

Forum: Economic and Social Council

Issue: Regulating algorithmic bias in automated global employment markets

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TOPIC INTRODUCTION

Over the past few years, AI and automated hiring systems have seen rising demand in both public and private sector economies. This has affected and continues to affect employment markets, all around the world. This year, 88% of companies report the use of artificial intelligence in at least one business function, compared to 78% last year.

Additionally, companies have become increasingly reliant on algorithms to rank candidates and make major recruitment decisions. Many multinational corporations use these algorithms the most, as it saves a lot of time by increasing the efficiency of the hiring process. The algorithm can sift through the thousands of applicants that they receive, way faster than any human ever could. Whilst this also reduces hiring costs, it also raises concern about algorithmic bias and unintentional discrimination against certain candidates.

Certain candidates are discriminated against based on race, gender and nationality or even political affiliations. Moreover, Modular AI Algorithms are being utilized to uphold institutional practices such as to maintain any form of sociopolitical hegemony these institutions hold. AI models are upholding discrimination and as employment opportunities become increasingly reliant on them, systems must be set in place to ensure a fair and transparent process for all. If not, the issue of algorithmic bias and unintentional discrimination will never be combatted.

Therefore, regulating algorithmic bias has become an important global issue that requires international cooperation and effective oversight. Continued institutional biases that are now being adopted by AI modular systems, which are either deliberate or unintentional still provide a risk towards fair employment practices and opportunities towards all citizens of the globe.

DEFINITION OF KEY-TERMS

Algorithm

“A set of rules or instructions used by a computer system to process information and make decisions.”¹ In relation to automated employment, algorithms can be used to assess CVs, rank candidates and make recruitment decisions, making their design important when regulating bias.

Algorithmic Audit

An independent assessment of an AI system to identify bias, errors, or compliance with regulations.² In global employment markets, algorithmic audits can help identify whether recruitment or workplace AI systems produce discriminatory outcomes.

Algorithmic Bias

“Systematic and unfair discrimination produced by an algorithm.”³ This is particularly relevant to employment because biased algorithms may unfairly affect people's access to jobs, promotions, or other employment opportunities.

Automated Decision Making (ADM)

The process of making decisions through technological systems with limited or no human involvement.⁴ In employment markets, ADM can be used to screen applicants, select candidates, allocate work, or evaluate employees.

¹ Organisation for Economic Co-operation and Development. *OECD Framework for the Classification of AI Systems*. OECD Publishing, 2022, https://www.oecd.org/en/publications/oecd-framework-for-the-classification-of-ai-systems_cb6d9eca-en.html.

² Organisation for Economic Co-operation and Development. *Governing with Artificial Intelligence*. OECD Publishing, 2024, https://www.oecd.org/en/publications/governing-with-artificial-intelligence_795de142-en.html.

³ Baker, Ryan S., et al. “Algorithmic Bias: The State of the Situation and Policy Recommendations.” *OECD Digital Education Outlook 2023*, OECD Publishing, 2023, https://www.oecd.org/en/publications/oecd-digital-education-outlook-2023_c74f03de-en.html.

⁴ Organisation for Economic Co-operation and Development. *How Widespread Is Algorithmic Management in Workplaces?* OECD Publishing, 2025, <https://www.oecd.org>.

Data Set

A collection of information used to train an AI model.⁵ In employment, biased or unrepresentative data sets can cause AI systems to reproduce existing inequalities when making decisions about workers.

Global Employment Market

An employment environment where employers and workers interact across national borders, often through digital platforms and remote work opportunities.⁶ This makes regulating algorithmic bias more complex because AI employment systems may operate across countries with different laws and standards.

Machine Learning

A branch of AI in which systems learn patterns from data and improve their performance without being explicitly programmed for every task.⁷ In employment, machine learning can be used to identify suitable candidates but may also learn and reproduce biases contained in its training data.

⁵ Organisation for Economic Co-operation and Development. *OECD Framework for the Classification of AI Systems*. OECD Publishing, 2022, https://www.oecd.org/en/publications/oecd-framework-for-the-classification-of-ai-systems_cb6d9eca-en.html.

⁶ International Labour Organization. *World Employment and Social Outlook 2024*. International Labour Organization, 2024, <https://www.ilo.org/global/research/global-reports/weso>.

⁷ Organisation for Economic Co-operation and Development. "What Is AI? Can You Make a Clear Distinction Between AI and Non AI Systems?" *OECD.AI*, 2022, <https://oecd.ai>.

BACKGROUND INFORMATION

Digitalization of Global Employment

The current Global Employment market is completely different than it was 10 years ago. Digital technology has transformed the way people search for jobs and how employers hire their workers. Professional networking platforms and remote work opportunities have opened a whole new door of possibilities. These resources have made it possible for companies to recruit talent from anywhere in the world. The growth of digital labor platforms has also accelerated the globalization of the labour market. Freelance marketplaces and remote work websites connect employers with workers across borders which creates new opportunities but also increases competition for labour. In order for companies to keep up with innovation, many have begun adopting and relying on digital hiring solutions. Additionally, larger corporations have implemented AI into the hiring process in order to manage the growing number of applications they receive. AI agents can quickly process many applications, helping companies sort them more efficiently. Today, AI is involved in many stages of the hiring process. It can screen CVs, rank candidates, analyze video interviews, and match applicants to suitable roles. Certain companies also use AI to decide who advances to the next stage of recruitment.

Beginning of Algorithmic Bias

Many people view AI as objective but the reality is that AI is only as reliable as the data used to train it. Most hiring algorithms learn from past recruitment data. This means that they identify patterns based on past hiring decisions. If those decisions had any bias or discrimination, the algorithm will repeat those patterns. Therefore, historical discrimination will become embedded within the automated systems. Similarly, if an algorithm is trained on data showing that candidates with certain qualifications were more successful in the past, it will learn to favor applicants with those qualifications. The same principle can apply to demographic groups. If the training data contains patterns that favored certain races, the AI system may unintentionally learn to prefer those groups.

Algorithms can also discriminate indirectly by relying on factors that are linked to certain demographics. Information such as educational background or language patterns may appear neutral but can still have an impact on certain groups. This proves that biased outcomes may occur even when gender or ethnicity is excluded from the process.

How AI Is Used in Recruitment

AI is becoming increasingly useful in recruitment because employers often have to deal with large numbers of applications. AI systems can be used to scan CVs, identify qualifications and skills, rank applicants and help employers decide which candidates should move forward in the recruitment process. These systems can make hiring faster, but they do not automatically make it more objective or fair. If the system is based on poor-quality or biased data, it can simply reproduce those problems while making decisions much faster and on a larger scale. The ILO has identified recruitment as one of the main areas where AI is being introduced into human-resource management.

Sources of Algorithmic Bias

There are several different reasons why an AI system can become biased. One of the most important is the data used to train the system, especially if that data reflects existing discrimination or does not properly represent certain groups. Bias can also come from the objective given to the AI or from the way the system has been programmed. For example, an employer might ask an AI system to find candidates who resemble its previous successful employees, which could unintentionally favour groups that have historically been overrepresented in the company.

Groups Most Vulnerable to Algorithmic Discrimination

Algorithmic discrimination can affect different groups in different ways, especially people who have already faced disadvantages in employment. Women, racial and ethnic minorities, people with disabilities and younger workers can be particularly affected depending on how an AI system has been designed and what data it uses. If the information used to train an algorithm does not fairly represent these groups, the system may make decisions that put them at a disadvantage. This makes it important for regulations to consider how AI affects different groups rather than treating all workers as if they face the same risks.

Algorithmic Bias in the Global Labour Market

As AI becomes more widely used in employment, algorithmic bias is no longer only a problem within individual companies or countries. The same types of automated systems can be used across different countries, affecting workers who are protected by very different laws and regulations. This makes the issue harder to regulate because there is no single set of rules that applies to every global employment market. The ILO has studied AI and algorithmic management in regions including Europe, North America, Asia, Africa and South America, showing how widespread these technologies have become.

The Digital Divide and Developing Economies

The digital divide is the gap between people and countries that have good access to technology and those that do not. In developing economies, limited internet access, digital infrastructure and technical skills can make it harder for workers to benefit from new technologies such as AI. At the same time, these workers may still be affected by changes caused by AI and automation in the global labour market. This creates another issue for regulating AI, since countries do not all have the same level of access to the technology or resources needed to manage its effects.

Economic and Social Impacts

Biased hiring systems can reduce equal access to employment opportunities by unfairly excluding qualified applicants. When these decisions are made at a large scale, entire groups of people may face barriers to entering the workforce. This can make it more difficult for individuals to achieve financial stability and career advancement. This goes directly against SDGs 5 and 10. Additionally, a labor market that fails to make full use of available talent will be less productive and less innovative. At the same time, individuals who are denied opportunities may also experience lower incomes and reduced job security.

MAJOR COUNTRIES AND ORGANIZATIONS INVOLVED

United States of America

The US is home to many of the world's largest AI developers and recruitment technology companies. This makes it a major stakeholder in the use of AI for hiring. In response to concerns about algorithmic bias, several states and cities have introduced regulations on automated hiring systems. In 2023, New York City became one of the first jurisdictions in the world to require bias audits for AI tools used in employment decisions. Under Local Law 144, employers using certain automated employment decision tools must have them independently audited for bias and provide information about the audit to workers or job candidates. This makes the US an important example of how individual states and cities can take action to regulate AI, even without one single federal law covering all automated employment systems.

European Union

The EU has taken a leading role in regulating artificial intelligence through the EU AI Act, which is the world's first comprehensive AI law. Under the Act, AI systems used in recruitment, hiring, promotion, and termination decisions are classified as high risk. This means employers must meet strict requirements, including risk assessments, transparency measures and human

oversight of important employment decisions. The Act also includes requirements relating to the quality of data, record keeping, accuracy and cybersecurity, which are important for preventing biased outcomes. The EU's approach is particularly significant because it attempts to create common rules across its member states, meaning that companies operating across Europe have to follow the same overall legal framework when using high-risk AI systems in employment.

China

China is one of the world's largest developers and users of artificial intelligence technologies. With a workforce of hundreds of millions of people, the use of AI in recruitment has the potential to affect a significant portion of the population. AI adoption continues to grow across Chinese industries, so the country's policies and practices are likely to have a major influence on the future of automated hiring. China has introduced several regulations covering algorithms and AI rather than relying on one single comprehensive AI law. These include rules covering recommendation algorithms and generative AI, as well as wider policies concerning data and digital platforms. China has also begun paying greater attention to algorithmic management in the workplace, including how algorithms can be used for recruitment, work allocation, payment and worker assessment.

India

India is one of the world's largest sources of remote workers and freelance professionals. As global companies increasingly recruit talent through online platforms, many Indian workers are evaluated using AI-powered hiring systems. This makes India particularly relevant to discussions about ensuring that international recruitment algorithms do not unfairly disadvantage workers from developing countries. India is also becoming an important centre for AI development and has a large technology workforce, meaning that it is both a user and developer of AI technologies. The country's growing role in the global digital economy makes it important to consider whether AI systems designed in other countries are suitable for India's workforce and whether workers have enough protection when automated systems are used to assess them. This is especially relevant to the wider issue of the digital divide, as workers in developing economies may not have the same access to technology, digital skills or legal protections as workers in wealthier countries.

International Labour Organisation

The International Labour Organization (ILO) focuses on protecting workers' rights and promoting fair working conditions worldwide. In recent years, the ILO has conducted research and policy discussions on the impact of artificial intelligence on employment and workplace equality. The organization has emphasized the importance of ensuring that AI supports decent

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work and does not contribute to discrimination or unequal treatment in recruitment. The ILO has also examined the use of algorithmic management, where algorithms are used to organise, monitor and evaluate workers, and has highlighted concerns about transparency, accountability and worker rights. Its international position makes it particularly important to this topic because it can examine the effects of AI across different countries rather than focusing on one national labour market. The ILO can therefore help governments understand the risks of algorithmic bias and develop international approaches that protect workers while allowing useful AI technologies to continue developing.

Organisation for Economic Co-operation and Development

The Organisation for Economic Co-operation and Development (OECD) has done numerous research investigations into apparent algorithmic biases in employment, education and other sectors, which can undermine marginalized groups. They have focused on taking steps to first recognize the root of the problems and provide possible solutions, with the policy scope ranging from mandating required audit checks for bias to having organizations and corporations with employment systems present transparency reports explaining the detailed logic and algorithmic instructions of the AI module. The OECD has also examined how governments can make AI in the workplace more trustworthy by improving transparency, accountability and human oversight. Its research is useful for this topic because it allows different countries to compare their approaches to AI regulation and consider policies that could be applied across international labour markets.

TIMELINE OF EVENTS

DATE	DESCRIPTION OF EVENT
10 December 1948	The Universal Declaration of Human Rights established the fundamental right to work and equal access to employment without discrimination, creating one of the earliest international foundations for fair treatment in the workplace.

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19 December 1966	The International Covenant on Economic, Social and Cultural Rights (ICESCR) recognized the right to work and called upon states to ensure fair and equal access to employment opportunities, regardless of background or status.
9 October 2018	The Amazon AI Hiring Scandal occurred when Amazon abandoned an experimental hiring algorithm after discovering that it systematically disadvantaged female applicants.
22 May 2019	The OECD AI Principles were introduced as the first internationally recognized principles for trustworthy AI.
23 November 2021	The UNESCO Recommendation on the Ethics of Artificial Intelligence became the first global framework on AI ethics, encouraging member states to address issues such as discrimination, transparency, and accountability in AI systems.
21 March 2024	UN GA A/RES/78/265 is the first UN resolution dedicated to artificial intelligence, calling for AI systems that are trustworthy, and aligned with sustainable development and human rights.
1 July 2024	UN GA A/RES/78/311 encouraged international cooperation in AI capacity building to ensure developing countries can benefit from and participate in the global AI economy.
1 August 2024	The EU AI Act entered into force as the world's first comprehensive AI law, classifying employment related AI systems as high risk and subjecting them to strict regulatory requirements.

RELEVANT UN RESOLUTIONS, TREATIES AND EVENTS

[Universal Declaration of Human Rights \(1948\)](#)

The Universal Declaration of Human Rights (UDHR) was adopted by the United Nations in 1948 and sets out basic rights and freedoms that should apply to everyone. Although it was written long before AI existed, it is still relevant to this topic because it supports principles such as equality, non-discrimination and the right to work. These principles can be applied to AI recruitment systems to make sure that automated decisions do not unfairly prevent certain people from getting employment.

[OECD AI Principles \(2019\)](#)

The OECD AI Principles were introduced in 2019 to provide countries with guidance on how artificial intelligence should be developed and used responsibly. They focus on areas such as fairness, transparency, human rights and accountability. This is important for employment because AI systems should not be allowed to make discriminatory decisions without proper checks, and companies should still be responsible for the outcomes produced by their AI systems.

[UNESCO Recommendation on the Ethics of Artificial Intelligence \(2021\)](#)

The UNESCO Recommendation on the Ethics of Artificial Intelligence was adopted by UNESCO Member States in 2021 and is the first global standard-setting instrument on AI ethics. It is based on principles including human rights, human dignity, fairness, transparency, accountability and human oversight. The Recommendation is particularly connected to this topic because it directly recognises that AI can reproduce and reinforce existing biases, potentially leading to discrimination and greater inequality. It also highlights employment and labour, the digital divide and access to technology as areas that can be affected by AI. This makes it especially relevant to global employment markets, as it encourages countries to ensure that AI benefits are shared fairly and that people are protected from harmful or discriminatory uses of AI.

[United Nations General Assembly Resolution A/RES/78/265 \(2024\)](#)

United Nations General Assembly Resolution A/RES/78/265 was adopted in March 2024 and focuses on making sure that AI is safe, secure and trustworthy. It also highlights the importance of international cooperation and making sure that developing countries are not left behind as AI continues to grow. This is relevant to global employment because countries need

to have similar opportunities to benefit from AI while also having the ability to protect their workers from its potential risks.

[United Nations General Assembly Resolution A/RES/78/311 \(2024\)](#)

Resolution A/RES/78/311 focuses on improving international cooperation and helping countries develop their ability to use AI. This is particularly important for developing countries, which may not have the same digital infrastructure, skills or resources as more developed economies. In relation to employment, improving these areas could help developing countries participate more equally in the global labour market and have a greater role in regulating AI.

[European Union AI Act \(2024\)](#)

The European Union AI Act was adopted in 2024 and is one of the most significant pieces of legislation dealing with artificial intelligence. It uses a risk-based approach, meaning that different AI systems are subject to different levels of regulation depending on the potential harm they could cause. AI systems used for recruitment, selection, promotion, termination and other employment-related decisions are classified as high-risk in certain circumstances because they can have a major effect on people's careers and livelihoods. Organisations using these systems must meet requirements relating to areas such as risk management, data quality, transparency, documentation, human oversight and accuracy. The Act is particularly relevant to algorithmic bias because it attempts to prevent discriminatory outcomes while still allowing businesses to use AI. Its influence may also extend beyond the EU because international companies operating in the European market may need to consider its requirements when developing and using AI systems.

PREVIOUS ATTEMPTS TO SOLVE THE ISSUE

International Labour Organization Research and Policy Discussions

The International Labour Organization (ILO) has spent several years studying the impact of artificial intelligence on workers and employment. Through research projects and discussions with governments and employers, the ILO has raised awareness about the risks of algorithmic bias and the need to protect workers' rights in an increasingly automated labor market. However, the ILO cannot create binding regulations for member states, meaning its recommendations are largely voluntary and depend on governments choosing to implement them.

European Union AI Act

The European Union introduced the AI Act to regulate high risk AI systems, including those used in recruitment and hiring. The legislation requires employers to meet standards related to transparency and human oversight before implementing certain AI systems. Even though the Act is one of the most comprehensive attempts to address algorithmic bias, it only applies directly within the European Union and does not regulate employers or technology companies operating outside its jurisdiction.

National AI Governance Frameworks

Countries such as the United States and the United Kingdom have developed national AI strategies and guidelines aimed at encouraging responsible AI development. These frameworks promote fairness and transparency in automated decision making. However, many of these measures are advisory and not legally binding, which limits their effectiveness and leads to inconsistent implementation between different countries.

New York City's Bias Audit Requirement

New York City introduced regulations requiring employers to conduct bias audits on automated hiring tools before using them in recruitment. The policy was intended to identify discriminatory outcomes before they affected job applicants and it represented one of the first direct attempts to regulate AI in hiring. However, the law only applies within New York City so its overall impact is limited and some experts have argued that bias audits alone may not fully eliminate discrimination within AI systems.

G7 and G20 AI Governance Initiatives

International forums such as the G7 and G20 have launched discussions and initiatives focused on responsible AI governance and risk management. These efforts have encouraged countries to cooperate on shared principles and best practices for AI development, including reducing harmful bias. However, because these initiatives are based largely on voluntary cooperation, there is no guarantee that participating countries will adopt the same standards or enforce them in the same way.

POSSIBLE SOLUTIONS

Establishing an international framework for the ethical use of AI in recruitment and employment

One possible solution is the creation of an international framework that outlines basic standards for the use of AI in recruitment and employment. Such a framework could provide

guidance on fairness, accountability, transparency, and the protection of workers' rights. This would help create a more consistent approach across countries and reduce the risk of companies exploiting gaps in national regulations. The framework could also encourage countries to share information about successful regulations and ways of identifying algorithmic bias. While countries may still have their own national laws, having a common international standard would make it easier for companies operating across borders to follow basic rules.

Encouraging regular audits of employment related AI systems

Member states could be encouraged to regularly audit AI systems used in recruitment to identify potential discriminatory outcomes. These audits would allow governments and employers to detect problems before they affect large numbers of applicants. Regular reviews would also encourage companies to improve their systems and maintain higher standards of fairness. AI can process information quickly but it may not always understand individual circumstances or detect errors in its own decisions. Requiring human oversight would ensure that important employment decisions are reviewed by people rather than being left entirely to automated systems. This would provide an additional precaution against unfair or inaccurate outcomes.

Promoting the adoption of transparency standards requiring employers to disclose the use of AI in hiring processes

Employers could be required to inform applicants when AI is being used during the recruitment process. This would give candidates a clearer understanding of how decisions are being made and increase trust in the hiring process. Greater transparency would also make it easier to identify and challenge potentially unfair outcomes. Applicants could also be informed about what information the AI system is considering and whether a human will be involved in the final decision. This would be especially important for international companies, where applicants may not know what rules apply to the use of AI in recruitment. Clear transparency standards could help ensure that applicants are treated consistently and understand their rights when applying for jobs.

Establishing accessible mechanisms for individuals to challenge potentially discriminatory automated decisions

Job applicants should have a way to question decisions that they believe may have been influenced by biased algorithms. Governments could encourage the creation of complaint and appeal systems that allow individuals to seek explanations and request reviews of automated decisions. This would help protect applicants' rights and increase accountability. These systems

should be simple and accessible so that applicants can challenge decisions without needing extensive technical or legal knowledge.

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