NAVIGATING THE DIGITAL SACRED: EXAMINING THE IMPLICATIONS OF ARTIFICIAL INTELLIGENCE FOR THE EXERCISE OF THE RIGHT TO FREEDOM OF RELIGION IN INTERNATIONAL LAW

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Abstract: The rapid proliferation and increasing sophistication of Artificial Intelligence (AI) technologies present novel challenges and opportunities across various societal domains, including the realm of human rights. This paper examines the multifaceted implications of AI for the exercise of the right to freedom of religion, as enshrined and protected under international human rights law. While AI offers potential benefits, such as facilitating access to religious texts and fostering interfaith dialogue, it also raises critical concerns regarding algorithmic bias, surveillance, thought manipulation, and the potential for AI-driven systems to either infringe upon individual and collective religious practices or to reshape the very nature of belief and spiritual expression. Through a critical analysis of existing international legal instruments and emerging AI ethical frameworks, this research identifies key areas of tension and proposes conceptual pathways for ensuring that technological advancement does not undermine, but rather upholds, the fundamental right to freedom of religion in the digital age. This paper argues for a proactive legal and ethical discourse to develop robust safeguards and interpretive guidelines for navigating the complex interplay between AI innovation and the protection of religious liberty.
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1. INTRODUCTION
1.1. The Rise of Artificial Intelligence and Its Societal Impact

The twenty-first century has witnessed an unprecedented acceleration in the development and deployment of Artificial Intelligence (AI) technologies, fundamentally reshaping various facets of human society. From sophisticated algorithms influencing daily consumption patterns to advanced machine learning models driving critical decisions in healthcare, finance, and national security, AI's pervasive integration is undeniable (Bostrom, 2014). This technological revolution is characterised by AI's capacity to process vast datasets, identify complex patterns, and execute tasks with a speed and scale far beyond human capabilities. Consequently, AI is not merely a tool but a transformative force, influencing social interactions, economic structures, political landscapes, and even individual cognitive processes (Harari, 2018).

While the potential benefits of AI are widely lauded - including advancements in scientific discovery, enhanced efficiency, and improved quality of life - its rapid evolution also

introduces profound ethical, legal, and societal challenges. Concerns range from job displacement and economic inequality to issues of privacy, data security, and the potential for autonomous systems to operate without adequate human oversight (Crawford, 2021). As AI systems become more autonomous and integrated into the fabric of daily life, their impact extends beyond mere convenience, raising fundamental questions about human agency, responsibility, and the very definition of what it means to be human in an increasingly automated world. This burgeoning influence necessitates a critical examination of how AI interacts with established human rights norms and principles, ensuring that technological progress remains aligned with the protection of fundamental freedoms.

1.2.   Framing the Right to Freedom of Religion in International Law

Among the panoply of human rights, the right to freedom of thought, conscience, and religion (often abbreviated as freedom of religion or belief, FoRB) holds a distinct and foundational position. Recognized as a non-derogable right in numerous international instruments, including Article 18 of the Universal Declaration of Human Rights (UDHR) and Article 18 of the International Covenant on Civil and Political Rights (ICCPR), FoRB encompasses both the *forum internum* (the internal freedom to hold or not to hold beliefs) and the *forum externum* (the external freedom to manifest one's religion or belief in worship, observance, practice, and teaching) (United Nations, 1966). This dual nature underscores its comprehensive protection, safeguarding not only individual conviction but also its communal and public expression.

The right to freedom of religion is crucial for fostering pluralism, protecting minority groups, and ensuring the dignity of individuals to shape their worldview without coercion. It serves as a bulwark against state interference in matters of conscience and provides a framework for individuals and communities to live in accordance with their deeply held convictions. Historically, challenges to this right have often stemmed from state persecution, discrimination, or societal intolerance. However, the advent of sophisticated digital technologies, particularly AI, introduces a new frontier of potential infringements and complexities that were not envisioned during the drafting of these foundational human rights treaties. Understanding the nuances of FoRB's protection in international law is, therefore, paramount to assessing how it can be maintained and upheld in the face of evolving technological paradigms.

2. UNDERSTANDING THE RIGHT TO FREEDOM OF RELIGION IN INTERNATIONAL LAW

2.1.   Historical Development and Philosophical Foundations

The right to freedom of thought, conscience, and religion (FoRB) is not a modern invention but has deep historical and philosophical roots, evolving from centuries of struggle against religious persecution and intolerance. Early philosophical concepts, particularly from the Enlightenment era, emphasised individual autonomy and the separation of church and state as foundational to a just society (Locke, 1689/2003; Voltaire, 1763/1961). Thinkers like John Locke argued that belief was a matter of individual conscience, beyond the legitimate purview

of state control, laying the groundwork for the idea that governments should not interfere with religious convictions or practices unless they directly harm public order or the rights of others.

Following the devastating religious conflicts of the 17th century and the subsequent development of modern nation-states, the recognition of religious freedom became an increasingly important aspect of international relations and domestic legal systems. The atrocities of the two World Wars in the 20th century further underscored the imperative for universal human rights protection, leading to the formal codification of FoRB in international instruments. This historical trajectory highlights a fundamental shift from state-granted toleration to an inherent, inalienable human right, reflecting a global consensus on the importance of individual liberty in matters of belief (Moyn, 2010). The philosophical underpinnings of FoRB are thus rooted in principles of human dignity, self-determination, and the recognition of pluralism as essential for a stable and just global order.

2.2. Core Components: *Forum Internum* (Freedom of Belief) and *Forum Externum* (Freedom to Manifest Belief)

International human rights law systematically protects freedom of religion or belief through two interconnected, yet distinct, dimensions: the *forum internum* and the *forum externum*. The **forum internum** refers to the absolute and non-derogable right to hold, adopt, or change a religion or belief of one's choice, or to have no religion or belief at all. This internal dimension is considered absolute because it pertains to the realm of thought and conscience, which cannot be coerced or suppressed by external forces. It encompasses the freedom to choose one's faith, to convert, to renounce a religion, or to adhere to atheistic or agnostic views. The UN Human Rights Committee, in its General Comment No. 22 on Article 18 of the ICCPR, explicitly states that the *forum internum* cannot be subjected to "any limitations whatsoever" (UN Human Rights Committee, 1993, para. 3). This absolute protection is crucial as it safeguards the foundational autonomy of the individual's mind and conscience, preventing any form of ideological compulsion or thought control.

In contrast, the **forum externum** refers to the freedom to manifest one's religion or belief in public or private, through worship, observance, practice, and teaching. This external dimension allows individuals and communities to express their beliefs through rituals, customs, dress, dietary restrictions, and educational activities. While fundamental, the *forum externum* is not absolute and may be subject to certain limitations. These limitations, as stipulated in international law, must be prescribed by law, necessary to protect public safety, order, health, or morals, or the fundamental rights and freedoms of others, and must be proportionate to the legitimate aim pursued (UN Human Rights Committee, 1993, para. 8). The distinction between the absolute *forum internum* and the qualified *forum externum* is critical for understanding the scope of protection and the permissible boundaries of state intervention.

2.3. Limitations and Permissible Restrictions

As noted, while the *forum internum* is absolute, the *forum externum* is subject to carefully defined limitations. Article 18(3) of the ICCPR specifies that the manifestation of religion or beliefs may be subject only to such limitations as are:

1. **Prescribed by law:** Any restriction must have a clear legal basis, ensuring predictability and preventing arbitrary application.

2. **Necessary:** The restriction must address a pressing social need and be proportionate to the legitimate aim. This implies that less restrictive means should be considered first.
3. **To protect public safety, order, health, or morals:** These are the legitimate grounds for imposing restrictions. "Morals" is often interpreted in line with international human rights standards, avoiding culturally specific or discriminatory interpretations.
4. **Or the fundamental rights and freedoms of others:** This acknowledges that the exercise of one person's religious freedom should not unduly infringe upon the rights of others, including the right to equality and non-discrimination (UN Human Rights Committee, 1993).

These criteria collectively form a strict test that states must meet to justify any restriction on the manifestation of religion or belief. The principle of proportionality is particularly important, requiring a careful balancing act between the right to religious freedom and the legitimate aims of the state. Any restriction must be the least intrusive measure to achieve the desired outcome and must not negate the essence of the right itself (European Court of Human Rights, 2010). The interpretation and application of these limitations are often subject to judicial review and international scrutiny, ensuring that states do not use them as pretexts for suppressing religious minorities or dissenting voices.

2.4.   Key International Instruments and Jurisprudence (e.g., ICCPR Article 18, ECHR Article 9)

The right to freedom of religion or belief is enshrined in several cornerstone international human rights instruments, providing a robust legal framework for its protection. The **Universal Declaration of Human Rights (UDHR)**, adopted in 1948, sets the foundational standard. Article 18 states: "Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance" (United Nations, 1948). Although a declaration, the UDHR's principles are widely considered customary international law.

The **International Covenant on Civil and Political Rights (ICCPR)**, a legally binding treaty adopted in 1966, elaborates on Article 18 of the UDHR. Article 18 of the ICCPR is virtually identical to UDHR Article 18 but crucially adds the limitations clause in paragraph 3, discussed above. The **UN Human Rights Committee**, which monitors the implementation of the ICCPR, has provided authoritative interpretations of Article 18, most notably in its **General Comment No. 22 (1993)**. This General Comment clarifies the absolute nature of the *forum internum*, the scope of the *forum externum*, and the strict conditions for permissible limitations, emphasising that any restrictions must not be discriminatory and must respect the principle of proportionality (UN Human Rights Committee, 1993).

Regionally, instruments like the **European Convention on Human Rights (ECHR)**, specifically **Article 9**, offer similar protections. Article 9 states: "Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief and freedom, either alone or in community with others and in public or private, to manifest his religion or belief, in worship, teaching, practice and observance." Like the ICCPR,

it also includes a limitations clause. The **European Court of Human Rights (ECtHR)** has developed extensive jurisprudence interpreting Article 9, providing detailed guidance on issues such as religious symbols in public spaces, conscientious objection, and the rights of religious minorities (ECtHR, 2010; Schabas, 2015).

Other important instruments include the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief (1981), which further elaborates on the rights and freedoms encompassed by FoRB. Collectively, these instruments and the jurisprudence derived from them establish a robust and comprehensive framework for the protection of freedom of religion or belief in international law, forming the bedrock against which the implications of AI must be assessed.

3. THE INTERFACE OF ARTIFICIAL INTELLIGENCE AND RELIGIOUS PRACTICE: OPPORTUNITIES AND CHALLENGES

The intersection of Artificial Intelligence and religious practice is a dynamic and evolving landscape, presenting both unprecedented opportunities for the enhancement of religious life and significant challenges that could potentially undermine the exercise of freedom of religion. Understanding this dual nature is crucial for a comprehensive assessment of AI's implications for international human rights law.

3.1. AI as a Tool for Religious Expression and Community Building

AI technologies, in their various forms, offer innovative avenues for individuals and communities to engage with, express, and share their religious beliefs. These tools can democratize access to religious knowledge, facilitate education, and foster new forms of communal interaction.

3.1.1. Access to Religious Texts and Knowledge Dissemination

One of the most immediate and impactful applications of AI in the religious sphere is the enhanced accessibility and dissemination of religious texts and knowledge. AI-powered translation tools can render sacred scriptures, commentaries, and theological works into numerous languages, breaking down linguistic barriers and making religious wisdom accessible to a global audience. Furthermore, AI-driven search engines and natural language processing (NLP) applications can enable users to navigate vast religious corpora with unprecedented ease, identifying specific verses, themes, or interpretations across different traditions. This capability democratizes access to knowledge that was once confined to scholarly circles or limited by geographical and linguistic constraints, potentially deepening understanding and fostering interfaith literacy.

3.1.2. Facilitating Religious Education and Dialogue

AI can significantly enhance religious education and interfaith dialogue. Personalised learning platforms, powered by AI, can adapt to individual learning styles and paces, offering tailored curricula on religious history, philosophy, and ethics. Virtual reality (VR) and augmented reality (AR) applications, often incorporating AI elements, can create immersive educational experiences, allowing users to virtually visit sacred sites, participate in historical religious events, or visualise complex theological concepts. Beyond education, AI-powered

chatbots and intelligent agents can serve as neutral facilitators in interfaith dialogue, providing factual information about different faiths, clarifying misconceptions, and even simulating conversations to help users understand diverse perspectives without the immediate pressure of face-to-face interaction. These tools can foster greater mutual understanding and reduce prejudice by providing accessible and engaging educational resources.

3.1.3. Digital Religious Communities and Virtual Worship Spaces

The digital realm has already transformed how individuals connect, and AI is further augmenting this trend within religious contexts. AI can help curate and manage online religious communities, recommending relevant content, connecting like-minded individuals, and even moderating discussions to ensure respectful engagement. During periods of physical restriction, such as pandemics, AI-enhanced virtual worship platforms have become indispensable, allowing congregations to gather, pray, and observe rituals remotely. These platforms can utilise AI for features like adaptive streaming, personalised prayer prompts, or even generating sermons based on specific themes or scriptural passages (though this raises ethical questions discussed later). The ability to participate in religious life from anywhere, at any time, facilitated by AI, expands the *forum externum* of religious manifestation, offering new avenues for communal worship and belonging, particularly for those who are geographically isolated or physically unable to attend traditional services.

3.2. AI as a Potential Threat to Religious Freedom: Emerging Concerns

While AI offers promising opportunities, its inherent capabilities also pose significant and complex threats to the exercise of freedom of religion, potentially infringing upon both the *forum internum* and *forum externum*. These concerns necessitate careful scrutiny under international human rights law.

3.2.1. Algorithmic Bias and Discrimination in Religious Contexts

A pervasive concern across all AI applications is algorithmic bias, which can lead to discrimination. AI systems are trained on vast datasets, and if these datasets reflect existing societal prejudices, including those based on religion, the AI will perpetuate and amplify those biases (O'Neil, 2016). In religious contexts, this could manifest in several ways: AI-powered facial recognition systems might disproportionately misidentify or flag individuals wearing religious attire; hiring algorithms might subtly disadvantage applicants from certain religious backgrounds; or social media algorithms might suppress or de-prioritise content from specific religious groups, effectively limiting their freedom of expression and assembly. Such algorithmic discrimination can lead to real-world harms, including denial of services, social exclusion, and the marginalisation of religious minorities, directly undermining the principle of non-discrimination central to human rights.

3.2.2. Surveillance, Profiling, and the Erosion of Religious Privacy

The data-intensive nature of AI systems, coupled with advanced surveillance technologies, poses a significant threat to religious privacy and the *forum internum*.

Governments or private entities could use AI to monitor religious activities, track attendance at places of worship, analyse online religious discourse, or even infer individuals' religious beliefs based on their digital footprint (e.g., search history, social media interactions) (Zuboff, 2019). AI-powered predictive policing, for instance, could target religious communities based on perceived risk factors, leading to unwarranted scrutiny and harassment. This pervasive surveillance erodes the sense of privacy and security necessary for individuals to freely hold and manifest their beliefs without fear of reprisal or discrimination. The chilling effect of such monitoring can lead to self-censorship, deterring individuals from openly practising their faith or exploring new beliefs, thereby directly impinging on the absolute right to *forum internum.*

3.2.3. AI's Influence on Belief Formation and Thought Autonomy

Perhaps one of the most profound and unsettling implications of AI for religious freedom concerns its potential to influence or manipulate belief formation and thought autonomy. Advanced AI, particularly in areas like personalised content recommendation, deepfakes, and sophisticated propaganda, can subtly shape narratives, reinforce echo chambers, and even generate highly convincing synthetic religious content (Pasquale, 2015). This raises questions about the authenticity of information and the susceptibility of individuals to AI-driven persuasion that bypasses critical reasoning. If AI can effectively curate an individual's information diet to promote or suppress certain religious or anti-religious viewpoints, it could subtly undermine the freedom to form, hold, and change one's beliefs independently—the very essence of the *forum internum.* The line between informative content and manipulative influence becomes increasingly blurred, posing a direct challenge to cognitive liberty (Susskind & Susskind, 2023).

3.2.4. The Impact of AI on Religious Observance and Practice (e.g., automated rituals, digital proselytisation)

The *forum externum* of religious manifestation is also vulnerable to AI's disruptive potential. The development of AI-driven automated rituals or "spiritual robots" could fundamentally alter the nature of religious observance, raising questions about authenticity, human agency, and the role of human clergy. While some might see these as aids, others might view them as diminishing the sacredness of human-led practice. Furthermore, AI-powered digital proselytisation, utilizing highly targeted messaging and persuasive algorithms, could become so effective as to border on coercion, particularly for vulnerable populations. The sheer scale and precision of AI-driven outreach could overwhelm individuals with unsolicited religious content, blurring the lines between evangelism and unwanted intrusion, and potentially infringing on the right not to receive religious information.

3.2.5. The Challenge of "Digital Blasphemy" and Hate Speech

The proliferation of AI-generated content also introduces new complexities regarding "digital blasphemy" and religiously motivated hate speech. AI can be used to generate highly offensive or derogatory content targeting specific religions or beliefs, which can then be disseminated at an unprecedented speed and scale across digital platforms. This poses a significant challenge for content moderation, as distinguishing between legitimate critique, satire, and harmful hate speech becomes increasingly difficult for automated systems. While

freedom of expression is also a human right, international law permits restrictions on speech that incites discrimination, hostility, or violence (ICCPR Article 20). AI's capacity to amplify such harmful content necessitates robust mechanisms for identification and removal, without unduly impinging on legitimate religious expression, presenting a delicate balancing act for platforms and regulators.

3.2.6. Autonomy of Religious Institutions in the Age of AI

Finally, the increasing reliance on AI and digital infrastructure can impact the autonomy of religious institutions. These institutions may become dependent on proprietary AI platforms for communication, administration, and community engagement, potentially ceding control over their data, content, and even their internal governance to external technology providers. Furthermore, state or corporate actors could leverage AI to exert undue influence or control over religious organisations, for instance, by monitoring their finances, tracking their members, or censoring their online activities. This erosion of autonomy could undermine the collective freedom of religious communities to self-govern and practice their faith without external interference, a crucial aspect of the *forum externum*.

4. RE-EVALUATING EXISTING LEGAL FRAMEWORKS AND ETHICAL PRINCIPLES

The advent of Artificial Intelligence necessitates a critical re-evaluation of whether existing international human rights legal frameworks are sufficiently robust to protect freedom of religion in the digital age, and how emerging AI ethics guidelines can complement or inform this protection. This section will assess the adequacy of current legal interpretations and explore the relevance of contemporary ethical principles.

4.1. Adequacy of Current International Human Rights Law for AI Challenges

International human rights law, particularly the ICCPR and ECHR, provides a foundational framework for protecting freedom of religion. However, these instruments were drafted in a pre-digital era, and their application to the complex and rapidly evolving challenges posed by AI requires careful interpretation and, in some cases, re-conceptualisation.

4.1.1. Interpreting *Forum Internum* in the Context of AI-driven Persuasion

The absolute nature of the *forum internum* - the freedom to hold or not to hold beliefs - is fundamentally challenged by AI's capacity for sophisticated persuasion and potential cognitive manipulation. Traditional threats to *forum internum* typically involved direct coercion, indoctrination, or forced conversion by state actors (UN Human Rights Committee, 1993). However, AI-driven systems can exert influence through subtle means, such as highly personalised content recommendations, targeted propaganda, or even emotionally resonant generative AI outputs that bypass conscious critical faculties (Susser et al., 2019).

The question arises: at what point does algorithmic influence cross the line from mere persuasion to an infringement on the absolute freedom of thought and conscience? Current legal interpretations may struggle to delineate this boundary. While direct coercion is clearly

prohibited, the more insidious forms of AI-driven manipulation, which might not involve physical force but rather psychological conditioning or information control, pose a novel challenge. A re-interpretation of *forum internum* may be needed to encompass protection against undue influence that undermines an individual's autonomous belief formation, even if such influence is not overtly coercive (Nussbaum, 2011). This could involve recognising a "right to cognitive liberty" in the digital sphere, protecting individuals from non-consensual interference with their mental processes and data that informs their worldview (Bublitz, 2013).

4.1.2. Applying *Forum Externum* to Digital Manifestations of Religion

The *forum externum*, the freedom to manifest one's religion, is also significantly impacted by AI. While the digital sphere offers new avenues for religious expression (as discussed in Section 3.1), it also introduces new forms of restriction and discrimination. Existing legal frameworks protect the manifestation of religion in "public or private," but the nature of "public" and "private" in digital spaces is often ambiguous (Lessig, 2006). For instance, is a private religious group chat on an AI-moderated platform truly "private" if its content is analysed by algorithms?

Furthermore, algorithmic censorship, content moderation policies, and platform terms of service can inadvertently or intentionally restrict religious expression online. If AI systems are biased against certain religious symbols, narratives, or practices, their automated moderation could lead to disproportionate removal of religiously significant content, effectively limiting the *forum externum* (Gillespie, 2018). Applying the necessity and proportionality tests (ICCPR Article 18(3)) to these digital restrictions requires careful consideration. It becomes crucial to ensure that platform policies, often enforced by AI, do not impose limitations that are broader than what is permissible under international human rights law, and that there are effective avenues for redress when such limitations occur.

4.1.3. State Responsibility for AI-related Human Rights Violations

A critical aspect of international human rights law is the principle of state responsibility. States have obligations to respect, protect, and fulfil human rights. In the context of AI, this means states must not directly violate FoRB through their own AI systems (e.g., state-sponsored surveillance or discriminatory algorithms). More complex is the state's obligation to *protect* individuals from human rights abuses by non-state actors, particularly powerful AI developers and platform providers (OHCHR, 2020).

The challenge lies in attributing responsibility for AI-driven harms. If an AI system developed by a private company discriminates against a religious group, what is the state's responsibility to regulate that company or provide remedies? International law generally requires states to regulate private actors to prevent human rights abuses within their jurisdiction (OHCHR, 2011). This implies a duty for states to establish robust regulatory frameworks for AI, including requirements for transparency, accountability, and independent oversight, to ensure that AI systems do not facilitate or perpetuate violations of religious freedom. The absence of such regulation could be seen as a failure by the state to fulfil its protective obligations under international human rights law.

4.2. Emerging AI Ethics Guidelines and Their Relevance to Religious Freedom

In response to the ethical challenges posed by AI, numerous organisations, governments, and academic bodies have developed AI ethics guidelines. While not legally binding, these principles offer valuable insights and complement existing human rights frameworks, providing a moral compass for AI development and deployment.

4.2.1. Principles of Fairness, Transparency, and Accountability

Core principles consistently found in AI ethics guidelines include fairness, transparency, and accountability (High-Level Expert Group on AI, 2019; IBM, 2022).

a. **Fairness:** It dictates that AI systems should not produce biased or discriminatory outcomes. In the context of religious freedom, this means designing and deploying AI that does not disadvantage or target individuals based on their religious affiliation or lack thereof. This principle directly supports the non-discrimination aspect of FoRB.

b. **Transparency:** It requires that the workings of AI systems, particularly their decision-making processes, should be understandable and explainable. For religious freedom, this means individuals should be able to understand why an AI system might have censored their religious content, denied them a service based on inferred religious data, or presented them with specific religious narratives. Lack of transparency can obscure discriminatory practices and prevent effective challenge.

c. **Accountability:** This ensures that there are clear mechanisms for identifying who is responsible when an AI system causes harm and for providing redress. This principle is crucial for enforcing FoRB, as it demands that developers, deployers, and even states can be held responsible for AI systems that infringe upon religious freedom, and that victims have avenues for remedy.

4.2.2. Human Oversight and Control in AI Systems

Many AI ethics frameworks emphasise the importance of maintaining meaningful human oversight and control over AI systems, particularly those operating in sensitive domains (Floridi et al., 2018). This principle directly relates to the protection of human autonomy and dignity, which are foundational to religious freedom. In contexts where AI might influence belief formation, moderate religious content, or make decisions affecting religious communities, human oversight ensures that ultimate decision-making authority remains with individuals and that AI serves as a tool rather than a master. This principle guards against the erosion of human agency and ensures that the *forum internum* is not inadvertently or intentionally compromised by fully autonomous AI.

4.2.3. The Principle of Non-Discrimination and Religious Minorities

The principle of non-discrimination is a cornerstone of both human rights law and AI ethics. Within AI ethics, it specifically calls for preventing AI systems from perpetuating or exacerbating existing societal inequalities, including those based on religion (Council of Europe, 2020). This is particularly salient for religious minorities, who are often disproportionately affected by discrimination. AI systems must be designed with sensitivity to diverse religious practices and beliefs, ensuring that they do not inadvertently create barriers

or impose burdens on minority religious groups. This requires proactive measures in data collection, algorithm design, and testing to identify and mitigate biases that could lead to indirect discrimination against religious communities, thereby reinforcing the state's obligation to protect the rights of all individuals, irrespective of their faith.

5. TOWARDS PROACTIVE SOLUTIONS AND FUTURE DIRECTIONS

Addressing the complex interplay between Artificial Intelligence and the right to freedom of religion requires a multi-pronged, proactive approach involving legal, ethical, and societal interventions. This section outlines key solutions and future directions necessary to ensure that technological advancement upholds, rather than undermines, religious liberty.

5.1. Developing AI-Specific Interpretive Guidance for Freedom of Religion

Given the novel challenges posed by AI, a crucial step is the development of specific interpretive guidance from authoritative international human rights bodies. Existing general comments and jurisprudence, while foundational, may not fully address the nuances of AI's impact on both *forum internum* and *forum externum*. Such guidance could:

a. **Clarify the scope of *forum internum* protection against subtle AI-driven cognitive manipulation:** This would involve defining what constitutes undue influence or coercion in digital spaces, establishing thresholds for algorithmic persuasion that infringe upon autonomous belief formation, and outlining state obligations to protect individuals from such interference.

b. **Provide criteria for permissible limitations on *forum externum* in digital environments:** This would involve setting clear standards for content moderation, algorithmic filtering, and data collection practices that affect religious manifestation online. It should emphasise that any restrictions must strictly adhere to the necessity and proportionality tests, be non-discriminatory, and provide effective avenues for redress.

c. **Address state responsibility for AI-related harms perpetrated by private actors:** Guidance should elaborate on the due diligence obligations of states to regulate AI development and deployment within their jurisdiction, ensuring that private companies respect religious freedom throughout the AI lifecycle, from design to deployment. This includes mandating human rights impact assessments for high-risk AI systems.

d. **Offer guidance on the use of AI in public services and law enforcement:** This would include specific recommendations to prevent algorithmic bias against religious groups in areas such as surveillance, policing, and access to social services, ensuring equal treatment and non-discrimination

These interpretive documents would provide much-needed clarity for states, AI developers, and religious communities, fostering a common understanding of human rights obligations in the digital sphere.

5.2. The Role of International Organisations and Multi-Stakeholder Dialogue

Effective governance of AI's impact on religious freedom cannot be achieved by any single actor. International organisations, alongside governments, civil society, religious leaders, and the tech industry, must engage in sustained multi-stakeholder dialogue.

a. **International Organisations (e.g., UN, UNESCO, Council of Europe):** These bodies can serve as conveners for dialogue, facilitators for norm-setting, and platforms for sharing best practices. They can promote research, develop recommendations, and monitor compliance with human rights standards in AI development (UNESCO, 2021).

b. **Governments:** States have the primary responsibility to legislate and regulate AI in a manner consistent with human rights. This includes developing national AI strategies that integrate human rights safeguards, establishing independent oversight bodies, and ensuring accountability mechanisms for AI-related harms (European Commission, 2021).

c. **Civil Society Organisations:** Human rights NGOs and religious freedom advocates play a crucial role in monitoring AI's impact, raising awareness, advocating for protective measures, and providing a voice for affected communities (Human Rights Watch, 2014).

d. **Religious Leaders and Communities:** Their active participation is essential to ensure that AI policies are informed by diverse religious perspectives and sensitivities. They can articulate how AI impacts their specific practices and beliefs, contributing to more nuanced and effective solutions (World Council of Churches, 2023).

e. **Tech Industry:** AI developers and deployers have a responsibility to design, develop, and implement AI systems ethically and in a human rights-respecting manner. This includes adopting human rights by design principles, conducting internal human rights impact assessments, and engaging transparently with stakeholders (Microsoft, 2024).

This collaborative approach is vital for developing globally coherent and contextually sensitive solutions that reflect diverse values and address complex technological realities.

5.3. Promoting AI Literacy and Ethical Awareness within Religious Communities

Empowering religious communities with knowledge about AI is crucial for navigating its opportunities and challenges. Many individuals within religious communities may lack a comprehensive understanding of how AI works, its potential benefits, and its inherent risks.

a. **Educational Initiatives:** Programs should be developed to enhance AI literacy within religious communities, explaining basic AI concepts, data privacy implications, and the potential for algorithmic bias. This can be done through workshops, online resources, and collaborations with educational institutions.

b. **Ethical Reflection:** Encouraging ethical reflection within religious traditions on the implications of AI for theological concepts, spiritual practice, and communal life is also important. This can lead to the development of faith-based ethical frameworks for engaging with AI, drawing on existing religious wisdom traditions (The Vatican, 2020).

c. **Capacity Building:** Providing religious leaders and institutions with the capacity to critically assess AI tools, understand their data footprints, and engage with tech companies on ethical concerns will enable them to better protect their communities' religious freedom in the digital sphere.

By fostering greater AI literacy and ethical awareness, religious communities can become more informed participants in the ongoing dialogue about AI governance and better equipped to advocate for their rights.

5.4.   Regulatory Approaches: Soft Law vs. Hard Law Solutions

The debate over regulatory approaches for AI often revolves around "soft law" (non-binding guidelines, ethical principles) and "hard law" (binding legislation, regulations). Both have a role in protecting religious freedom.

a. **Soft Law:** Ethical guidelines, codes of conduct, and best practices developed by multi-stakeholder initiatives (as discussed in 5.2) serve as important initial steps. They can foster consensus, encourage responsible innovation, and provide a flexible framework for rapidly evolving technology (OECD, 2019). Soft law can also inform the development of more formal legal instruments.

b. **Hard Law:** Ultimately, binding legislation is necessary to ensure accountability and enforce human rights protections. This includes:

  i.   **Data Protection Laws:** Robust data protection regulations (e.g., GDPR) are critical for safeguarding religious privacy, as religious data is often considered sensitive (European Union, 2016).

  ii.   **Anti-Discrimination Laws:** Existing anti-discrimination laws need to be updated to explicitly address algorithmic discrimination, ensuring that AI systems do not perpetuate or amplify biases against religious groups.

  iii. **AI-Specific Regulations:** Legislation specifically targeting high-risk AI systems, mandating human rights impact assessments, transparency requirements, and independent auditing, is becoming increasingly necessary (European Parliament, 2021). This could include specific provisions related to AI systems that process sensitive religious data or influence public discourse on religion.

  iv.   **Accountability Mechanisms:** Establishing clear legal avenues for redress when AI systems cause harm to religious freedom, including access to effective remedies and judicial review of AI-driven decisions.

A balanced approach that leverages the flexibility of soft law to guide innovation while establishing robust hard law to enforce fundamental rights will be most effective in protecting religious freedom in the AI era.

5.5.   Fostering Interdisciplinary Research and Collaboration

The challenges at the intersection of AI and religious freedom are inherently interdisciplinary, requiring collaboration among experts from diverse fields.

a. **Legal Scholars:** To interpret existing human rights law in the context of AI and propose necessary legal reforms.

b. **AI Ethicists and Computer Scientists:** To understand the technical capabilities and limitations of AI, identify potential risks, and develop ethical AI design principles.

c. **Theologians and Religious Studies Scholars:** To provide insights into the nuances of religious belief and practice, and to articulate how AI impacts spiritual and communal life.

d. **Sociologists and Anthropologists:** To study the societal impacts of AI on religious communities and cultural practices.

e. **Philosophers:** To engage with fundamental questions of human autonomy, consciousness, and the nature of belief in an AI-infused world.

Fostering grants, research centres, and academic programs that specifically encourage this interdisciplinary collaboration will be crucial for generating comprehensive insights and developing holistic solutions. This collaborative research can inform policy, guide technological development, and ensure that the future of AI is shaped in a manner that respects and upholds the fundamental right to freedom of religion for all.

6. CONCLUSIONS
6.1. Summary of Key Findings

This paper has explored the complex and evolving relationship between Artificial Intelligence and the right to freedom of religion or belief (FoRB) in international human rights law. It began by establishing the foundational importance of FoRB, distinguishing between the absolute *forum internum* (freedom of belief) and the qualified *forum externum* (freedom to manifest belief), and outlining the strict limitations permissible under international instruments like the ICCPR and ECHR. Our analysis revealed that AI presents a dual nature: offering significant opportunities to enhance religious expression, education, and community building through improved access to knowledge, facilitated dialogue, and virtual worship spaces. However, the core of this inquiry highlighted the profound challenges AI poses to FoRB. These include the pervasive risks of algorithmic bias and discrimination against religious groups, the erosion of religious privacy through surveillance and profiling, and the unsettling potential for AI to subtly influence or manipulate belief formation, thereby impinging on the absolute *forum internum*. Furthermore, AI's impact extends to the *forum externum* through issues like automated content moderation, the ethical implications of AI-driven rituals, and the amplification of religiously motivated hate speech. The autonomy of religious institutions themselves also faces new pressures in an AI-driven world.

The re-evaluation of existing legal frameworks demonstrated that while foundational human rights principles remain relevant, their application to AI-specific scenarios requires careful interpretation and, in some cases, re-conceptualisation. Particularly challenging are the nuanced forms of AI-driven influence on belief, the ambiguous nature of digital "public" and "private" spaces for religious manifestation, and the complexities of attributing state responsibility for harms caused by private AI actors. Nevertheless, emerging AI ethics guidelines, emphasising principles of fairness, transparency, accountability, and human oversight, offer a crucial complementary framework, reinforcing the human rights imperative for responsible AI development.

6.2. The Imperative for a Human-Centric Approach to AI Development

The findings underscore an urgent imperative for a human-centric approach to AI development and governance. This means prioritising human dignity, autonomy, and fundamental rights - including freedom of religion - at every stage of the AI lifecycle, from design and data collection to deployment and oversight. AI must be viewed as a tool to augment human capabilities and well-being, rather than a force that diminishes human agency or undermines cherished freedoms (European Commission, 2019). A human-centric approach demands that:

a. **Ethical principles are embedded in technical design:** AI systems must be designed with explicit consideration for human rights safeguards, including mechanisms to prevent bias, ensure privacy, and promote transparency. This requires collaboration between ethicists, human rights experts, and AI engineers (Jobin et al., 2019).

b. **Human oversight remains paramount:** For high-risk AI applications, particularly those impacting sensitive areas like belief formation, content moderation, or surveillance, meaningful human review and intervention capabilities are indispensable. Fully autonomous decision-making in such contexts risks eroding fundamental rights without adequate recourse (Council of Europe, 2024).

c. **Accountability mechanisms are robust:** Clear legal and ethical frameworks must be established to hold developers, deployers, and states accountable for AI-related human rights violations. This includes accessible grievance mechanisms and effective remedies for individuals whose religious freedom has been infringed upon by AI systems (UN Guiding Principles on Business and Human Rights, 2011).

Ultimately, the goal is not to impede technological progress but to steer it in a direction that respects and reinforces the values that underpin a just and free society. The protection of freedom of religion, as a cornerstone of human rights, serves as a critical litmus test for the ethical development of AI.

6.3. Future Research Agendas

The intersection of AI and freedom of religion is a nascent but rapidly expanding field, demanding continued scholarly attention and practical engagement. Several key areas warrant future research:

a. **Empirical Studies on AI's Impact:** More empirical research is needed to quantify and qualify the actual impact of AI on religious communities globally. This includes studies on algorithmic bias affecting religious groups, the efficacy of AI-driven religious content moderation, and the psychological effects of AI-driven persuasion on belief formation.

b. **Jurisprudence Development:** Legal scholars should continue to explore how existing human rights jurisprudence can be adapted and expanded to address novel AI challenges. This includes developing specific legal tests for AI-driven infringements on *forum internum* and *forum externum*, and analysing the extraterritorial application of human rights law to global AI platforms.

c. **Comparative Regulatory Approaches:** A comparative analysis of different national and regional regulatory models for AI (e.g., EU AI Act, US approaches) and their specific implications for freedom of religion would be highly valuable. This could identify best practices and potential pitfalls in legislative design.

d. **Theological and Philosophical Responses to AI:** Deeper interdisciplinary engagement is needed to explore how various religious traditions are grappling with the ethical and theological implications of AI, including concepts of consciousness, personhood, and the sacred in an AI-infused world.

e. **Best Practices for Ethical AI Development:** Practical research into developing technical solutions and design methodologies that proactively embed religious freedom safeguards

into AI systems, such as bias mitigation techniques tailored for religious diversity, and privacy-preserving AI for sensitive religious data (AI Ethics Researchers, 2024).

By pursuing these research agendas, the international community can collectively work towards a future where AI serves humanity, enriching lives and respecting fundamental freedoms, including the cherished right to freedom of religion or belief.

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