
Intervention at UNESCO on AI Governance: Towards a Fair, Transparent, and Rights-Based Global Framework

Derechos Digitales has been closely participating in discussions on AI governance since 2019 and during this period we could attest a prominent lack of participation of Global South actors in general and CSOs more specifically multiple spaces dedicated to this task. Research evidences the same: a conversation that has been guided mostly by the corporate interests of few countries which then pressure others to follow their models.

1. The Dialogue represents a key opportunity to change this scenario by incorporating civil society and affected communities' perspectives in a meaningful way. This implies addressing asymmetries and requires transparency on the criteria for selecting speakers and panelists for the Dialogue. It is necessary to ensure that selected representatives are connected to broader networks and able to reflect collective perspectives; and to actively include voices from underrepresented regions and groups. The Dialogue should be open to broad civil society participation (and we welcome the indication of possibilities for remote participation are being explored), including in the definition of its outcomes, by the appointment of a civil society liaison to support the Co-Chairs in their tasks.

2. This Dialogue does not start from a void. For instance: thanks to evidence brought by academia and civil society and their sustained pressure, the UN system has already recognized the need of banning AI applications that “cannot be operated in compliance with international human rights law and impose moratoriums on the sale and use of AI systems that carry a high risk for the enjoyment of human rights”.

The Dialogue has an inherent mission to address the urgent need to define mechanisms for monitoring, oversight, supervision and certification of such systems in a way that allows harm not to be escalated or replicated at the global level. A priority should be to define criteria to analyze the compliance of AI products and applications and, thus, to support countries in making providers accountable to any violations.

3. Finally, the material basis of AI remains obscured, with AI governance approaches focused primarily on the computational layer. As a result, ecological and labour impacts are neither systematically measured nor regulated across the AI lifecycle. In the meantime populations, particularly from Global South countries, are differentially impacted by extractivist practices. It is necessary that the Dialogue takes the conversation further by integrating labour and environmental considerations into the construction of accountability mechanisms.

To conclude: a global governance framework should not adapt to business enterprises' transnational practices for evading accountability. On the contrary, it should enhance mechanisms and cooperation to ensure that human rights are respected by all stakeholders within the full AI lifecycle.