Informal consultations with stakeholders

Independent International Scientific Panel on Artificial Intelligence (AI) and Global Dialogue on AI Governance – Proposed Modalities and Terms of Reference in zero draft resolution

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Excellencies, thank you for this opportunity to contribute to these consultations.

My name is Anna Oosterlinck and I speak on behalf of ARTICLE 19, a local to global human rights organisation, focusing on freedom of expression and related rights.

Responsible, secure, accountable, transparent, and human rights-based AI by design is our collective priority.

ARTICLE 19 wishes to reiterate our recommendations made during the 18 February consultations. ARTICLE 19 urges Member States to apply four foundational principles across the work of the Panel and the Dialogue.

1) Ensure a **multistakeholder model of AI governance**. All stakeholders, including human rights actors and communities most impacted by AI applications, must be able to meaningfully participate in these mechanisms as per the NetMundial+10 Principles. Human rights perspectives need to be embedded throughout their work, so that the varied ethical, social, economic and political impacts, harms, inequalities and risks from diverse perspectives, including the Global Majority, are fully identified and understood. Virtual participation in these mechanisms should be offered as a standard way of engagement.

2) **All human rights** must be protected **throughout the full lifecycle of all AI technologies**. Free expression, the right to non-discrimination, the right to equality and gender equality are key. ARTICLE 19 also recommends considering various AI technologies individually, given their different uses and impacts.

3) Avoid duplication with existing AI governance initiatives within and beyond the UN system. AI governance requires a **holistic and global approach**, turning a patchwork of initiatives into a coherent approach in compliance with international law, human rights and the SDGs.

4) The Panel and the Dialogue should be **integrated into existing UN structures,** such as the IGF, and leverage existing UN expertise, in particular from the OHCHR, UN Special Procedures, ITU and other relevant UN actors.

In ARTICLE 19's view, a number of questions remain:

1) On the Panel: what is the mandate of the Panel's Expert Committee and Advisory Committee and how will they interact? We recommend decision-making is not based on consensus as this risks ending up with the lowest common denominator outcome, but rather reflect the diverse perspectives within the committees resulting in more informed outcomes. The Panel needs to be fully independent and free from political influence. The Panel should be composed of experts from a broad range of disciplines, including human rights experts, with a balanced geographical and gender representation.

2) On the Dialogue: The mandate seems fairly broad and ARTICLE 19 recommends focusing the mandate on tangible outcomes as per the GDC.

3) The relationship and ways of working between the Panel and Dialogue need to be clarified.

4) Finally, the Panel and the Dialogue should scrutinise the concentration of resources and power in several components of the AI supply chain including computing power, data, technical expertise, and financial resources, and consider how to mitigate such power concentration so that the asymmetries in the global ecosystem are not misused by the powerful to undermine the rights of vulnerable communities.

Finally, we urge for a transparent and inclusive process to determine the modalities, including streaming the States' informal consultations on UN Web TV and organising further virtual stakeholder consultations like today.

Thank you.