The 12th 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 Discussions and Interactive Dialogues
Palais des Nations, Room XVI, Geneva

The impact of AI on creative industries, cultural rights, and the right to development

Tuesday 28 October 2025, 15:00–16:30

Concept Note
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Introduction

Creativity, cultural rights, and development are deeply interlinked.

Creativity is at the core of human development. From the early beginnings of our existence, we have told stories through art, music, and language—whether through cave drawings, verse, or song, we have shared experiences. We have drawn life lessons and left legacies for future generations; our unique individual expressions becoming part of our collective perception of the world.

Humanity has never ceased to create. The right of everyone to have the freedom to be creative in all fields of human life is enshrined in Article 15(3) of the International Covenant on Economic, Social and Cultural Rights.

Today, we have sophisticated creative industries—such as publishing, film, music, fashion, design, and the arts—which serve as powerful vehicles for self-expression, unfolding identities, languages, beliefs, and values. They are a means of preserving and sharing cultural heritage, fostering innovation, and shaping cultural narratives.

Creative industries therefore enable the enjoyment of cultural rights, which are central to development. When creative industries flourish, they can enhance access to culture, support diversity, and make cultural rights tangible and accessible.

Cultural rights are also fundamental to sustainable development and social inclusion. Every human being and all peoples are entitled to participate in, contribute to, and enjoy cultural development in which all human rights are realized (Article 1 of the United Nations Declaration on the Right to Development, 1986). This is particularly important for Indigenous peoples, minority groups, women, people with disabilities, and migrant communities. Supporting creative industries in these communities helps preserve endangered languages, share diverse worldviews, and strengthen social cohesion.

The integration of AI into creative industries is rapidly reshaping the ways in which art is created, disseminated, and consumed. AI can amplify creativity by assisting creators and promoting their work, as well as by expanding public access to cultural life. However, it can also undermine creators' work—for example, by using their output to generate new content, copies, or imitations that are presented for public consumption. This may erode the economic rights of creators and narrow the diversity of cultural expressions in digital spaces, among other risks.

Currently, the regulatory landscape is fragmented, and the enforceability of existing safeguards is increasingly in question. Non-binding undertakings and international pledges often appear toothless in the face of the rapid evolution and growing power of the AI industry.

Purpose

This discussion seeks to explore the risks and opportunities posed by AI in the cultural and creative sectors, and to identify specific impacts on artists and creators—and, in turn, on cultural rights and the right to development. It also aims to discuss how these risks can be mitigated in a manner that upholds cultural rights and promotes the equitable realization of the right to development.

Guiding questions

1. How is AI currently shaping creative industries?
2. Do AI systems currently pose an existential threat to creative industries? If so, how?
3. How does AI change the creativity landscape and, with it, the enjoyment of cultural rights?
4. What risks does AI pose to cultural diversity, freedom of artistic expression, and the economic and moral rights of creators—particularly in contexts where legal and policy protections are limited?
5. Are creators in the Global South at higher risk than those in the Global North?
6. How much power should AI systems—and those who control them—have?
7. Are the current regulatory and policy tools at national and international levels adequate?
8. If not, what else can be done?

Expected Outcomes

1. Clarify the impact of AI on creative industries, cultural rights, and the right to development, with particular attention to opportunities and risks for artists, creators, and communities.
2. Contribute to the EMRTD's ongoing thematic study on Artificial Intelligence, Regulation, and the Right to Development.
3. Gather perspectives and examples from stakeholders on how AI affects individuals' and peoples' contribution to, participation in, and fair benefit-sharing from cultural development and creative sectors, to inform the EMRTD's future analysis and recommendations.

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