

Foreign, Commonwealth & Development Office

GC REAIM Expert Policy Note Series The Human Rights Implications of Extracting Minerals and Personal Data from Africa for the Development of Military Al

Adebayo Okeowo

May 2025





GC REAIM Expert Policy Note Series

The Human Rights Implications of Extracting Minerals and Personal Data from Africa for the Development of Military AI

Author: Adebayo Okeowo

May 2025

Cover photo: unsplash

The Global Commission on Responsible Artificial Intelligence in the Military Domain (GC REAIM) is an initiative of the Government of the Netherlands that was launched during the 2023 REAIM Summit on Responsible Artificial Intelligence in the Military Domain in The Hague. Upon request of the Dutch Ministry of Foreign Affairs, the Hague Centre for Strategic Studies acts as the Secretariat of the Commission.

The GC REAIM Expert Policy Note Series was funded by the Foreign, Commonwealth and Development Office (FCDO) of the United Kingdom. GC REAIM Experts maintained full discretion over the topics covered by the Policy Notes. The contents of the GC REAIM Expert Policy Note series do not represent the views of the Global Commission as a whole. The Policy Notes are intended to highlight key issues related to the governance of AI in the military domain and provide policy recommendations.

© The Hague Centre for Strategic Studies. All rights reserved. No part of this report may be reproduced and/ or published in any form by print, photo print, microfilm or any other means without prior written permission from HCSS. All images are subject to the licenses of their respective owners

HCSS Lange Voorhout 1 2514 EA The Hague

Follow us on social media: @hcssnl

The Hague Centre for Strategic Studies Email: info@hcss.nl Website: www.hcss.nl



Foreign, Commonwealth & Development Office



The Hague Centre for Strategic Studies

1. Introduction

The development of artificial intelligence (AI) in the military domain has created a huge demand for critical minerals and large-scale personal data, resources that are frequently extracted from Global Majority countries, particularly those in Africa.¹ While data is often referred to as the "new oil" and "life blood" of AI software development, critical minerals serve as the backbone and building blocks of AI hardware.² Both data and critical minerals are subject to processes of extraction, exploitation and expropriation.³ Multinational corporations and powerful states, driven by the AI arms race, are already exploiting the Global Majority's vast reserves of cobalt, lithium, and rare earth elements, essential for AI-driven defence technologies.⁴ At the same time, the collection and utilisation of personal data—often without adequate legal safeguards—raise concerns of data colonialism, where digital resources are appropriated with little regard for individual rights, privacy, or fair compensation.⁵

¹ African Commission on Human and Peoples' Rights, Working Group on Extractive Industries, Environment and Human Rights Violations, *Report* (October 2024); United Nations Human Rights Council, *Report of the Special Rapporteur on the Rights of Indigenous Peoples: Extractive Industries and Indigenous Peoples*, A/HRC/24/41 (2013); United Nations Human Rights Council, *Report of the Special Rapporteur on the Rights of Indigenous Peoples: Extractive Industries Operating Within or Near Indigenous Territories*, A/HRC/18/35 (2011); Ana Brian Nougrères, *Report of the Special Rapporteur on the Right to Privacy: Principles Underpinning Privacy and the Protection of Personal Data*, A/77/196 (New York: United Nations, 2022), https://documents.un.org/access.nsf/get?DS=A%2F77%2F196&Lang=E&Open; David Leslie et al., 'Advancing Data Justice Research and Practice: An Integrated Literature Review', 22 March 2022, https://doi.org/10.5281/zenodo.6408304; Nick Couldry and Ulises A. Mejias, *The Costs of Connection: How Data Is Colonizing Human Life and Appropriating It for Capitalism* (Stanford University Press, 2019); Amnesty International, 'Forced Evictions at Industrial Cobalt and Copper Mines in the DRC', Amnesty International, 11 September 2023, https://www.amnesty.org/en/latest/news/2023/09/drc-cobalt-and-copper-mining-forbatteries-leading-to-human-rights-abuses/.

² Anthony Miller, 'The Intrinsically Linked Future for Human and Artificial Intelligence Interaction', *Journal of Big Data* 6, no. 1 (13 May 2019): 38, https://doi.org/10.1186/s40537-019-0202-7; Ciarán Daly, 'Data Is The Lifeblood of AI - Storage Is Its Veins | AI Business', 2017, https://aibusiness.com/data/data-is-the-lifeblood-of-ai-storage-is-its-veins; Samantha Ziegel, 'Data - The Lifeblood of Artificial Intelligence', *Perficient Blogs* (blog), 21 September 2023, https://blogs.perficient.com/2023/09/21/data-powers-artificial-intelligence/. ³ Danielle Coleman, 'Digital Colonialism: The 21st Century Scramble for Africa through the Extraction and Control of User Data and the Limitations of Data Protection Laws', *Michigan Journal of Race and Law* 24, no. 2 (1 May 2019): 417–39, https://doi.org/10.36643/mjrl.24.2.digital; Roy Maconachie, "We Miners Die a Lot." Appalling Conditions and Poverty Wages: The Lives of Cobalt Miners in the DRC', *The Conversation*, 30 January 2024, http://theconversation.com/we-miners-die-a-lot-appalling-conditions-and-poverty-wages-the-lives-of-cobalt-miners-in-the-drc-220986.

⁴ S. S. Regilme, 'Artificial Intelligence Colonialism: Environmental Damage, Labor Exploitation, and Human Rights Crises in the Global South', *The SAIS Review of International Affairs* 44, no. 2 (9 February 2025): 75–92, https://doi.org/10.1353/sais.2024.a950958; Jake Okechukwu Effoduh, 'Africa's Energy Poverty in An Artificial Intelligence (AI) World: Struggle for Sustainable Development Goal 7', *Journal of Sustainable Development Law and Policy (The)* 15, no. 3 (25 November 2024): 32–63,

https://doi.org/10.4314/jsdlp.v15i3.2; Artwell Nhemachena, 'When the Past Returns as the Future: Africa in the Age of Special (Technological) Operations', in *The Russia-Ukraine War from an African: Special Operations in the Age of Technoscientific Futurism* (African Books Collective, 2023).

⁵ Ulises A. Mejias and Nick Couldry, *Data Grab: The New Colonialism of Big Tech and How to Fight Back* (Random House, 2024); Nick Couldry and Ulises A. Mejias, *The Costs of Connection: How Data Is Colonizing Human Life and Appropriating It for Capitalism* (Stanford University Press, 2019).

These extractive practices not only reinforce economic and technological inequalities but also fuel conflicts, environmental destruction, and labour rights violations.⁶

From an international law perspective, these issues pose significant human rights challenges, particularly in relation to economic exploitation, corporate accountability, and global equity. The absence of strong legal protections and regulatory enforcement mechanisms allows powerful actors to profit from Africa's resources while leaving local populations vulnerable to displacement, environmental harm, and loss of sovereignty over their own data.⁷ Additionally, Al-driven military technologies—developed using these extracted resources—may later be deployed in ways that further destabilise the very regions from which they originated. It is, as it were, frying a pig in its own fat.

This policy note explores why the relevant aspects of international human rights law must play a central role in regulating the extraction of minerals and data from Global Majority countries, ensuring that the AI-driven militarisation of technology does not come at the cost of fundamental rights, equity, and long-term stability. It critically points to the responsibilities of multinational corporations and AI-developing states, the role of data and mineral governance frameworks, and the urgent need to pay attention to legal norms that promote fairness, accountability, and sustainable technological development.

⁶ David Leslie et al., 'Advancing Data Justice Research and Practice: An Integrated Literature Review', 22 March 2022, https://doi.org/10.5281/zenodo.6408304.

⁷ Danielle Coleman, 'Digital Colonialism: The 21st Century Scramble for Africa through the Extraction and Control of User Data and the Limitations of Data Protection Laws', *Michigan Journal of Race and Law* 24, no. 2 (1 May 2019): 417–39, https://doi.org/10.36643/mjrl.24.2.digital.

2. Situating the Question of Extraction of Dataand Minerals within the Broader Considerationon Responsible AI in the Military Domain

Discussions on AI in the military domain often focus on international humanitarian law (IHL), particularly its targeting principles at the deployment stage, while neglecting broader international law considerations.⁸ This policy note emphasises that responsible Al in the military domain necessitates strict adherence to all relevant international legal frameworks throughout the entire AI lifecycle-from research and development to deployment and post-deployment phases. Of course, IHL plays a crucial role in this process, particularly through its requirement that the review of new weapons, including Al-driven military technologies, must consider all relevant branches of international law, including international human rights law (IHRL).⁹ Additionally, IHL has provisions that refers to IHRL including those that upholds non-discrimination principles, a fundamental human rights norm that is particularly relevant to the governance of data and mineral extraction used in the development of military AI.¹⁰ Beyond IHL, IHRL

¹⁰ Article 72, Additional Protocol I, refers to "other applicable rules of international law relating to the protection of fundamental human rights during international armed conflict"; Common Article 3, to all Four GCs, provides minimum humanitarian protections in non-international conflicts consistent with IHRL provisions; Article 27, Fourth GC, protects civilians' rights, including respect for their honour, family rights, religious convictions, and customs—all core human rights principles; Article 75, Additional Protocol I, provides a list of fundamental guarantees that mirror human rights law; Article 76, Additional Protocol I, protects women from rape, forced prostitution, and indecent assault, reinforcing international human rights protections; Article 77, Additional Protocol I, prohibits the recruitment of children under 15 into armed forces, aligning with human rights law and the Convention on the Rights of the Child; Common Article 3 to All Four Geneva Conventions; Article 12, First Geneva Convention (Wounded and Sick in Armed Forces in the Field), Article 12, Second Geneva Convention (Wounded, Sick, and Shipwrecked Members of Armed Forces at Sea); Articles 16 and 88 of Third Geneva Convention (Prisoners of War - POWs); Articles 13

⁸ Taylor Woodcock, 'Eclipsing Human Rights: Why the International Regulation of Military AI Is Not Limited to International Humanitarian Law', *Human Rights Here* (blog), 13 July 2021, https://www.humanrightshere.com/post/doctoral.

⁹ See Common Article 1, All Four Geneva Conventions (GC) of 1949, requires High Contracting Parties to respect and ensure respect for the Conventions in all circumstances, reinforcing state obligations under international law; Article 63 (GC I), Article 62 (GC II), Article 142 (GC III), Article 158 (GC IV), these provisions affirm that the GCs do not limit the applicability of other international treaties, reinforcing their relationship with broader international law; Article 1(2), Additional Protocol I (1977), affirms that the protocol is based on the principles of international law derived from established custom, humanitarian principles, and human rights instruments; Article 80, Additional Protocol I (1977), states that the obligations in the protocol do not absolve states from their existing obligations under other agreements in international law; Article 90, Additional Protocol I (1977), establishes the International Fact-Finding Commission, a mechanism governed by international law to investigate violations of IHL; Article 36, Additional Protocol I, calls for legal review of all new weapons in terms of international law; Article 1(1), Additional Protocol II (1977) refers to the protocol's applicability in situations of non-international armed conflicts, reinforcing its relationship with international law governing internal conflicts ; Article 36, Additional Protocol I to the Geneva Conventions of 1949.

provides critical protections, including equality, non-discrimination, privacy, and economic self-determination, all of which must be considered when assessing the human rights implications of extracting and utilising minerals and personal data for military AI. Similarly, IHL refers to principles of international environmental law (IEL) which are indispensable when addressing the environmental and human rights concerns associated with mineral extraction, as the development and maintenance of military AI technologies often lead to ecological degradation and resource-driven conflicts.¹¹

Thus, from a Global Majority perspective, the concept of responsible AI in the military domain must extend beyond mere compliance with IHL standards at the point of deployment. It must also encompass the ethical and legal considerations at the developmental stage, ensuring that the extraction and use of data and critical minerals are governed by principles of equity, sustainability, and human rights protections.¹² Consequently, the interpretation of "responsibility" in military AI must be broad, encompassing not just the operational use of AI, but also the broader socio-economic and environmental impact of its development. The sourcing of data, the extraction of critical minerals, and the involvement of private actors in AI development all carry profound implications for human rights and must be scrutinised within the framework of responsible military AI governance.

and 27 of the Fourth Geneva Convention (Protection of Civilian Persons in Time of War); Articles 9, 10, 75, and 85 of Additional Protocol I; Articles 2, 4, and 5 of Additional Protocol II (1977) all prohibit adverse distinction, that is, in line with the right to non-discrimination, they prohibit unlawful discrimination. ¹¹ Article 35(3), Additional Protocol I (1977), prohibits the use of warfare methods that cause widespread,

long-term, and severe damage to the natural environment; Article 55(1), Additional Protocol I (1977), profibits the use of warrare methods that cause widespread, long-term, and severe damage to the natural environment against widespread, long-term, and severe damage that may threaten human health or survival, Article 55(2), Additional Protocol I (1977), prohibits attacks against the environment as retaliation.

¹² David Leslie et al., 'Advancing Data Justice Research and Practice: An Integrated Literature Review', 22 March 2022, https://doi.org/10.5281/zenodo.6408304.

3. Critical Minerals Human Rights Related Implications of AI in the Military Domain

The development of AI in the military domain is heavily dependent on critical minerals such as lithium, cobalt, and rare earth elements, which are essential for highperformance computing and advanced defence technologies.¹³ These minerals are primarily extracted from countries in the Global Majority, particularly Africa, South America, and parts of Asia.¹⁴ However, instead of bringing economic prosperity to resource-rich nations, the extraction of these materials often leads to economic exploitation, where foreign corporations and governments benefit disproportionately while local populations experience environmental degradation, poor labour conditions, and economic marginalisation. This phenomenon, often referred to as the resource curse, leaves many countries unable to fully benefit from their natural wealth, as profits are funnelled out of local economies while communities bear the burden of pollution, displacement, and loss of livelihoods.¹⁵ Furthermore, the global demand for critical minerals has exacerbated conflicts in resource-rich regions, fuelling political instability, armed violence, and human rights abuses. In countries such as the Democratic Republic of Congo (DRC), where over 70% of the world's cobalt is mined, competition over mineral wealth has intensified conflicts between armed groups, leading to severe human rights violations, including child labour, forced labour, and displacement of communities.¹⁶ Similar patterns exist in other resource-rich regions, where extractive industries are linked to corruption, environmental destruction, and militarisation. The military AI industry, by relying on these contested supply chains, risks indirectly contributing to instability, reinforcing cycles of violence, and perpetuating a system where human lives are sacrificed to sustain technological advancements in the Global North.

The issue of complying with international law, particularly human rights law, in the extraction of minerals is of paramount importance for the African continent, which

¹³ Vlado Vivoda, Matthews ,Ron, and Jensine and Andresen, 'Securing Defense Critical Minerals: Challenges and U.S. Strategic Responses in an Evolving Geopolitical Landscape', *Comparative Strategy* 44, no. 2 (4 March 2025): 281–315, https://doi.org/10.1080/01495933.2025.2456427.

¹⁴ According to data by the UN Environment Programme, Africa is home to about 30% of the world's mineral reserves. See United Nations Environment Programme, *Our Work in Africa*, last updated 12 February 2024, https://www.unep.org/regions/africa/our-work-africa.

¹⁵ Roy Maconachie, "We Miners Die a Lot." Appalling Conditions and Poverty Wages: The Lives of Cobalt Miners in the DRC', *The Conversation*, 30 January 2024, http://theconversation.com/we-miners-die-a-lot-appalling-conditions-and-poverty-wages-the-lives-of-cobalt-miners-in-the-drc-220986.

¹⁶ Amnesty International, 'Democratic Republic of Congo: "This Is What We Die for": Human Rights Abuses in the Democratic Republic of the Congo Power the Global Trade in Cobalt', Amnesty International, 19 January 2016, https://www.amnesty.org/en/documents/afr62/3183/2016/en/.

is a major supplier of minerals essential for AI hardware development.¹⁷ The African Charter on Human and Peoples' Rights explicitly affirms the right of peoples to selfdetermination over their natural resources, prohibiting their exploitation by foreign nations and multinational corporations.¹⁸ The African Commission on Human and Peoples' Rights, an intergovernmental body tasked with monitoring the protection and enforcement of rights enshrined in the African Charter, has established a Working Group on Extractive Industries, Environment, and Human Rights in Africa. On 23 October 2024, during its 83rd Session, the Commission hosted a panel on "The Human and Peoples' Rights Impact of the Interface Between Critical Minerals, Artificial Intelligence, and Other New Technologies," including their use in the military domain.¹⁹ In its policy paper to the UN Secretary-General on international law and autonomous weapon systems, the African Commission underscored the critical need to respect and protect fundamental human rights in the extraction of resources for AI technology development.²⁰

Equally, the UN and its associated bodies have undertaken several initiatives and produced reports addressing the intersection of the extractive minerals industry, development of emerging technologies and human rights. The UN Secretary-General, António Guterres, noting the adverse impacts of extractive industries, such as exploitation, environmental degradation, and human rights violations, in 2024, established the UN Secretary-General's Panel on Critical Energy Transition Minerals.²¹ In its 2024 Report, the Panel emphasised seven guiding principles for the extraction and use of critical minerals.²² First, it stressed that human rights should be central to every stage of the mineral value chain. Second, the protection of the planet, including its environment and biodiversity, must be prioritised. Third, the principles of justice and equity should form the foundation of mineral value chains, ensuring fairness and inclusivity. Fourth, the Panel highlighted the need to promote development through benefit-sharing, value addition, and economic diversification. Fifth, it called for responsible and fair investments, finance, and trade practices. Sixth, the Report

¹⁷ Critical Mineral resources such as cobalt are essential to the production of missiles and the DRC holds the world's largest reserve of this critical mineral. See NATO, 'NATO Releases List of 12 Defence-Critical Raw Materials', NATO, 2024, https://www.nato.int/cps/en/natohq/news_231765.htm. See also World Bank, *Cobalt in the Democratic Republic of Congo: Market Analysis* (Washington, D.C.: World Bank, June 2021), https://documents1.worldbank.org/curated/en/099500001312236438/pdf/P1723770a0f570093092050c1b ddd6a29df.pdf.

¹⁸ Article 21, African Charter on Human and Peoples' Rights.

¹⁹ African Commission on Human and Peoples' Rights, *Intersession Activity Report of the Working Group on Extractive Industries, Environment and Human Rights Violations*, October 2024,

https://achpr.au.int/en/intersession-activity-reports/extractive-industries-environment-and-human-rights-violations.

²⁰ African Commission on Human and Peoples' Rights, *Submission to the United Nations Secretary-General in Terms of UN General Assembly Resolution 78/241 on Lethal Autonomous Weapon Systems*, May 2024,

https://docs-library.unoda.org/General_Assembly_First_Committee_-Seventy-Ninth_session_(2024)/78-241-African_Commission-EN.pdf.

²¹ António Guterres, "Resources from Extractive Sector Must Be Equitably Managed, Secretary-General Tells Global Round Table, Calls for Fair Distribution of Benefits," *United Nations Press Release* SG/SM/20744, 25 May 2021, https://press.un.org/en/2021/sgsm20744.doc.htm.

²² United Nations Environment Programme, *Resourcing the Energy Transition: Principles to Guide Critical Energy Transition Minerals Towards Equity and Justice* (Nairobi: UNEP, 11 September 2024), https://www.unep.org/resources/report/resourcing-energy-transition.

underlined the necessity for transparency, accountability, and anti-corruption measures to guarantee good governance in the sector. Finally, the Panel asserted that multilateral and international cooperation must be the cornerstone of global action, fostering peace and security through collaborative efforts.

The UN has also developed the "UN Global Compact Guidance on Human Rights and Extractive Industry: Why Engage, Who to Engage, How to Engage" which explores best practices and challenges in implementing the UN Guiding Principles in extractive industries, providing investors with strategies for effective engagement on human rights issues.²³ In 2023, the UN Working Group on Business and Human Rights presented a report to the UN General Assembly titled "Extractive sector, just transition and human rights" within which it noted the need for stakeholders in the extractive sector to design and implement just, inclusive, and human rights-based energy transition programs.²⁴ Equally concerned with the human rights abuse associated with mineral extraction, the UN Environment Programme Finance Initiative developed a Human Rights Toolkit focusing on the minerals and metals extraction industry.²⁵ This resource provides financial institutions with guidance on identifying and addressing human rights risks associated with investments in the extractive sector, emphasising the importance of transparency and the protection of affected communities, particularly from the Global Majority.

Similarly, other initiatives exploring the role of AI in the military domain, such as the World Emerging Security Forum organised by South Korea, have addressed the implications of mineral resources for AI development in this context. For instance, the 2024 edition of the Forum featured a session titled "*The Battle for Technological Dominance: Competition in Minerals, Chips, and Batteries*," which delved into the critical role of these resources in shaping military AI capabilities. The Global Commission on AI in the Military Domain should thus have these considerations.

Furthermore, beyond the ethical and geopolitical implications, the development and maintenance of military AI technologies come with enormous financial, human, and environmental costs. The extraction and processing of critical minerals require large-scale mining operations, often resulting in deforestation, water contamination, and long-term ecological damage. The financial cost of maintaining AI-driven military systems is also astronomical, with billions invested in research, production, and deployment—funds that could otherwise be used for education, healthcare, and infrastructure in both resource-producing and AI-developing countries.²⁶

²³ Principles for Responsible Investment, United Nations Environment Programme Finance Initiative, and United Nations Global Compact, *Human Rights and the Extractive Industry: Why Engage, Who to Engage, How to Engage* (New York: United Nations Global Compact, 2015), https://unglobalcompact.org/library/2841.
²⁴ A/78/155, Extractive sector, just transition and human rights, 11 July 2023.

 ²⁵ United Nations Environment Programme Finance Initiative, *Minerals and Metals Extraction – Human Rights Toolkit*, accessed 8 May 2025, https://www.unepfi.org/humanrightstoolkit/minerals-and-metals-extraction/.
 ²⁶ African Commission on Human and Peoples' Rights, *Submission to the United Nations Secretary-General in Terms of UN General Assembly Resolution 78/241 on Lethal Autonomous Weapon Systems*, May 2024,

https://docs-library.unoda.org/General_Assembly_First_Committee_-Seventy-Ninth_session_(2024)/78-241-African_Commission-EN.pdf.

4. Data Human Rights Related Implications of AI in the Military Domain

The training and refinement of AI systems in the military domain rely on vast datasets, often obtained through intelligence operations, surveillance mechanisms, and commercial data collection.²⁷ The appropriation and expropriation of such data raise concerns regarding privacy rights, consent, and the potential for misuse. In many cases, mass data collection occurs without proper safeguards, disproportionately affecting marginalised communities or individuals in conflict zones.²⁸ AI-driven surveillance systems, if trained on ethically questionable datasets, risk perpetuating biases, wrongful profiling, and automated decision-making that violates human rights.²⁹ A responsible AI framework must ensure that data collection adheres to principles of transparency, necessity, and proportionality, in line with international human rights law.

The increasing reliance on data for military AI development has given rise to concerns about data colonialism, where powerful nations and private corporations extract and exploit data from less technologically advanced regions with little to no reciprocity.³⁰ Just as historical colonialism involved the extraction of natural resources from weaker nations for the benefit of dominant powers, data colonialism reflects a similar dynamic in the digital age.³¹ Many Global Majority countries, especially those with weaker data protection laws, serve as vast sources of personal, behavioural, and biometric data, which can be used to train AI-driven military surveillance and targeting systems without the informed consent of affected populations.³² This not only raises ethical concerns but also deepens global power asymmetries, as the benefits of AI innovation remain concentrated in a few nations while the risks disproportionately affect marginalised communities.

²⁷ Ulises A. Mejias and Nick Couldry, *Data Grab: The New Colonialism of Big Tech and How to Fight Back* (Random House, 2024); Nick Couldry and Ulises A. Mejias, *The Costs of Connection: How Data Is Colonizing Human Life and Appropriating It for Capitalism* (Stanford University Press, 2019).

²⁸ Ulises A. Mejias and Nick Couldry, *Data Grab: The New Colonialism of Big Tech and How to Fight Back* (Random House, 2024); Nick Couldry and Ulises A. Mejias, *The Costs of Connection: How Data Is Colonizing Human Life and Appropriating It for Capitalism* (Stanford University Press, 2019).

²⁹ African Commission on Human and Peoples' Rights, *Submission to the United Nations Secretary-General in Terms of UN General Assembly Resolution 78/241 on Lethal Autonomous Weapon Systems*, May 2024,

https://docs-library.unoda.org/General_Assembly_First_Committee_-Seventy-Ninth_session_(2024)/78-241-African_Commission-EN.pdf.

³⁰ Ulises A. Mejias and Nick Couldry, *Data Grab: The New Colonialism of Big Tech and How to Fight Back* (Random House, 2024).

³¹ Ulises A. Mejias and Nick Couldry, *Data Grab: The New Colonialism of Big Tech and How to Fight Back* (Random House, 2024).

³² Ulises A. Mejias and Nick Couldry, *Data Grab: The New Colonialism of Big Tech and How to Fight Back* (Random House, 2024).

Al in the military domain is often deployed in surveillance operations, intelligence gathering, and predictive threat analysis, all of which rely heavily on vast amounts of personal and behavioural data. The indiscriminate collection and processing of such data raise significant privacy concerns, as individuals—particularly those in conflict zones or under authoritarian regimes—may be subjected to unwarranted surveillance, tracking, and profiling. Al-powered surveillance systems can facilitate mass data harvesting from social media, biometric databases, and online communications, often without consent or oversight. The lack of strong legal safeguards to regulate military Al surveillance threatens fundamental rights such as freedom of expression, assembly, and political participation, creating a chilling effect on dissent and activism. Without strict accountability mechanisms, military Al could become an enabler of digital authoritarianism rather than a tool for legitimate security purposes.

Data exploitation in military AI development is not only a legal and an ethical issue but also a technical one, as the quality and origin of data directly impact the functionality of AI systems. Military AI models trained on biased or incomplete datasets can lead to discriminatory decision-making, disproportionately targeting certain racial, ethnic, or political groups.³³ For instance, AI-powered threat detection and drone strike algorithms may rely on datasets that reflect historical biases in law enforcement and counterterrorism, leading to wrongful profiling and lethal errors. Additionally, the unchecked commercialisation of military AI—where private tech companies provide AI solutions to defence agencies—raises concerns about the commodification of personal data and the lack of transparency in how AI models are trained and deployed. Without ethical guidelines and rigorous oversight, the exploitation of data in military AI could entrench systemic injustices, undermining human rights rather than protecting them.

To address the human rights risks associated with data in military Al, a comprehensive regulatory framework must be established to ensure transparency, accountability, and ethical data governance. International law – in particular, international human rights law – must be at the core to address data-related abuses in the military domain, holding both states and private actors accountable for data exploitation and misuse. A key step is the enforcement of robust data protection laws that prohibit the indiscriminate collection and use of personal data for military Al purposes without informed consent. Additionally, the development of military Al should incorporate ethical Al principles, such as those relating to data justice like equity, power-balance, participation, fairness, explainability, and human oversight, to prevent biased or unlawful applications.³⁴ The Global Commission on Responsible Al in the Military Domain should advocate for these safeguards, ensuring that collection of personal data for Al-driven military technologies respect fundamental human rights and do not become instruments of unchecked surveillance, exploitation, or discrimination.

https://committees.parliament.uk/writtenevidence/120290/pdf/.

³³ Thompson Chengeta, "The Right to Non-Discrimination, and Freedom from Racial Oppression Should Be Part of the Guidelines and Principles in the Discussion on AWS," written evidence submitted to the UK Parliament Joint Committee on the National Security Strategy, AlW0020, 2023,

³⁴ David Leslie et al., 'Advancing Data Justice Research and Practice: An Integrated Literature Review', 22 March 2022, https://doi.org/10.5281/zenodo.6408304.

5. Conclusion

Despite being one of the important sources of data and the minerals required for military AI technologies, Global Majority countries have little say in how these technologies are developed, deployed, or governed. AI innovation, particularly in the defence sector, is concentrated in a few powerful nations, while resource-supplying countries remain peripheral actors in shaping the rules, ethical considerations, and strategic direction of military AI. This power imbalance reinforces a neo-colonial dynamic, where wealthier nations dictate technological advancements while Global Majority countries remain trapped in cycles of extraction and exploitation. Without equitable participation in AI governance and decision-making, the Global Majority is left vulnerable to both economic exploitation and military AI applications that may later be used in ways that undermine their own security and sovereignty.

To address these injustices, there is an urgent need for a more ethical and equitable framework in relation to access to data and minerals for AI development in the military domain. The voice of those from the Global Majority must be heard in shaping AI governance, ensuring that resource-producing nations benefit fairly from their contributions and are not merely suppliers of raw materials for technologies controlled elsewhere. International regulations must enforce responsible sourcing of critical minerals, ensuring that supply chains comply with human rights standards and environmental protections. Moreover, military AI development should be subject to rigorous ethical review, assessing not just how AI is deployed but also how it is created, financed, and sustained. The Global Commission on Responsible AI in the Military Domain has a critical role to play in advocating for these measures, ensuring that the pursuit of technological superiority does not come at the cost of human dignity, economic justice, and global stability.

About the Author

Dr. Adebayo Okeowo

Dr. Adebayo Okeowo is a human rights lawyer with over a decade's experience working around issues of socio-economic rights, environmental justice, and international criminal accountability. Dr. Okeowo holds a doctorate in International Human Rights Law from the University of Pretoria, South Africa, an LLM from the same university, and an LLB from the University of Ilorin, Nigeria. He is currently the Associate Director of Programs at WITNESS - an international human rights organization that leverages video and technology to defend human rights. In the course of his career, Dr. Okeowo has worked for the Centre for Human Rights in South Africa, Global Rights Nigeria, and the Commonwealth Human Rights Initiative. He also served as the Manager of the Digital Verification Corps Project at the University of Pretoria – a collaborative initiative between Amnesty International and six universities around the world which uses digital tools to verify citizen media with the aim of advancing accountability for atrocities.

HCSS Lange Voorhout 1 2514 EA The Hague

Follow us on social media: @hcssnl