The 10th session of the Expert Mechanism on the Right to Development
Item 5 of the Provisional Agenda
Implementation of the mandate and programme of work –
Focused thematic discussion and interactive dialogue
Palais des Nations, Room XXI, Geneva

Artificial intelligence, cultural rights and right to development

Tuesday 29 October 2024, 15h to 16h30

Talking points by Ms. Anja Gengo,
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How does the Forum address this issue?

- The IGF was convened by the Secretary-General in 2006. Since then, it has served as a global platform for open, inclusive, bottom-up, multistakeholder discussions on the matters related to the Internet and associated digital technologies and tools.

- Bottom up as one of its mandate key principles means that the Forum's agenda and overall work is community-centred and community-driven.

- The AI-related topics have been on the agenda for the past several years, gaining prominence since 2016 when the Forum was hosted in Mexico, then in Switzerland.

- We witnessed and actively addressed how this area has been developing, over time bringing us from AI whose nature was solely predictive to a new content creation one.
The latter came with the generative AI which particularly intertwines with our human rights, which includes the cultural rights.

- The community is addressing the AI governance through our Policy Network on AI, particularly focused on these four main areas:
    - AI governance, interoperability and good practices,
    - Environmental sustainability and the generative AI value chain,
    - Liability for harms across the ai lifecycle, incentivizing accountability, and
    - Labour issues throughout AI's lifecycle.

AI impact on cultural rights - opportunities and challenges

- Today, AI, particularly large language models (LLMs), has had both promising and concerning impacts on cultural rights.

- On the positive side, for example, AI can enhance access to cultural heritage by digitizing vast amounts of cultural data, making them widely accessible.

- This leads to offering new opportunities for people to explore cultural resources that might otherwise be inaccessible, preserving endangered languages and offering new ways for communities to engage with their heritage.

- However, there are also pressing concerns regarding how AI interacts with cultural rights. LLMs, for example, are often trained on large datasets that may include culturally sensitive information or reinforce dominant narratives, potentially erasing or misrepresenting minority cultures.

- Additionally, the lack of transparency in AI training processes poses challenges in ensuring cultural representation and accuracy, potentially infringing on the rights of communities to control and protect their cultural identity in the digital age.

- For AI to truly support the Right to Development, all countries and people need fair access to AI technologies. This is challenging because many developing regions lack the infrastructure, training, or resources to benefit fully from AI, which can widen inequalities.

- The digital divide poses a significant challenge in the context of AI and cultural rights, especially when it comes to access to technology and the creation of locally relevant content. For many communities, limited access to digital resources and connectivity restricts their ability to participate fully in the digital world, including opportunities to engage with and benefit from AI technologies. This divide not only limits access to global information but also stifles the development and sharing of local cultural content online, creating an imbalance where only dominant, widely represented cultures have a significant digital presence.

- Moreover, the absence of locally relevant content can further marginalize underrepresented communities, as they may struggle to see their languages, traditions, and cultural expressions reflected in digital spaces. Ensuring that AI and digital platforms support diverse cultural content can help bridge this gap, promoting inclusivity and giving all communities the chance to contribute their unique perspectives. Addressing the digital divide is thus essential to empower every community to access, create, and share content that resonates with their cultural identity, fostering a more inclusive digital landscape.

Multistakeholder governance and holistic approach to regulation

- We believe that effective governance of digital technologies, including AI, can only be achieved through a multistakeholder approach. This inclusive model ensures that we account for diverse perspectives, needs, and values.

- A framework grounded in shared values and standards is essential for governing AI responsibly. By working collaboratively, stakeholders can create a

foundation that respects human rights and upholds the rule of law, guiding AI innovation in a socially responsible direction.

- AI overall presents multifaceted challenges. From ethical concerns to operational risks, these are highly complex and interconnected issues that demand a comprehensive, holistic regulatory approach, beyond traditional boundaries of sanction-based or purely voluntary guidelines.

- AI regulation must move beyond a simple choice between sanctions or incentives, soft or hard law. A balanced approach that includes enforceable standards alongside adaptable guidelines provides the flexibility needed as AI technologies and societal needs evolve.

- Involving diverse voices is critical to achieving effective AI governance. Only through an inclusive, multistakeholder process can we understand AI's applications and impacts, ensuring policies are both practical for developers and protective of societal needs.

- Sustainable governance depends on developing capacity at every level. Policymakers, technical experts, and end-users alike must be well-informed to engage meaningfully in the regulatory process, building a foundation for AI literacy and accountability.

- Empowering people and organizations to make informed decisions about AI use is equally important. Raising awareness about AI's benefits, limitations, and risks ensures that stakeholders make choices that align with their values and needs.

- The members states commitment to establish an international scientific panel on AI expressed through the recently adopted GDC is a step forward. This panel would provide a global resource, enabling countries to share knowledge and standardize best practices, ultimately guiding AI governance with scientific evidence and a diversity of perspectives.

- All delegates are invited to take active participation in the 19th annual IGF meeting in Riyadh, 15-19 December. They are also encouraged to take active participation in the 173 national, regional and youth IGFs.