

ARTIFICIAL INTELLIGENCE AND THE PROTECTION OF FUNDAMENTAL RIGHTS IN UZBEKISTAN'S PUBLIC ADMINISTRATION

Yusupova Dilfuza Zaripovna

Head of the "DILFUZA YUSUPOVA" Law Firm

Abstract

The digital transformation of public administration has become one of the important directions of modern state development. Artificial intelligence provides public authorities with new instruments for processing information, improving administrative procedures, predicting social and economic trends, and delivering public services. For Uzbekistan, the integration of artificial intelligence into public administration represents an opportunity to increase administrative efficiency and develop citizen-oriented government. However, the use of AI also raises important legal questions concerning the protection of fundamental human rights and the limits of governmental technological power.

Keywords: artificial intelligence, public administration, fundamental rights, constitutional law, privacy, automated decisions, accountability, digital government.

The central principle that should guide the introduction of artificial intelligence into public administration is respect for human dignity and constitutional rights. Technology itself cannot serve as an independent justification for restricting an individual's rights. Any AI-based administrative mechanism must operate within the limits established by the Constitution and legislation. In this context, the principle of legality requires public authorities to have a clear legal basis for the collection of information, automated processing, profiling, risk assessment, and adoption of decisions with the assistance of artificial intelligence.

The right to privacy is particularly relevant to the development of AI systems. Public institutions may possess large databases containing information about citizens, including information submitted when receiving public services.

The integration of such databases with AI technologies can increase administrative efficiency, but it can also create risks associated with excessive surveillance, unauthorized access, data leakage, and inappropriate use of personal information. Therefore, strong legal and organizational safeguards should accompany the implementation of AI systems. The purposes of data processing should be clearly defined, and access to personal information should be limited to authorized persons and legitimate administrative objectives.

Another important issue is the right to an effective remedy. A citizen should not be deprived of the opportunity to challenge an administrative decision simply because the decision was generated or supported by an algorithm. The use of artificial intelligence does not eliminate the legal responsibility of the relevant public authority. Where an AI-assisted decision negatively affects a person's rights or legitimate interests, the individual should have access to procedures through which the decision can be reviewed and, where necessary, corrected or annulled.

The explainability of AI-assisted decisions is closely connected with the right to an effective remedy. Citizens may face difficulties in defending their rights if they do not know why a particular decision was made. Therefore, public authorities should develop mechanisms allowing individuals to receive understandable information about the factors that materially influenced an administrative decision. At the same time, explanations should be provided in a form that is accessible to ordinary citizens rather than being limited to highly technical descriptions of algorithms.

The principle of equality presents another significant challenge. Artificial intelligence systems learn from data, and historical data may contain structural inequalities or inaccuracies. As a result, an algorithm can unintentionally produce discriminatory outcomes even when discriminatory criteria are not explicitly included in its design. For this reason, AI systems used by public authorities should undergo regular testing and monitoring. Risk assessment should be conducted before deployment and periodically throughout the system's operation.

Human oversight is an additional safeguard against unlawful or unjustified automated decisions. In matters involving significant consequences for individuals, AI should function as a supporting technological instrument rather than as an autonomous substitute for legal judgment. Public officials must remain responsible for verifying relevant information, considering individual circumstances, and ensuring that administrative decisions comply with constitutional and statutory requirements.

The development of AI-based public administration also requires institutional accountability. Public authorities should establish clear responsibilities concerning the design, procurement, implementation, monitoring, and auditing of AI systems. Technical developers, government agencies, and officials involved in the use of artificial intelligence should operate within clearly defined legal and ethical responsibilities. Independent oversight mechanisms can further contribute to identifying systemic risks and protecting citizens from unlawful use of automated technologies.

Thus, the introduction of artificial intelligence into public administration should be viewed not only as a technological modernization project but also as a constitutional and legal issue. The effectiveness of digital government should be assessed together with its impact on human rights. Uzbekistan's further development of AI-based public services can benefit from a rights-based approach in which human dignity, equality, privacy, transparency, accountability, and access to justice remain central principles. Such an approach can help ensure that artificial intelligence contributes to the modernization of public administration without weakening the constitutional guarantees available to every individual.

REFERENCES

1. **Constitution of the Republic of Uzbekistan.** Adopted by referendum on 30 April 2023. Tashkent, 2023.
2. **Law of the Republic of Uzbekistan “On Personal Data”.** No. ZRU-547, 2 July 2019.

3. **Law of the Republic of Uzbekistan “On Electronic Government”**. No. ZRU-395, 9 December 2015.
4. **Law of the Republic of Uzbekistan “On Electronic Digital Signature”**. No. ZRU-793, 12 October 2022.