

AIC

Artificial Intelligence Certification

Declaration of Algorithmic Rights

The Five Fundamental Rights of Persons Subject to Consequential Automated Decisions

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Purpose

The Declaration of Algorithmic Rights establishes five fundamental rights that apply to any person subject to a consequential automated decision — regardless of where the decision is made, what technology produced it, or what industry it occurs in.

It is modelled on instruments such as the Universal Declaration of Human Rights, the Consumer Rights Act, and POPIA Section 71. It is designed to be:

- Adopted freely** Organisations can endorse it without paying AIC anything.
- Auditable** Each right has verifiable, operational criteria.
- Universal** Jurisdiction-agnostic, applicable in any country with minimal adaptation.

Business logic: The Declaration is free. Wide adoption creates the market. AIC's certification methodology — the *how* of verification — is paid. The standard is open; the audit is closed. This is exactly how OWASP, PCI-DSS, and LEED work.

Right 1

The Right to Human Agency

"Any consequential automated decision must be reviewable and overridable by a named, accountable human being."

A person denied a loan, screened out of a job, or denied insurance by an algorithm has the right to request that a named human being reviews that decision. The AI can recommend — but a human must be capable of intervening, and that person must be identifiable.

POPIA anchor: Section 71 — no automated decision shall produce legal or similarly significant effects without human oversight.

Right 2

The Right to Explanation

"Any person affected by an automated decision has the right to understand why that decision was made, in plain language they can understand."

"The algorithm decided" is not an explanation. The organisation must be able to explain which factors drove the decision, what weight each factor carried, and whether those factors are proxies for protected characteristics. The explanation must be in language accessible to the person receiving it — not just to data scientists.

Right 3

The Right to Empathy

"Automated systems must not strip human context from decisions. When context matters, it must be considered."

Automated systems must not reduce people to data points. A missed payment during a documented medical supply shortage is not the same as habitual non-payment. A spending spike at a baby nursery is not the same as a fraud indicator. Organisations deploying AI have an obligation to ensure their systems account for human context — and that their automated communications treat people as human beings, not case numbers.

Right 4

The Right to Correction

"Any person affected by an automated decision has the right to challenge it, and to have that challenge responded to meaningfully and within a reasonable time."

Appeals cannot go into a void. The right of correction is only meaningful if there is a measurable response rate, a defined service level agreement, and evidence that appeals are genuinely considered — not rubber-stamped or ignored.

Right 5

The Right to Truth

"Any person interacting with an automated system has the right to know they are interacting with an automated system."

AI disclosure is not optional. A chatbot must identify itself. An AI-generated risk score must be disclosed as AI-generated. An automated CV screening must disclose that a human did not read the CV first. Institutions cannot hide behind 'automated process' to deny accountability.

Intellectual Property & Licence

The Declaration is published under **Creative Commons Attribution 4.0 International (CC BY 4.0)** — anyone may use, adapt, and republish it with attribution to AIC.

AIC's **certification methodology** — the rubric by which each right is assessed, the scoring framework, the Empathy Engine, and the Integrity Score calculation — is proprietary. The standard is free; the audit process is paid.

Open standard	The Declaration — free to endorse, adapt, and republish (CC BY 4.0).
AIC proprietary	The methodology, scoring rubric, and Empathy Engine — protected IP.
AIC trademarks	"AIC Methodology Assessed" and "AIC Certified" — only AIC-assessed organisations may display these marks.

Endorsing This Declaration

Any organisation may publicly endorse the Declaration of Algorithmic Rights at no cost. Endorsement means the organisation commits to upholding the five rights as principles governing their use of automated decision-making systems.

Organisations that wish to **certify their compliance** with these rights — and display the AIC Certified mark — must undergo an independent assessment through the AIC Certification Programme. Visit **aiccertified.cloud** to apply.

Artificial Intelligence Certification
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International

Drafted in South Africa applicable
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