Introduction for the panel discussion on the study "Artificial intelligence, cultural rights, and the right to development"

EMRTD 13th session
Wednesday 22 April 10:00 am – 11:30am

Thank you Juany.

This thematic study of the Expert Mechanism addresses Artificial intelligence which is transforming the world as we know it. It is reshaping how culture is produced, distributed and consumed. It is reconfiguring labour markets, knowledge systems and power relations. And it is doing so at a speed that outpaces our regulatory frameworks and our collective capacity to respond.

The study's central argument is both simple and profound: AI is not a neutral technology. It reflects and reproduces existing inequalities — and, if left inadequately governed, risks deepening them.

The study is grounded in a human rights-based framework. At its core is Article 15 of the International Covenant on Economic, Social and Cultural Rights, which protects the right to participate in cultural life, the right to benefit from scientific progress, and the right to the protection of the moral and material interests of creators. The right to development provides the overarching framework — demanding that technological progress be participatory, equitable and directed towards the well-being of all individuals and peoples.

While the study focuses on four areas, Klentiana Mahmutaj has recently informed our distinguished speakers that one of these areas may have to be cut to comply with the required word-count limit, and this would be the first area devoted to the philosophical and epistemic dimensions of AI.

The remaining areas address the following:

- Creative industries and cultural labour. The study argues that generative AI can replicate artistic styles and automate creative tasks — often without authorisation, remuneration or meaningful consent from creators. The study calls for equitable licensing mechanisms and effective protection for cultural workers.

- Indigenous Peoples and traditional knowledge systems. For Indigenous Peoples, cultural data embodies collective identity, traditional knowledge and spiritual significance. Its large-scale extraction for AI training, without free, prior and informed consent, risks constituting a new form of what the study calls "digital extractivism." States must ensure that Indigenous Peoples participate meaningfully in decisions affecting their cultures and knowledge systems.

- And finally, regulatory approaches. Existing frameworks are not fully equipped to address collective cultural harms and structural inequalities. The transnational nature of AI demands strengthened international cooperation, including binding standards on data governance, transparency and equitable benefit-sharing.

The right to development provides a human-centred framework for navigating these challenges. It demands not only the prevention of harm, but the proactive shaping of technological trajectories to advance inclusive, culturally diverse and sustainable development.

The normative framework is in place. What is needed now is the political will to act.

We look forward to a rich exchange with our distinguished speakers and all participants.

I thank you.