

# The Role of Company-Based Grievance Mechanisms for Remediating Algorithmic Human Rights Harm

Keywords: human rights, access to remedy, grievance mechanisms, human rights due diligence, corporate accountability, AI

## Background - Problem formulation

- Rightsholders experiencing algorithmic human rights harm rarely have access to effective substantive and procedural remedies
- Non-judicial grievance mechanisms are significantly under-researched
- New tech regulation fails to take into consideration the corporate role in providing access/pathways to effective remedies
- Research suggests that the technology sector is behind the curve when it comes to grievance mechanisms

## Objective

- Highlight challenges in the current remedy ecosystem for affected rightsholders of algorithmic human rights harm to seek redress
- Assess the opportunities and limitations of company-based grievance mechanisms for effectively remediating algorithmic human rights harm
- Propose a framework for assessing appropriateness of using company-based grievance mechanisms for algorithmic human rights harm as a pathway to effective remedy

‘Put simply, there is no reason why companies with the resources and ingenuity of internet and telecom sector leaders should not have grievance mechanisms that meet or exceed the effectiveness criteria in the Guiding Principles’

- David Sullivan, APC issue paper



## Methodology

- Explorative approach
- Empirical legal research
- Sources of international human rights law as core guidance.

## Outline

1. Introduction
2. Understanding algorithmic human rights harm and lack of effective remedies
3. Allocation of corporate responsibility for algorithmic human rights harm
4. The role of company-based grievance mechanisms as pathway to effective remedies
5. Corporate challenges in deploying grievance mechanisms
6. A *Lex ferenda* approach to emerging BHR and tech regulation

## Contribution to the Field

- Generate more research on non-judicial grievance mechanisms
- Add to ‘bouquet of remedies’ available to rightsholders
- Create policy coherence around corporate accountability in the tech space
- Contribute to future prevention of business related human rights harms



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