The 13th session of the Expert Mechanism on the Right to Development

Item 4 of the Provisional Agenda
Implementation of the mandate and programme of work –
Focused thematic discussions
Conference Room 6, United Nations Headquarters, New York

Advancing non-discrimination, equality and development for all: 40 years of the right to development and 25 years of the Durban Declaration and Programme of Action

Wednesday 22 April 2026, 16:30 to 18:00

Unofficial transcript of the oral statement by Prof. Melissa Perreault, Citizen of the Métis Nation, University of Guelph

Madam Vice Chair,
Esteemed Experts and Colleagues,

I would like to offer my positionality as a citizen of the Métis Nation with historical ties to the Nipissing First Nation in Ontario Canada. I am also a member of the Cross-Cultural Working Group of the International Brain Initiative.

One of the objectives of this Group is to work towards the meaningful involvement of Indigenous persons and communities in research and new technologies, specifically those related to the brain and mind. At a recent UN side event in Geneva, my colleagues spoke about progress across human rights frameworks in the context of Indigenous Peoples' right to consent and data sovereignty.

Building on these efforts, today I speak to the existing gaps in governance to protect our rights to development in AI, neurotechnologies, and in neuroscience as a whole. While speaking about these gaps in governance, we should keep in mind what many scholars now identify as technological colonialism. This refers to the extension of colonial power through data extraction, algorithmic design, and the imposition of external frameworks of knowledge—often without the consent, participation, or benefit of Indigenous Peoples.

AI governance in neuroscience has received little attention, although it is this field that has perhaps the greatest potential for harm to those most vulnerable. I offer the example of mental health and addiction. The prevalence of mental health and substance use disorders are disproportionately high in Indigenous communities around the world, as a result of the transgenerational impacts of colonization, and the ongoing impacts of colonialism that involve inequality, exploitation, and cultural dissolution.

Although we have all heard of the overt dangers associated with AI chatbots, or AI therapists, the impacts of AI on Indigenous communities may also be much more insidious, leading to the further entrenchment of colonial practices that may challenge, suppress, or even extinguish the core wholistic aspects of Indigenous well-being. And so, even under conditions of true authenticity, such as through the development of AI tools for therapeutic interventions for example, there is great potential for harm.

As we rapidly progress in the development of these tools for use in Indigenous communities, I offer a few key questions to consider.

Who will it be who defines brain health? Resilience? Or wellness?

For us, brain health does not stand alone but exists in balance with other aspects of ourselves. One cannot treat one aspect without considering the being as a whole. How will this be considered?

What about neurodiversity? Or disability? Indigenous scholars today are calling for better integration of their lived experience into Euro-Western medical practices and theoretical models about disability. It is not simply abled or disabled, rather it is the wholeness of existence, considering communities, nature, family, past and present.

And finally, how will AI interpret Indigenous experiences? Euro-Western diagnostic categories have historically misclassified Indigenous experiences and concepts of health and so there is great risk that AI mental health tools will magnify these attitudes and ideologies.

Importantly, the risk is not only in how data are used—but in what data do not exist. Many Indigenous cultures, languages, and understandings of health remain underrepresented or entirely absent from the datasets used to train AI systems. This absence is not benign. It renders Indigenous realities invisible to algorithmic systems or forces them to be approximated through non-Indigenous proxies.

In this way, absence itself becomes a form of harm—producing systems that either ignore Indigenous Peoples altogether or misrepresent them through externally imposed categories.

There are existing Indigenous governance frameworks that offer some guidance. For example, in Canada there is the First Nations principles of OCAP, and of course, there is the United Nations Declaration on the Rights of Indigenous Peoples. However, we argue that in this era of AI and rapid technological advancement, adaptations to these governance models are required.

Our Cross-Cultural Working Group will begin the process of adapting existing governance models by using a Two Eyed Seeing[1] approach, first developed by Mikmaw Elder Albert Marshall of eastern Canada. Two Eyed Seeing requires cultural humility and allyship; it is a concept that integrates both Indigenous and Euro-Western ways of knowing and doing.

This approach is critical when considering AI tools as AI alignment, processes that determine how systems interpret values, norms, and desirable outcomes, are often overlooked. If Indigenous perspectives are absent from these processes, AI systems will inevitably be aligned with dominant cultural assumptions. This creates a structural risk: systems that appear neutral but are in fact calibrated to prioritize non-Indigenous ways of understanding the world.

In this sense, misalignment is not accidental. It is a predictable outcome.

Given this work and conclusions to date, I leave you with several considerations.

First, data governance must move beyond inclusion toward co-elaboration. Indigenous Peoples must co-define research questions, interpretative models, and indicators of development.

Second, data sovereignty must include epistemic authority, namely the power to define meaning, not simply to authorize access.

And finally, there should be a mechanism in place for each individual or community to challenge how their data are used, as well as how their experiences are defined and interpreted.

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[1] Illes J*, Perreault ML*, Bassil K, Bjaalie JG, Taylor-Bragge RL, Chneiweiss H, Gregory TR, Kumar BN, Matshabane OP, Svalastog AL, Velarde MR. 2025. Two-Eyed Seeing and other Indigenous perspectives for neuroscience. Nature, 638: 58-68.

To conclude, technological colonialism does not require intent. It emerges wherever systems extract data without governance, interpret without consent, and define without accountability. If the gaps I just described remain unaddressed, we risk enabling a future in which Indigenous Peoples are not only underrepresented in data but overdetermined by systems that do not understand them. The question before us is whether AI and neuroscience will advance in ways that respect Indigenous sovereignty, knowledge systems, and futures.

The implementation of the Durban Declaration and Programme of Action is more relevant than ever. We need to learn from the past 40 years to better guide the next 40 years of AI development, ensuring it promotes justice and equity for affected populations.

Thank you.

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