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Generative-productive artificial intelligence in comparative constitutional law: a systematic review

La inteligencia artificial generativa-productiva en el derecho constitucional comparado: una revisión sistemática

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Abstract

This research analyzes the impact of generative artificial intelligence (GAI) on comparative constitutional law, focusing on its ethical and legal implications, as well as the benefits and challenges it poses for fundamental rights. To this end, a qualitative approach and a systematic review according to the PRISMA protocol were employed, which included a thematic analysis of studies related to GAI, constitutional law, and comparative law. The bibliographic search, conducted in relevant academic databases, initially identified 125 records; ultimately, 27 studies were selected for the qualitative synthesis. The results reveal a complex interaction between GAI and constitutional law, primarily highlighting challenges around accountability and regulation. In particular, concerns about the perpetuation of bias and the vulnerability of privacy were noted. Furthermore, GAI raises questions about authorship, intellectual property, and legal liability. In conclusion, the study underscores the urgent need to adapt legal frameworks to ensure the ethical use of artificial intelligence that respects fundamental rights and legal certainty. Ultimately, technological evolution demands that Constitutional Law prepare to address the emerging challenges arising from AI, ensuring its appropriate and ethical regulation.

Keywords: fundamental rights, comparative law, generative artificial intelligence.

Resumen

La investigación analiza el impacto de la inteligencia artificial generativa (IAG) en el derecho constitucional comparado, enfocándose en sus implicaciones éticas y legales, así como en los beneficios y desafíos que representa para los derechos fundamentales. Para ello, se empleó un enfoque cualitativo y una revisión sistemática conforme al protocolo PRISMA, que incluyó un análisis temático de estudios relacionados con la IAG, el derecho constitucional y el derecho comparado. La búsqueda bibliográfica, realizada en bases de datos académicas relevantes, inicialmente identificó 125 registros; finalmente, se seleccionaron 27 estudios para la síntesis cualitativa. Los resultados evidencian una interacción compleja entre la IAG y el derecho constitucional,

destacando principalmente desafíos en torno a la responsabilidad y la regulación. En particular, se señalaron preocupaciones sobre la perpetuación de sesgos y la vulnerabilidad de la privacidad. Además, la IAG plantea cuestionamientos acerca de la autoría, la propiedad intelectual y la responsabilidad legal. En conclusión, el estudio subraya la necesidad imperante de adaptar los marcos legales para garantizar un uso ético de la inteligencia artificial que respete los derechos fundamentales y la seguridad jurídica. En definitiva, la evolución tecnológica demanda que el derecho constitucional se prepare para afrontar los desafíos emergentes derivados de la IAG, asegurando su regulación adecuada y ética.

Palabras clave: derechos fundamentales, derecho comparado, inteligencia artificial generativa.

Introduction

Throughout history, humanity has undergone remarkable evolution, not only in physical development but also in intellectual capacity. This transformative process has facilitated the transition from primitive man to rational being, driving significant advancements in social and cognitive skills. As Galeano (2011) notes, this phenomenon is known as social intelligence, encompassing the ways in which we communicate and has enabled the formation of societies structured around culture, religion, and eventually, political life.

Consequently, this profound evolution has led to a paradigmatic shift in humanity, now capable of creating algorithms and complex systems designed to simplify social interactions. However, this capability has also generated a growing dependence on these systems, which perform specific tasks with remarkable speed and a degree of autonomous reasoning, now referred to as artificial intelligence (AI). Thanks to this intelligence, robots have been developed that, through natural language processing and pattern recognition, have achieved a form of independent thought.

In this context, the incorporation of generative and productive artificial intelligence in comparative constitutional law represents a significant advancement in how constitutional norms are developed, interpreted, and applied. Current technologies allow for the analysis of large volumes of legal data, identifying patterns and anticipating potential legal scenarios with a speed and precision that complement traditional legal analysis (Pinto, 2024). Nevertheless, this adoption raises fundamental questions regarding legitimacy, transparency, and accountability. While automation in document generation and legal advisories offers speed and accessibility, it also presents challenges concerning data protection, the loss of humanistic elements in analysis, and potential misinterpretations of norms.

Therefore, the relationship between law and artificial intelligence requires a profound technical understanding, along with critical reflection to ensure unwavering respect for constitutional principles, human rights, and justice. Furthermore, the comparison between different legal systems reveals diverse perspectives on the regulation and implementation of these technologies, reflecting the political, social, and cultural particularities of each context. In this regard, Durango (2023) reports on the presence of androids at a stadium in California during a game between the Miami Dolphins and the Los Angeles Chargers, where attendees were astonished by their interaction with these beings. Additionally, BBC News Mundo (2019) warns about the risks of this type of intelligence learning from erroneous information provided by humans.

One of the most prominent androids is Sophia, whose creation went viral in 2016 after allegedly expressing a hostile intent toward humanity. However, Bellucci (2021) explained to Clarín that Sophia operates with social intelligence based on open-source software. This case exemplifies the transition from simple video game programs to sophisticated generative AI (GAI), a technology that has enabled the existence of robots capable of learning and behaving autonomously.

Despite positive advancements, associated risks also emerge. In a publication by The Conversation in October 2023, Travieso (2023) stated that "prompts cause AI to bypass legal limits," emphasizing that prior to the launch of ChatGPT-3, simulated attacks were conducted at OpenAI, illustrating that while AI is not equivalent to a nuclear bomb, misuse can cause significant harm.

Thus, Generative Artificial Intelligence represents unique challenges in the legal realm, particularly concerning accountability and regulation. As automated systems based on this technology grow, questions arise regarding authorship, intellectual property, and responsibility for their actions. Consequently, it is essential to adapt legal frameworks to ensure ethical use that respects human rights and guarantees legal and biological security. In this context, constitutional law cannot lag behind; it must be at the forefront, attentive to technological advancements, as Carrasco (1984) warns that in the future, GAI through androids could severely violate fundamental rights.

From a theoretical perspective, the study of generative and productive artificial intelligence applied to comparative constitutional law provides essential tools for understanding the interaction between these

technologies and constitutional institutions. AI is defined as systems capable of performing tasks that require human faculties, such as natural language comprehension, machine learning, and content generation. In particular, generative and productive AI is characterized by its ability to create original content, opening new opportunities and challenges in the legal field. On the other hand, the principles and foundations of constitutional law establish the normative, doctrinal, and ethical framework that regulates state organization, fundamental rights, and constitutional control; these elements require thorough revision in light of technological integration, according to Suleng et al. (2025).

Moreover, constitutional principles shape the legal and political structure that regulates the state, protects fundamental rights, and distributes power, grounded in constitutional supremacy, separation of powers, and respect for human rights. Additionally, values such as popular sovereignty, the rule of law, and legality ensure legitimacy and democratic stability. Fierro (2025) notes that adapting these foundations to the digital age demands new forms of interpretation and application, especially in the face of advanced technologies.

Incorporating artificial intelligence into constitutional processes raises questions and opportunities in normative interpretation, rights defense, and public policy formulation. It is essential to understand these principles to evaluate whether AI contributes to or contravenes constitutional values, ensuring that technological innovation aligns with fundamental rights and freedoms. The interaction between constitutional law and emerging technologies requires rigorous analysis, integrating respect for human rights, transparency, and accountability in the use of automated systems. As Ruiz et al. (2025) assert, this debate is crucial for defining appropriate limits and ensuring that the application of AI in the constitutional domain is consistent with the democratic and legal principles that underpin the rule of law.

Finally, the relationship between artificial intelligence and law creates a complex and multidimensional landscape that has gained prominence in the last decade. The incorporation of generative AI systems in the legal field not only automates traditional processes but also transforms the manner in which constitutional norms are interpreted and applied. AI facilitates massive data analysis, identifies patterns, and generates recommendations that can expedite judicial decisions. However, it also raises questions regarding compatibility with fundamental principles such as the protection of human rights, transparency, and legal accountability. Dopazo (2024) indicates that automating legal activities requires a regulatory framework that ensures ethics and accountability, particularly concerning constitutional aspects that affect the autonomy of the rule of law.

Moreover, the interaction between AI and law generates inquiries about the legitimacy and understanding of technology-assisted decisions, necessitating a balance between innovation and constitutional guarantees. Regulation must include procedures that ensure equity and avoid biases and discrimination arising from non-representative data. Consequently, this relationship demands not only the adaptation of existing norms but also the development of new guidelines to protect constitutional integrity amid technological advancement. Close cooperation among jurists, technologists, and legislators is essential to promote technological development in service of constitutional protection, without sacrificing the principles of justice and legality that safeguard fundamental rights, as Grimaldo and Álvarez (2025) propose.

In light of the above, this study aimed to investigate the implications of using Artificial Intelligence from the perspective of comparative constitutional law, analyzing the behavior of androids with Generative-Productive Artificial Intelligence, framing their applications, and recognizing both benefits and challenges for fundamental rights in relation to the Constitution and existing laws.

Methodology

This research was conducted using a qualitative approach, adhering to criteria of transparency and methodological rigor aligned with the PRISMA (Preferred Reporting Items for Systematic Reviews and Meta-Analyses) protocol, adapted for qualitative reviews according to the SRQR (Standards for Reporting Qualitative Research) guidelines. The primary objective was to describe in detail and in a replicable manner the methods employed to analyze generative and productive artificial intelligence in the field of comparative constitutional law.

The adopted design consisted of a systematic review with a qualitative and descriptive nature. A thematic analysis was applied, allowing for the identification, examination, and presentation of relevant patterns or themes in the collected data. This approach favored a deep understanding of the perspectives and meanings associated with generative artificial intelligence in the legal context, supported by existing literature. The choice of a descriptive qualitative approach responded to the need to explore the complexity of the phenomenon and its ethical and legal implications, moving beyond traditional quantitative analysis.

The inclusion criteria for selecting studies considered the following:

- **Type**: Research articles, reviews, essays, and analytical documents addressing generative and productive AI in connection with constitutional law, fundamental rights, and comparative law.
- **Language**: Works published in Spanish and English.
- **Period**: Recent literature was prioritized without strict temporal limits to ensure broad and representative coverage.
- **Content**: Studies offering qualitative or conceptual perspectives on the benefits, challenges, ethical, regulatory, and social aspects of generative AI within the constitutional legal framework.

Research focused exclusively on technical aspects without a clear relationship to law, as well as purely quantitative studies lacking qualitative analysis, were excluded.

The literature search was conducted in relevant academic and scientific databases, such as Scopus, Web of Science, and Google Scholar, complemented by institutional repositories. Additionally, the references of the selected documents were reviewed using the "snowball" technique to include pertinent literature.

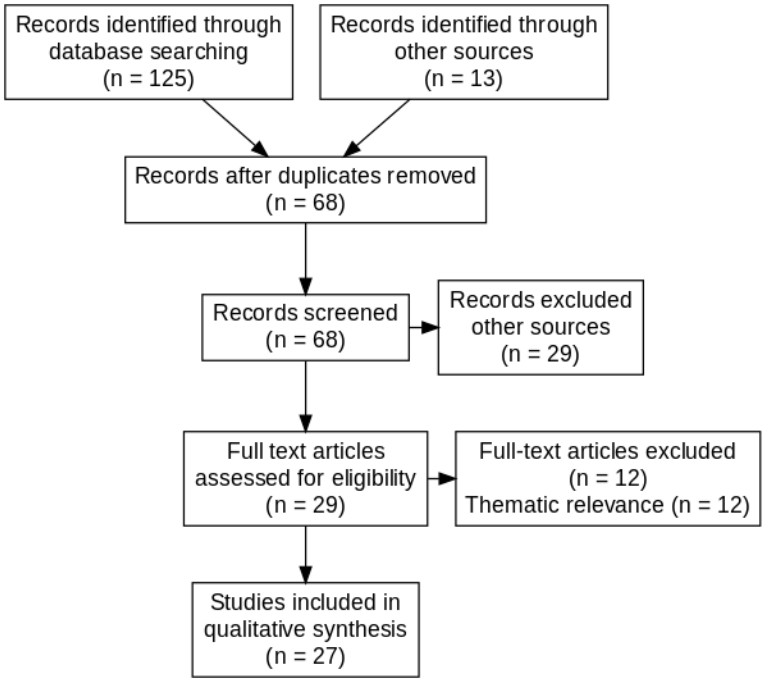
A search strategy was designed that combined key terms related to generative artificial intelligence, constitutional law, fundamental rights, and comparative law, using Boolean operators tailored to each database.

The selection of studies was carried out in two phases: initially, two independent reviewers screened titles and abstracts to identify documents that met the criteria. Subsequently, the full text of pre-selected articles was evaluated to confirm their inclusion. In cases of discrepancy, resolution was achieved through discussion or the intervention of a third reviewer. The entire selection process was meticulously documented following the PRISMA format.

For data extraction, a structured template was employed to compile information on bibliographic references, objectives, methodologies, main findings, and the ethical, legal, and social implications related to generative AI. The synthesis was conducted through thematic analysis, which organized the results into categories representative of the studied phenomenon.

Figure 1

PRISMA diagram for document selection



The PRISMA diagram presented illustrates the selection and filtering process of the studies included in the review. Initially, 125 records were identified in databases and 13 from other sources, totaling 138 records. After removing duplicates, 68 articles remained for evaluation. Of these, 29 were excluded for not meeting the criteria. The remaining 39 were assessed in full text, with 12 discarded due to lack of relevance to the research. Ultimately,

27 studies were included in the qualitative synthesis. This rigorous process ensures that the analyzed studies are relevant and of high quality, strengthening the validity and reliability of the obtained results.

Results and discussion

The results of this qualitative systematic review reveal a complex interaction between generative and productive artificial intelligence and comparative constitutional law, with significant implications for fundamental rights and legal security. Below is a summary organized by emerging themes.

Generative AI in the legal context

To provide context, artificial intelligence has existed for several decades and is integrated into multiple social spheres. The term was first coined by American mathematician John McCarthy during the Dartmouth Conference in 1956. Since then, AI has evolved remarkably. According to the European Commission, it is defined as a system capable of exhibiting reasonable and intelligent behaviors, analyzing its environment, and making decisions based on its contextual programming with a certain degree of autonomy (Zewe, 2023).

Artificial intelligence is one branch of computer science applied to law, aiming for machines to perform tasks that typically require human reasoning. It automates processes related to thinking, such as decision-making, problem-solving, and learning. To achieve this, computer systems simulate attributes of human intelligence. Thus, an intelligent system is characterized by solving problems similarly to a human being and can be indistinguishable from a person in situations like a blind conversation (Paz, 2024).

Within this field, expert systems are programs that mimic human behaviors by using information provided by users to offer concrete results. These systems ask questions to identify the relevant topic based on the responses received. In the legal realm, expert systems are one of the main applications of artificial intelligence (Cuba, 2022).

In particular, generative and productive AI has propelled the development of robots capable of interacting with and learning from humans. However, this advancement poses significant challenges, especially regarding responsibility and regulation. The generative AI's ability to create content and make automated decisions raises questions about authorship, intellectual property, and legal responsibility arising from its actions. Therefore, it is crucial that legal frameworks adapt to ensure ethical use that does not violate human rights, legal security, or the biological integrity of individuals (Carrasco, 1984).

Implications of AI on fundamental rights

Regardless of the area of application, the use of artificial intelligence systems significantly impacts a wide range of fundamental rights. Among these are privacy, data protection, non-discrimination, and access to justice. Sánchez (2021) notes that AI is far from neutral; it directly influences these rights. In both positive and negative ways, this technology affects human rights and intertwines them with existing social institutions, such as the state, educational centers, workplaces, and markets. It is important to highlight that each artificial system affects multiple rights in complex and sometimes contradictory ways (Torres, 2022).

Consequently, this section aims to demonstrate how artificial intelligence, particularly concerning four fundamental rights—equality, privacy, judicial guarantees, and freedom of expression—can lead to their violation, generating specific behavioral patterns. To this end, an analysis based on real cases will illustrate the limitations and deficiencies of generative AI systems, as well as everyday situations that permeate various aspects of social life (Solar-Cayón & Sánchez-Martínez, 2022).

Equality and non-discrimination

One of the most significant risks of generative artificial intelligence is its ability to perpetuate and reinforce existing social biases, representing a clear violation of the right to equality. Unlike humans, generative AI systems do not possess discretion or free will to modify their ethical behavior; instead, they replicate decision-making patterns learned from data that often contain human biases. This dynamic can deepen existing inequalities in the digital environment (Chanamé-Orbe, 1993).

Moreover, global research demonstrates that women are underrepresented in leadership positions and STEM (science, technology, engineering, and mathematics) fields, a situation that generative AI could exacerbate by transforming the skills demanded in the labor market and influencing hiring processes (Collett, Neff, & Gomes, 2022). To counteract these biases, it is essential to adopt the following measures:

- Promote diversity in teams responsible for AI development.
- Incorporate gender education and awareness into engineering training.

- Include experts in social sciences and equity to analyze datasets and eliminate biases.
- Implement constant monitoring and testing of algorithms to detect biases in their outcomes (Grupo Ático 34, n.d.)

Additionally, human oversight emerges as a key legal response to protect legal interests against AI, ensuring that the autonomy and learning capabilities of these systems do not compromise human rights (Sánchez & Toro-Valencia, 2021).

Privacy and data protection

Privacy is a fundamental right that generative artificial intelligence significantly challenges. In particular, the ability of organizations to collect, process, and analyze large volumes of data in real time, often without the explicit consent of the data subjects, raises substantial concerns regarding the violation of this right (Mendoza, 2021). Although AI systems are often designed to comply with minimum legal requirements regarding data protection, the consent granted by users is not always fully informed and does not include accessible mechanisms for understanding the implications and scope of such authorization.

Furthermore, the automated collection and handling of information directly affect the right to personal security and privacy. A clear example is the case of the SyRI system in the Netherlands, where algorithms created risk profiles determining which residents could be involved in criminal acts like extortion, a situation deemed a violation of the right to private life (Collosa, 2021). Therefore, it is imperative that algorithms are designed to reduce the propensity to violate security and protection, consolidating what can be considered a sacred right to security and the integrity of individuals' digital identities (Prado-Saldarriaga, 2017).

Freedom of expression and access to information

A central concern regarding the automated collection and handling of information lies in the right to protection, as algorithms process, manage, and retransmit large amounts of individual data and images (Müller, 2016). In recent years, this type of mass processing has had significant consequences for the enjoyment and exercise of the right to privacy and daily life, including the right to security in educational contexts.

For instance, through these calculations, profiles are generated that identify certain residents with presumed criminal obligations, as occurred with the SyRI system in the Netherlands. This system was declared incompatible with the requirements of Article 8, paragraph 2, of the European Convention on Human Rights, which protects private life and establishes conditions for the legitimate handling of personal data (Prieto-Sánchis, 2000).

In this regard, algorithms should be valuable tools for reducing vulnerability regarding security and protection, consolidating a fundamental right to safety and the integrity of digital identity. However, experts have warned that automation and artificial intelligence can reproduce and intensify existing biases. This situation is particularly concerning because, unlike humans, algorithms typically do not deliberately counteract the predispositions designed, whether consciously or inadvertently, by their developers (Crawford & Schultz, 2014).

Thus, the design and management of these systems decisively influence access to and transfer of data, a key aspect of the right to free expression. While algorithms and web trackers generate significant benefits for this right, there are also profound concerns regarding their utility in promoting plural, inclusive, and open public discourse in democratic societies. Furthermore, issues related to the security and veracity of information may hinder individuals from expressing themselves freely (Landa, 2021).

Additionally, for many people, platforms like Google or Facebook represent primary sources of information and essential communication spaces where user voices are amplified. This phenomenon should not be underestimated. Therefore, the free flow of data should be allowed unless legitimate reasons exist, applied with caution and proportionality, as seen in the suppression of illegal content (O'Donnell, 1987). A current example is the repeated suspension of accounts on Twitter and YouTube, as well as the ongoing restrictions imposed on former President Donald Trump on Facebook and Instagram due to his controversial speeches that incited extreme actions such as the Capitol riot (Roose, 2021).

This context demonstrates that content management on online entertainment and communication platforms is increasingly carried out through semi-automated or robotic processes. This reality generates immediate effects on the right to free expression and public articulation while raising intense debates about the legitimacy, authenticity, and proportionality of these measures (Rodríguez & Muñiz, 2000).

Challenges and regulations

The rise of generative productive automation systems brings new challenges, primarily due to their complexity, which complicates the clear identification of when fundamental rights are violated. In the context of the

Peruvian civil legal system, deficiencies persist, especially since the liability regime is primarily based on fault, highlighting its subjective nature (Muñoz & García, 2019). Furthermore, the protection of personal data is compromised by the lack of specific, clear, and effective regulations, exposing the privacy of both individuals and contracting companies.

Therefore, the extraction and use of data must be subject to defined limits and protocols that prevent the invasion of personal rights and privacy (Landa, 2021). It is essential for artificial intelligence systems to comply with fundamental principles such as legality, informed consent, purpose, proportionality, quality, and security in the processing of personal data (Wagner, 2016).

To ensure effective oversight of fundamental rights, it is necessary to consider rights theory and international treaties, especially those rights that have enhanced protection. For instance, the Ombudsman's Office in Peru has the primary function of protecting the fundamental rights of individuals and the community at large (Rubio, 1999). Additionally, the Charter of Fundamental Rights of the European Union represents a framework aimed at strengthening the safeguarding of these rights (European Union, 2003).

Finally, fundamental rights must guarantee spaces of personal freedom against state intrusion. In this sense, states have the obligation not only to refrain from violating these rights but also to prevent third parties from doing so, thereby ensuring comprehensive protection (Valadés, 2011).

Conclusions

Generative and productive artificial intelligence represents a significant technological advancement with profound implications for comparative constitutional law and the protection of fundamental rights. The findings from this qualitative systematic review highlight the complex and multifaceted nature of AI, which, while offering benefits in automation and data analysis, also presents significant challenges in the legal domain.

First, generative AI, by developing the capacity for autonomous decision-making and generating original content, raises complex questions surrounding authorship, intellectual property, and legal responsibility. In light of these new realities, it is essential that legal frameworks are updated to ensure that the development and application of AI are governed by ethical principles that respect human rights and ensure legal security.

Second, the review has highlighted the direct impact of generative AI on fundamental rights such as equality, privacy, and freedom of expression. The tendency of algorithms to reproduce biases present in training data underscores the urgency of maintaining continuous human oversight and implementing measures that ensure equity and prevent discrimination. The protection of privacy and personal data emerges as one of the greatest challenges, given AI's enormous potential to collect and process information, necessitating clear and effective regulations that ensure informed consent and data security.

Finally, the inherent complexity of generative AI systems complicates the precise identification of violations of fundamental rights, emphasizing the need to adapt existing legal frameworks. Incorporating principles such as legality, consent, purpose, proportionality, quality, and security in the processing of personal data is essential. Furthermore, it is crucial to strengthen oversight and compliance mechanisms, both nationally and internationally, to ensure effective protection of fundamental rights in this new technological era. In this sense, technological evolution demands that constitutional law remains at the forefront, proactively anticipating and responding to the challenges that generative AI poses for both society and the rule of law.

References

BBC News Mundo. (31 de octubre de 2019). Cómo la inteligencia artificial podría destruirnos por accidente. *BBC News Mundo*. https://www.bbc.com/mundo/noticias-50246831

Bellucci, J. (17 de febrero de 2021). Los secretos de Sophia: el robot que pretendía destruir a la humanidad y ahora la protege. *Clarín*. https://www.clarin.com/tecnologia/secretos-sophia-robot-pretendia-destruir-humanidad-ahora-protege_0_MFH1vqbKr.html#google_vignette

Carrasco, P. A. (1984). El "juicio de razonabilidad" en la justicia constitucional. *Revista Española de Derecho Constitucional*, 4(11). Madrid, España: CEC.

Chanamé-Orbe, R. (1993). La constitución de todos los peruanos. En ¿Cuál es la importancia del Sistema de Supervisión y Cumplimiento de Sentencias del Tribunal Constitucional? (2021). *Ventana Jurídica - Blog Académico de la Facultad de Derecho PUCP*. https://facultad-derecho.pucp.edu.pe/ventana-juridica/cual-es-la-importanciadel-sistema-de-supervision-y-cumplimiento-de-sentencias-del-tribunalconstitucional/

Collett, C., Neff, G., & Gomes, L. G. (2022). *Los efectos de la IA en la vida laboral de las mujeres*. UNESCO. https://unesdoc.unesco.org/ark:/48223/pf0000380871

Collosa, A. (8 de febrero de 2021). Algoritmos, sesgos y discriminación en su uso: A propósito de recientes sentencias sobre el tema. *Centro Interamericano de Administraciones Tributarias*

(CIAT). https://www.ciat.org/ciatblog-algoritmos-sesgos-y-discriminacion-en-su-uso-a-proposito-de-recientes-sentencias-sobre-el-tema/
Crawford, K., & Schultz, J. (2014). Big Data and Due Process: Toward a Framework to Redress Predictive Privacy Harms. *Boston College Law Review, 55*(93). https://ssrn.com/abstract=2325784
Cuba Yaranga, J. C. (2022). Inteligencia artificial en la seguridad nacional. *Centro de Estudios Estratégicos del Ejército del Perú (CEEEP)*. https://ceeep.mil.pe/2022/01/11/inteligencia-artificial-en-la-seguridad-nacional-limites-legales/
Dopazo Fraguío, M. P. (2024). El impacto de la inteligencia artificial generativa: clínica jurídica e innovación docente. *REJIE: Revista Jurídica de Investigación e Innovación Educativa*, (30), 93–126. https://docta.ucm.es/rest/api/core/bitstreams/a13f8291-443e-4e26-b663-9449a781510b/content
Durango Hurtado, J. (15 de septiembre de 2023). ¿A qué se debió la visita de robots humanoides a un partido de la NFL? *El Colombiano*. https://www.elcolombiano.com/deportes/futbol/la-razon-de-la-visita-de-robots-humanoides-a-un-partido-de-la-nfl-EK22394231
Fierro Rodríguez, D. (2025). Ruipérez Alamillo, J., y Vega García, P. de (2024). Dos estudios sobre la Constitución y su defensa. Colex. *Cuestiones Constitucionales. Revista Mexicana de Derecho Constitucional*, *26*(52), e19411. https://doi.org/10.22201/iij.24484881e.2025.52.19411
Galeano, J. (2011). El hombre y la tecnología: del hombre moderno al hombre primitivo. *KubernÉtica*, 5, 1–10. https://www.kubernetica.com/2011/04/27/el-hombre-y-la-tecnologia-del-hombre-moderno-al-hombreprimitivo/
Grimaldo Paredón, M. E., & Álvarez Paredón, J. R. (2025). IA en la justicia: transformación y desafíos éticos y legales. *IECC México*, *2*(2). https://ieccmexicoreview.com/index.php/home/article/view/10
Grupo Ático 34 (s.f.). Inteligencia artificial e igualdad de género. *Grupo Ático 34*. https://protecciondatos-lopd.com/empresas/inteligencia-artificial-igualdad-genero/
Landa Arroyo, C. (2021). Constitución, derechos fundamentales, inteligencia artificial y algoritmos. *THĒMIS: Revista de Derecho*, 79, 37-50. https://revistas.pucp.edu.pe/index.php/themis/article/download/24863/23650/
Mendoza Enríquez, O. A. (2021). El derecho de protección de datos personales en los sistemas de inteligencia artificial. *Revista IUS: Derecho e Inteligencia Artificial, 15*(48), 179–207. https://doi.org/10.35487/rius.v15i48.2021.743
Müller, F. (2016). *La positividad de los derechos fundamentales: cuestiones para una dogmática práctica de los derechos fundamentales*. Dykinson.
Muñoz, F., & García, G. (2019). *Derecho penal. Parte general*. Tirant lo Blanch.
O`Donnell, D. (1987). *Protección internacional de los derechos humanos*. Comisión Andina de Jurista. http://biblioteca.corteidh.or.cr/tablas/18049.pdf
Paz Panduro, M. N. (2024). Orígenes, evolución de la inteligencia artificial y derecho penal. *Sapientia & Iustitia*, (10), 115–127. https://doi.org/10.35626/sapientia.10.5.129
Pinto Alberto, T. G. (2024). Inteligencia artificial y verificación de hechos brutos: desafíos a los derechos humanos. En M. C. Rayón Ballesteros & A. M. D'Ávila Lopes (Eds.). *Transformación Digital de la Sociedad y Derechos Humanos* (pp. 123-140). https://www.academia.edu/124839838/Transformacion_digital_de_la_sociedad_y_Derechos_Humanos#page=123
Prado-Saldarriaga, V. R. (2017). *Derecho penal: Parte especial*. Pontificia Universidad Católica del Perú. Fondo Editorial. https://repositorio.pucp.edu.pe/index/handle/123456789/170685
Prieto-Sánchis, L. P. (2002). La limitación de los derechos fundamentales y la norma de clausura del sistema de libertades. *Pensamiento Constitucional*, 8(8), 61–102. https://revistas.pucp.edu.pe/index.php/pensamientoconstitucional/article/view/3275
Rodríguez, J., & Muñiz, T. (2000). *Principios, fines y derechos fundamentales*. Dykinson.
Roose, K. (7 de enero de 2021). The president is losing his platforms. *The New York Times*.
Rubio, C. M. (1999). *Estudio de la Constitución Política de 1993* (Tomo VI). Lima, Perú: Fondo Editorial de la Pontificia Universidad Católica del Perú.
Ruiz Silva, J. H., Granja Huacón, S. H., & Coello Avilés, E. M. (2025). Investigación sobre la Corte Constitucional y la salvaguarda de la supremacía de la Constitución en Ecuador. *Revista Dilemas Contemporáneos: Educación, Política y Valores*, 12(2). https://doi.org/10.46377/dilemas.v12i2.4575
Sánchez Vásquez, C. (2021). *El derecho al control humano en la inteligencia artificial*. [Tesis. Universidad EAFIT]. https://repository.eafit.edu.co/bitstream/handle/10784/30580/Carolina-Sanchez-2021.pdf?sequence=2

Sánchez Vásquez, C., & Toro-Valencia, J. (2021). El derecho al control humano: Una respuesta jurídica a la inteligencia artificial. *Revista Chilena de Derecho y Tecnología*, *10*(2), 211-228. https://dx.doi.org/10.5354/0719-2584.2021.58745

Solar-Cayón, J. I., & Sánchez-Martínez, M. O. (2022). *El impacto de la inteligencia artificial en la teoría y la práctica jurídica* (Vol. 1). Wolters Kluwer España.

Suleng Furió, K., Pedreño Muñoz, A., Gómez Sanchis, J., Blasco Ivars, J., Albiol Colomer, F. J., Lloret Romero, N., ... & Botti Navarro, V. (2025). *Inteligencia artificial: aplicaciones de vanguardia en sectores estratégicos*. Fundació Parc Científic Universitat de València (FPCUV). https://pcuv-3808422.hs-sites.com/descarga-ebook-inteligencia-artificial-sectores-estrategicos

Torres, J. (2022). *Derecho convencional, derecho constitucional y derechos fundamentales: el inevitable camino hacia la justicia* (Vol. 1). J. M. Bosch Editor.

Travieso Teniente, S. (30 de diciembre de 2023). Los 'prompts' que hacen que la IA se salte los límites legales. *El Economista*. https://www.eleconomista.com.mx/tecnologia/Los-prompts-que-hacen-que-la-IA-se-salte-los-limiteslegales-20231230-0020.html

Unión Europea. (2003). *Carta de derechos fundamentales*. Diario Oficial de las Comunidades Europeas, 18, 1-22.

Valadés, D. (2011). La protección de los derechos fundamentales frente a particulares. *Anuario de Derechos Humanos. Nueva Época, 12,* 439-470. https://doi.org/10.5209/rev_ANDH.2011.v12.38112

Wagner, B. (2016). *Global free expression: Governing the boundaries of internet content*. Springer International Publishing.

Zewe, A. (9 de noviembre de 2023). Explained: Generative AI. How do powerful generative AI systems like ChatGPT work, and what makes them different from other types of artificial intelligence? *MIT News: On Campus and Around the World*. https://news.mit.edu/2023/explained-generative-ai-1109