responsible AI and digital infrastructure. The State can also leverage its role as procurer of AI products and in development finance institutions by embedding human rights requirements. Additionally, governments play a vital role in shaping technical standards through bodies like the ITU, helping translate human rights principles into technical language and ensuring they are embedded throughout the AI lifecycle.

Accountability and remedy for human rights harms resulting from the use of technologies including AI

Integrating human rights in remediation mechanisms, processes and strategies for human rights harms resulting from the use of technologies, including AI, is essential. The UN Guiding Principles outline three key mechanisms for remedying human rights harms from technologies, including AI: judicial mechanisms, State-based non-judicial mechanisms, and non-State-based grievance mechanisms. States have a duty to provide access to effective remedies, while businesses should provide for or cooperate in remediation when they have caused or contributed to harm. However, delivering effective remedies in the digital context is particularly challenging due to the complexity of digital ecosystems, the difficulty in identifying responsible actors, and the technical nature of AI systems. These factors make it harder for affected individuals to navigate and access appropriate redress.

Key considerations with regard to access to remedy related to AI-facilitated harm

Human rights risks posed by AI technologies extend beyond bias, discrimination and privacy violations, and may impact a wide range of rights, such as health risks, welfare concerns, and other human rights concerns. Key considerations are: (a) *transparency in AI decision-making processes and accountability,* as the current lack of transparency means that affected individuals may not be aware of the AI-facilitated harm that they suffered; (b) *explainability*, as the ability to document and explain decision-making processes in AI promotes accountability and safeguards the rights of those affected; (c) t*echnical expertise* is required to prove algorithmic bias and is often a hurdle in access to remedies for victims of AI-driven discrimination; (d) *privacy and data protection* of individuals affected by AI systems and the inclusion of measures to safeguard data misuse in remedy mechanisms; (e) *specific hurdles for stakeholder groups in* accessing remedy, including marginalized communities who may face AI-facilitated discrimination in social services, children affected by AI-related harms, as well as women and girls exposed to AI-facilitated gender-based violence.

Applying the Guiding Principles in practice: women's and girls' rights and corporate responsibility relating to AI technologies

The UN Guiding Principles are grounded in recognition of international human rights law, which include the Convention on the Elimination of All Forms of Discrimination Against Women and the Convention on the Rights of the Child. Women and girls face elevated human rights risks due to intersecting forms of discrimination and underrepresentation in STEM fields. These harms are often underreported and compounded by systemic inequalities and inadequate legal protections. With regard to AI, and while this technology can offer empowerment through improved access to education and employment, it also poses risks such as gender-based

violence, deepfake abuse, and discriminatory outcomes in hiring, lending, and surveillance. Tech companies should adopt gender-sensitive policies like workplace initiatives and training, conduct regular gender impact assessments, and engage with women's groups and civil society to mitigate these harms. Some companies and governments have begun taking steps – like content moderation tools and algorithmic audits – to address these issues, but more comprehensive action is needed, including stronger legal protections and improved grievance mechanisms to ensure accountability and redress for gender-related harms.

The role of investors in encouraging corporate respect for human rights in the technology sector

Investors can play a critical role in ensuring the corporate sector meets its responsibilities. In different ways, public equity and private capital investors have access to influence that allows them to encourage technology companies to move their business models in more rights-respecting directions. At present, awareness of these possibilities among investors remains low, in particular related to AI investments. While a growing number of investors demonstrate a willingness to more vocally advocate for the mitigation and prevention of human rights impacts, it is crucial that more investors incorporate these strategies into their decision-making. A human rights lens should be applied to pre-investment due diligence, incorporating human rights-based exclusion criteria, including for companies developing or deploying AI products and services.

Conclusions and recommendations

The UN Guiding Principles help States and companies navigate the benefits and risks of AI by offering a framework to prevent and address human rights harms across the AI value chain. While some progress has been made, more effort is needed to apply these principles effectively to technology companies, especially in the context of AI.

States should:

a) Safeguard individuals from human rights abuses linked to corporate activities, including those involving AI, by applying a smart mix of regulatory measures and policy incentives:

   i. As part of mandatory measures, implement regulatory frameworks that ensure that AI products and services incorporate respect for human rights by requiring companies to conduct human rights due diligence to identify, prevent and mitigate human rights risks associated with AI along the entire AI life cycle, including by ensuring that the data models underpinning AI systems are representative of everyone and by requiring enhanced human rights due diligence for high-risk use cases and contexts, such as conflict-affected areas;

   ii. Request companies developing and deploying AI models to verify the data input and the resulting outputs to ensure representation in terms of gender, race and cultural diversity and safeguard against negative impacts linked to discriminatory AI outputs and their consequences, which often have a disproportionate impact on women and girls and other vulnerable groups and exacerbate intersectional discrimination;

   iii. Require companies to mitigate the human rights impacts linked to AI and to allow for restrictions, including prohibitions on AI use, when sufficient guardrails are not in place;

iv. As part of incentive-based measures, include human rights considerations in the industrial policies that determine the digital infrastructure that underpins AI development and deployment;

v. Incorporate human rights considerations into national AI strategies and research and development strategies to encourage AI development and deployment that is anchored in human rights frameworks and provide additional incentives to conduct human rights due diligence throughout the AI product life cycle, including by encouraging greater racial, cultural and gender diversity within AI development teams;

b) Ensure that individuals have access to effective remedies and full reparation if AI products and services result in violations of their rights, including by requiring transparency about AI-assisted decision-making processes and meaningful human oversight over such decisions;

c) Promote coherence across different policy areas and actors that are tackling AI governance at the national, regional and international levels;

d) Implement safeguards with regard to human rights for the initiatives of development finance institutions that involve AI products and services;

e) Provide appropriate resources for capacity-building measures for national human rights institutions, judges and legal professionals to equip them with the knowledge and tools to effectively identify and handle cases involving AI-related human rights harms;

f) Provide digital literacy support to affected stakeholders, ensuring access to information about available remedies in inclusive, clear language and format;

g) Remove the cost and procedural barriers that have a disproportionate impact on low-income and marginalized groups in access to remediation mechanisms and invest in public-awareness and outreach strategies on possible AI-related harms and available remedies, co-developed with the communities most affected.

States that are developing and deploying AI products and services should:

a) Apply a human rights-based approach to the development, deployment, and use of AI, embedding human rights principles throughout the entire AI life cycle;

b) Develop and implement AI products and services in a transparent manner, allowing for public scrutiny and accountability, including the clear documentation of how AI systems are designed, trained and deployed and mechanisms for addressing grievances and rectifying harms;

c) Carry out human rights due diligence throughout the development, deployment and use of AI products and services, including risk assessments to identify potential human rights and gender-related impacts and measures to mitigate identified risks. Such measures need to be reviewed on an ongoing basis to be responsive to the contextual implementation of the products and services;

d) Conduct stakeholder engagement, including with affected communities and civil society, to involve them in the development and deployment of AI systems;

e) Conduct their own human rights due diligence on the use of AI products and services, rather than outsourcing that obligation, when procuring AI technologies from third parties.

Companies developing or deploying AI should:

a) Have a policy commitment in place that sets out their approach to safeguarding human rights from the adverse impacts resulting from their AI products and services and embed human rights considerations into the AI life cycle, including in relevant policies, risk assessments and decision-making processes;

b) Carry out human rights due diligence to identify, prevent, mitigate and account for adverse human rights impacts that their AI products and services may cause or contribute to, including by assessing human rights impacts on a regular basis, especially before new activities or major changes to an AI product or services, and audit the assessments with input from human rights experts;

c) Establish or participate in effective operational-level grievance mechanisms for AI products and services and provide effective remedies to affected individuals and communities, including in cooperation with State-based judicial mechanisms;

d) Carry out meaningful stakeholder engagement with affected groups and civil society organizations to identify and address human rights risks with regard to AI products and services;

e) Monitor the effectiveness of actions to mitigate gender-based impacts using qualitative and quantitative indicators and consult with affected groups regularly;

f) Communicate performance and risks related to human rights impacts, including through transparency reports and gender impact assessments;

g) Expand internal capacity on human rights, including within AI product development teams, and training on gender-sensitive and intersectional approaches to human rights risks.

Companies procuring AI products or services should:

a) Assess the contextual implementation against adverse impacts on human rights and mitigate harm by carrying out human rights due diligence.

Investors should be encouraged to:

a) Exercise their responsibility to respect human rights by channelling investment to companies developing and deploying AI that respect human rights;

b) Articulate expectations for technology company founders prior to investment, for instance by specifying company due diligence requirements in term sheets;

c) Identify business activities that may be connected to human rights risks and engage investor relations or other entities within companies developing or deploying AI to mitigate those potential harms;

d) Recommend that companies assess the human rights impact of their AI products and services;

e) Review investments in companies developing and deploying AI that fail to address human rights harms connected to their products and services, with a view to disinvestment.

Civil society should:

a) Continue to identify and highlight possible protection gaps and AI products and services that have an adverse impact on human rights;

b) Engage with States and business actors to address those gaps, including by using the Guiding Principes on Business and Human Rights effectively.

The United Nations should:

a) Continue to promote and disseminate the Guiding Principles on Business and Human Rights throughout the AI life cycle, including by engaging with companies developing and deploying AI, companies procuring AI, States, civil society actors, national human rights institutions and other key actors.

The UN Human Rights council is encouraged to continue its engagement by:

a) Supporting the development of guidance on:

   i. Human rights due diligence in AI product development;

   ii. Access to remedy in the technology sector for human rights harms related to digital technologies and in particular AI tools and services;

   iii. Specific human rights impacts arising from the AI life cycle on women and girls.

b) Continuing to address, document and identify the risks to human rights posed by the development and deployment of AI;

c) Considering the provision of further regulatory, operational, sectoral and use-case specific guidance to States, technology companies and other relevant stakeholders regarding the practical application of the Guiding Principles to their activities relating to AI.