

SYMBIOSIS LAW SCHOOL, PUNE
CARE | COURAGE | COMPETENCE | COLLABORATION

GUEST LECTURE ON AI AND HEALTH CARE

PROF. ANGELICA BONFANTI INSIGHTFUL OVERVIEW OF AI AND HEALTHCARE
SECTOR FROM CORPORATE AND HUMAN RIGHT PERSPECTIVE

In an insight lecture conducted on 15th January 2025, students had the esteem privilege of engaging with Prof. Angelica Bonfanti in understanding the legal framework of Artificial Intelligence (AI) in health care from the realm of Business Corporate and Human right Legislation. A collaboration of project imbrication of Symbiosis Law School (SLS) Pune affiliated with Symbiosis International University (SIU) and Milan University in analyzing efficacy of human right protection, framework on business regulations. Ma'am highlights her extensive career in international law, with a focus on business and human rights, sustainability, and international corporate accountability.



Ma'am has done her Ph.D. in International Law from the University of Milan, Since 2015 an Associate Professor of International Law, University of Milan. Co-Director of the Business and Human Rights Summer School (since 2018) and member of various prestigious committees, including the Human Rights Commission, Milan Bar Council (since 2022). Angelica Bonfanti exemplary research skills through projects of Arms, Peace, and Sustainability (2023–2025), Global Value Chains and Human Rights (2023–2025) and BHR4UKRAINE, supporting sustainable business models in Ukraine. Expansive teaching in Cultural Diversity and Human Rights Law and EU Law on Business and Human Rights and addressing topic of corporate sustainability, human rights, and climate justice. Extensive publication on corporate accountability, international trade, and human rights. Students are grateful to **Dr. Shashikala Gurpur, Director, Symbiosis Law School, Pune, Dean, Faculty of Law, SIU** in organizing such an eventful program.

AI In Health Care -: A Systematic overview from Human right and International law Applicability

Prof. Angelica Bonfanti commences the session with discussion on protection of Human Rights and safeguarding Human rights from abuse by companies, embracing the utilization of AI in the

sector of human right fortification. The role of corporation and state is crucial in understanding the efficacy of AI in protecting human health and developing extensive research of AI in health care and collecting data from the recipient's in various jurisdiction's. The applicability of focusing upon a state of art framework which provides for detailing of comparison of India and EU framework and simplifying the role of data collection and privacy regulations of both nation-states. The Development of International law and human right with necessity of business regulations in upholding the right of individual contained in the society.



The systematic formulation of a world-system inclined towards human right protection through examining right to life, privacy and the impact of non-discrimination policies in the working of AI. International and human legislation have not developed in the realm of Ai as during the period of 1948 their was no existence of AI but today situation is changing. The implementation of human right in AI requires characteristic and features which address human rights development of corporation and incrementing accessibility and governance framework. United Nation alleges

that AI strengthen protection of human rights, providing everybody with necessary tools facilitating in-depth diagnostic of the patients health care, accessibility of health with attention towards International conventions of International Covenant on Economic, Social and Cultural Rights. All individual exercise their right to health but there is no universal legislation in addressing the risk of AI management in corporation. The UN Special Rapportuer on right to health addresses global divide of North and South, safeguard rights of women and social groups

Right to Health and Fortification of Human Rights -: Through Effective AI implementation

Their exist differences across the globe ranging from economic disparities amongst different generations which ranges from cultural and minority difference and transparency required in AI for performing adequate diagnostic on all patient without discriminating on religion, race, color

and sex. Prof. Angelica Bonfanti states that health is transverse and provides for fortification of women and children through examining of Art 25 United Nation Development of Human Rights, 1948, Economic social cultural right and Convention on Elimination of Discrimination against Women and Children (CEDAW). Dr Angelica ma'am states that Right to health and treaties are binding and ratified across region of US, Europe, China and Latin America and to some extent in African regions. It necessary to respect the provision of right to life and address the issue of torture prevalent against human being in the society, it's the duty of not only international law but also domestic legislation to adhere with rules of mitigating torture present in the society. The right to health has various limitation but its necessary to adopt policies accessible to all.



All countries have resources inclined towards right to health and applicability of economic resources. States are obliged to provide people with adequate access to health. Is an objective in the long term through the deployment of the resources

in the long term.

The principle of non-discrimination takes into consideration the improvement of legislation on grounds, religion, race and poverty. The effective applicability of AI and health care in collecting the data of the patient and only collect data which is agreed upon individual contained in the nations or through agreement of data collection among two or more nation states. For example, EU and India data protection is linked with right to privacy, sensitive data of individuals is stored in the server of nation state depository. India has formulated Digital Personal Data Protection Act, 2023 which is built on similar objectivity of EU General Data Protection Regulations (GDPR)

Corporation Effect over examining AI and Health Care -: Business Perspective

Devoted to understanding AI and the impact centered across the corporations and the understanding of legislation in fortifying right of workers along with utilizing AI in corporate sector. The necessity of effective compliance provides for the imbricating of state and corporation

role in achieving benefits of human rights for the individual centric in the society. Tools provided from corporate in AI and health care should be impartial and provide result on basis of the data stored in the AI. No development of tool which facilitates discrimination against the majority population over the data collected from the minority community. For example Italy which is cultural minority only of Blonde individuals. There should be a policy of non-bias and effective training of AI system.



The Council of Europe and European Union state the effective devoting of AI and human right and laying specific attention on AI and artificial intelligence for Human Rights. Corporate develop tools for AI but its essential that these tool abide with principle of human rights, for which

its necessitates formulation of effective legal framework within country jurisdiction and examining the role of international convention. The main tool of Ai in health care, the corporation develop tools in assessing the potential impact over human rights and predict the risk for oppressive action against human rights in work place through the concept of modern slavery. Corporation plays a relevant role in globe market, the valuation of corporation in health care sector and AI rose from \$6 billion in 2021, projected to rise to USD \$40 billion by 2027,

Understanding Business Accountability through the principle of Human Right and Due diligence

Accountability for AI is not only centric towards one framework but rather the impact of transnational impact of corporation with AI in the society. Their exist specific regulations for AI and Business accountability through the applicability of United Nation Guidelines Principles and accountability of modern slavery in jurisdiction across the world. The principle of UNDP states the duty of corporation to protect human rights from possible violation and to establish a necessary legislation in Corporate responsibility and accountability towards human rights fortification. According to Human right law all states are duty holders and the corporate is socially responsible for the activities over the society. The situation in African mention that their should be protection

of human rights and production of goods and services with equitable rights. The absence of forced labor through the convention of EU Forced labor convention 2024 , UK Modern Slavery Act 2015 and California Transparency in Supply Chain Act, 2010. Environment is protected from the actions of the corporation through the ambit of social responsibility of corporation and principle of Environmental Social Governance(ESG) reporting. Companies understand that indigenous communities or individual are unable to understand the concept of human right in jurisdiction other than the place of origin, so companies apply their exploitative action in Least Developed Countries(LDC) and Developing nations. The identification of the risk and finding an appropriate measure of fortifying rights of victims by providing adequate compensation. For the implementation of Human rights by corporation, Prof. Angelica Bonfanti states the analysis of CSR, Human Right Due Diligence and Corporate Sustainability Due Diligence Directive (CSDDD) can be applied in the field of AI and health care for providing a widespread. The effective of EU is immense, even though EU is a regional trading zone still the effective over other nation states in formulating an effective legislation in mitigating human right is provided.



EU and AI Regulations -: Effect over Human Right Due diligence

The adoption of AI regulations will monitor the rights of human beings and the applicability of HDDR in the corporate are in compliance with human rights. Corporation need to understand the efficacy of Human Rights and develop a risk-based classification system of taxonomy. The focus

on data regulation, taxonym provide for focus over human right impact assessment. EU legislation of GDPR and the European data collected from Europe in stored in the jurisdiction of the recipient countries and conclude with a directive of CSDD. EU is considering simplifying its AI and data privacy legislation to allow storing of India's data on their server and vice versa/ But the data collected from US will be stored in the companies in EU jurisdiction and will have to frame policy for companies to safeguard individual data collected for companies purpose as general assessment. Raj Varma sir states that its necessary for India to further adopt provisions of GDPR with enhance the implementation of India's DPDT act. India plans on replacing the IT Act 2000 for data storing, collection either through an amendment of DPDT act or formulating a novel legislations.



Questions And Answers -: Ai And Health Care, Business And Human Right Perspective.

Q1 What is the efficacy of AI and Health care and who will be liable in corporate for breach of data

Prof. Angelica Bonfanti states that it's the obligation of business owners and state to protect the rights of human being within their jurisdiction and adhere with rule of the convention, though not binding have an effect over the society. State is the duty holder and legislation for data privacy, protectionisms should be centric towards applicability of domestic laws and address the mistreating of corporate conduct.

Q2 Explain the efficacy of AI and Health Care in the constitution of South Africa over the right of human beings

Prof. Angelica Bonfanti provides an analysis that Corporations are not obliged to human rights but rather its individual who are directly involved in violating of law provisions. Corporation and AI exist in all sectors but its necessary for nation-states to mitigate exploitation with adopting polices in advanced nation states or provide protectionisms policies to LDN

Q3 Is there any status of implementation of the Human rights, Europe and Asia disparities ?

Ma'am states that EU implementation of UNDP is effective and there is a need for other countries to adopt legislation which provide for fortification of human rights. The applicability of ESG provides for effective reporting and hold the corporation liable for the effective over governance, accountability with specific issue addressing human rights and environment fortification. Necessitates corporation to develop transparency in the supply chain and adopt EU forced Labor Act 2024.

Q4 What is the efficacy of CBAM measures and the necessity to deviate from NFDR to CSDDD Human right violation often requires the implementation of strong legislations which support reporting and transparency. The Deviation from Non-Financial Disclosure Regulation to Corporate Sustainability Due Diligence Directive in enhancing the value of certain rights and adopt EU Green deal and Taxonomy. Carbon Border Adjustment Measure(CBAM) policy provide for mitigating the impact of green washing and facilitate nation-states goal of Net Zero Emission 2050.

Q5 The effect of Greenwashing Legislation of EU and certain companies in EU jurisdiction adopting negative policies in other states

Prof. Angelica Bonfanti provides that Greenwashing laws and the Brussel effect of EU legislation is effective but there needs the proviso clause of LDN to facilitate their own legislation. EU prevents violative trade inside EU. But of course, there is a need of safeguarding rights of other member state from exploitative activities of companies in EU

Q6 The impact of extraterritorial jurisdiction and impact of tax barriers in regulating trade ?

The adopting of EU due diligence and the HRDD provides for applicability of rights and addressing the issues of business compliance, formulating a system of relief centric towards victims and incrementing the faith of nation-states in doing business with EU and the storing of data through EU GDPR regulations and domestic regulations of state concerned.

Vote of Thanks -: Concluding Remark

Prof. Angelica Bonfanti left the students and faculty members with a profound understanding of the subject matter of AI and Health care in corporate accountability and human right sector. Ma'am insightful lecture provides an overall aspect of EU applicability of AI, the provision of GDPR regulation and the efficacy of ESG and CSR in corporate accountability.