

AI: Risks, Rights and Responsibilities Panel

Saving Global Human Rights: A “Global South+AI” Strategy

https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4690772

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Pacific Telecommunications Council: PTC '24
January 21, 2024
Honolulu, HI



December 10, 1948 Declaration 30 Rights and Freedoms

Universal Indivisible Inalienable Interdependent



THE UNIVERSAL DECLARATION OF Human Rights

WHEREAS recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

WHEREAS disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people,

WHEREAS it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law,

WHEREAS it is essential to promote the development of friendly relations among nations,

WHEREAS the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have

determined to promote social progress and better standards of life in larger freedom,

WHEREAS Member States have pledged themselves to achieve, in co-operation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

WHEREAS a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge,

NOW THEREFORE THE GENERAL ASSEMBLY

PROCLAIMS this Universal Declaration of Human Rights as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

ARTICLE 1 — All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

ARTICLE 2 — Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

2. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether this territory be an independent, Trust, Non-Self-Governing territory, or under any other limitation of sovereignty.

ARTICLE 3 — Everyone has the right to life, liberty and the security of person.

ARTICLE 4 — No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

ARTICLE 5 — No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

ARTICLE 6 — Everyone has the right to recognition everywhere as a person before the law.

ARTICLE 7 — All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

ARTICLE 8 — Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

ARTICLE 9 — No one shall be subjected to arbitrary arrest, detention or exile.

ARTICLE 10 — Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

ARTICLE 11 — Everyone charged with a penal offence has the right to be presumed innocent until proven guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.

2. No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.

ARTICLE 12 — No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

ARTICLE 13 — (1) Everyone has the right to freedom of movement and residence within the borders of each state.

2. Everyone has the right to leave any country, including his own, and to return to his country.

ARTICLE 14 — (1) Everyone has the right to seek and to enjoy in other countries asylum from persecution.

2. This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

ARTICLE 15 — (1) Everyone has the right to a nationality.

2. No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

ARTICLE 16 — (1) Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.

2. Marriage shall be entered into only with the free and full consent of the intending spouses.

3. The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

ARTICLE 17 — (1) Everyone has the right to own property alone as well as in association with others.

2. No one shall be arbitrarily deprived of his property.

ARTICLE 18 — Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

ARTICLE 19 — Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

ARTICLE 20 — (1) Everyone has the right to freedom of peaceful assembly and association.

2. No one may be compelled to belong to an association.

ARTICLE 21 — (1) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.

2. Everyone has the right of equal access to public service in his country.

3. The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

ARTICLE 22 — Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the economic resources of each State, of the economic, social and cultural rights indispensable for his dignity and for the free development of his personality.

ARTICLE 23 — (1) Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.

2. Everyone, without any discrimination, has the right to equal pay for equal work.

3. Everyone who works has the right to just and favourable remuneration.

inquiry for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.

4. Everyone has the right to form and to join trade unions for the protection of his interests.

ARTICLE 24 — Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

ARTICLE 25 — (1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

2. Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

ARTICLE 26 — (1) Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

2. Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

3. Parents have a prior right to choose the kind of education that shall be given to their children.

ARTICLE 27 — (1) Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.

2. Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

ARTICLE 28 — Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

ARTICLE 29 — (1) Everyone has duties to the community in which alone the free and development of his personality is possible.

2. In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.

3. These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

ARTICLE 30 — Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.

Adopted by the United Nations General Assembly at its 21st Session, held at Paris on 10 December, 1948.
Signed by 48 Representatives of Member States.

PENNSTATE



UNITED NATIONS



China/Russia “Sochi Declaration” 2022

On February 4, 2022, Vladimir Putin and Xi Jinping convened at the opening of the Sochi Winter Olympics and issued a Joint Statement detailing their nations’ shared positions.

On Human Rights: *“The Universal Declaration of Human Rights set noble goals in the area of universal human rights . . . which all the States must comply with and observe in deeds. At the same time, as every nation has its own unique national features, history, culture, social system and level of social and economic development, universal nature of human rights should be seen through the prism of the real situation in every particular country, and human rights should be protected in accordance with the specific situation in each country and the needs of its population.”*



China/Russia “Sochi Declaration” 2022

- On Democracy: *“A nation can choose such forms and methods of implementing democracy that would best suit its particular state, based on its social and political system, its historical background, traditions and unique cultural characteristics.”* It is only up to the people of the country to decide whether their State is a democratic one.” “Russia and China . . . have long-standing traditions of democracy, which rely on thousand-years of experience of development, broad popular support and consideration of the needs and interests of citizens.”



OUTLINE

1. Introduction: A Wake-Up Call¹
2. Foundational Norms and Democratic Backsliding
3. Global South Ascending
4. UN Development Initiatives at Core
5. Human Rights, UN Development Goals and AI
6. Preserving Human Rights in a Polarized World
7. A “Global South+AI” Strategy
8. Conclusion: The Uncertain Future of Human Rights

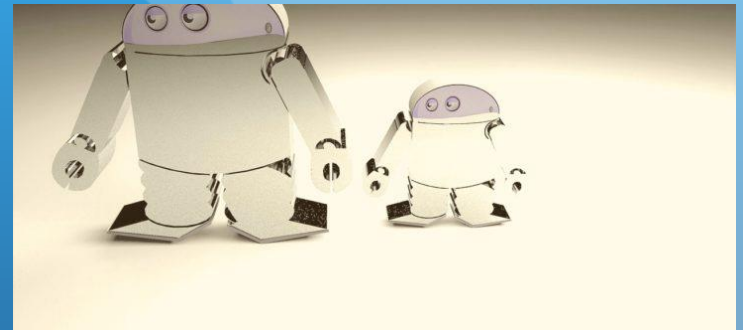


<https://globindian.wordpress.com/east-vs-west/>

1. For additional background, see: Taylor, R. (2022). “*Preserving Human Rights Across the Digital Domain*”. TPRC 50 Conference, September 16-17, 2022, at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4178327

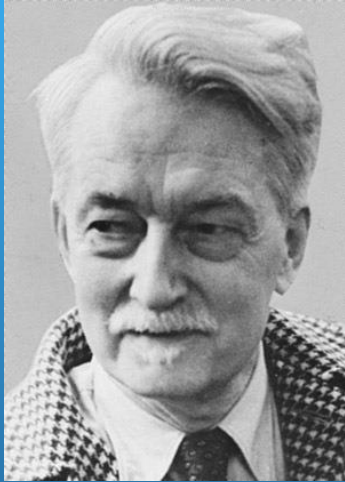
1. Introduction

- Class of AI Problem: “Alignment” of AI with “Human Values”²
- Normative Systems and Geopolitics
- Problem: Human Rights as Special Case
- Geopolitical World Changed Since 1948 (48-0-8-2) vs. 193 (2024)
- The UN, the “Global South” and AI
- Human Rights Future Uncertain



<https://manuherran.com/ai-artificial-intelligence-human-values-alignment-scenarios/>

2. For discussion of this issue, see: Taylor, R. (2023). “**Rationalizing AI Governance: A Cross-Disciplinary Perspective**”. Preprint, SSRN, Postd May 1, 2023 at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4433175



"No declaration of human rights will ever be exhaustive and final. It will ever go hand-in-hand with the state of moral consciousness and civilization at a given moment in history".

French philosopher Jacques Maritain (1882-1973) in his text "*On the Philosophy of Human Rights*".

<https://courier.unesco.org/en/articles/human-rights-and-natural-law>

Some “Rights” Debated but NOT Adopted

- Right to minimum wage
- Right to form a union
- Right to strike
- Right to free choice of employment
- Right to rest and leisure
- Right to a fair trial

What new rights await discovery???

Human Rights and AI

"While ethics provide a critical framework for working through particular challenges in the field of artificial intelligence, it is not a replacement for human rights, to which every State is bound by law."

David Kaye - UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression



“Human rights have so far been largely overlooked in the governance of AI . . . This is an error and requires urgent correction.”

Jones, K. (2023). “AI Governance and Human Rights: Resetting the Relationship”. Chatham House, January 2023 at <https://www.chathamhouse.org/sites/default/files/2023-01/2023-01-10-AI-governance-human-rights-jones.pdf>

2. Foundational Norms and Democratic Backsliding

- A World Divided into Ideological Blocs (East/West)
- Geopolitics Driven by High-Level, Contesting Value Systems
- Human Rights As Both Moral and Legal Norms
- Human Rights Work With Development Goals
- Human Rights Values and Democratic Backsliding
- Human Rights Policies Offer Demonstrable Benefits

Human Rights and Economic Development

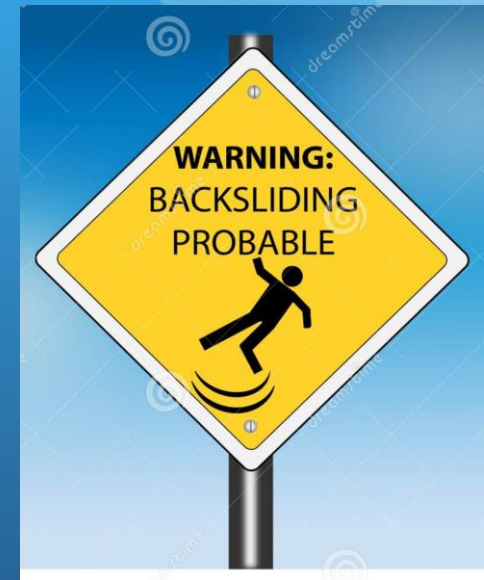
- Studies of the economic effects of implementing human rights have shown that **freedom and participation rights affect economic growth** positively in the long term. These are the main conclusions drawn from two studies made at the Danish Institute for Human Rights.
- Other studies have shown that basic rights like freedom of assembly and association, as well as **electoral self-determination, have a positive impact on the economic prosperity** of developing nations.

DEMOCRACY IS STRONG AND HUMAN
RIGHTS ARE SAFE . . . RIGHT???

WELL, MAYBE NOT SO MUCH!

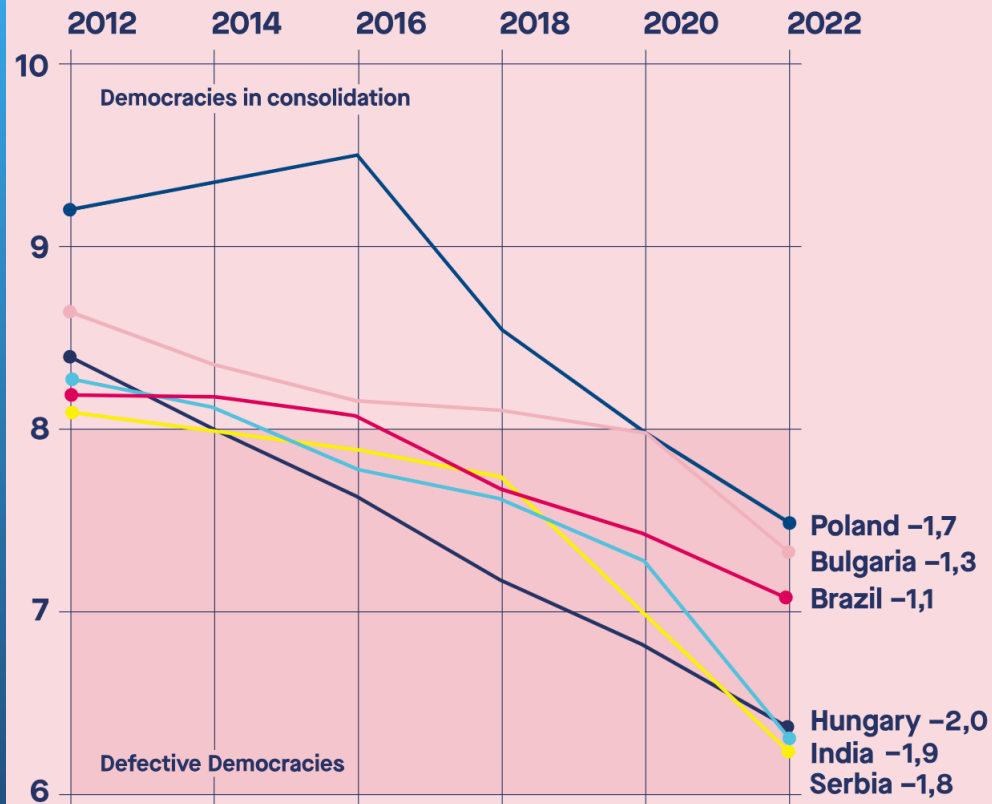
Democratic Backsliding

- According to Freedom House, **global levels of democracy have declined 17 years in a row**. The Economist's 2023 Democracy Index, which scores 167 countries on five selected indicators of political and civil rights, shows a steady decline every year since 2015, **with more than one-third of the world's population now living under authoritarian rule and just 6.4% enjoying full democracy**. The World Justice Project's latest Global Rule of Law Index finds that two-thirds of the countries it surveys have slipped in their "fundamental rights" scores since 2015.
- The Bertelsmann Transformation Index compares the quality of democracy, market economy and governance in developing and transition countries. The 2022 edition examines 137 countries. **For the first time since 2004, autocracies outnumber democracies among the selected states. one in five democracies has seen its quality decline over the past ten years, including India, Brazil, Bulgaria, Poland, Serbia and Hungary.** <https://thinktankreport.kas.de/en/2022-3-democracy/index.html>



<https://www.dreamstime.com/stock-illustration-warning-backsliding-probable-road-sign-illustration-image46714775>

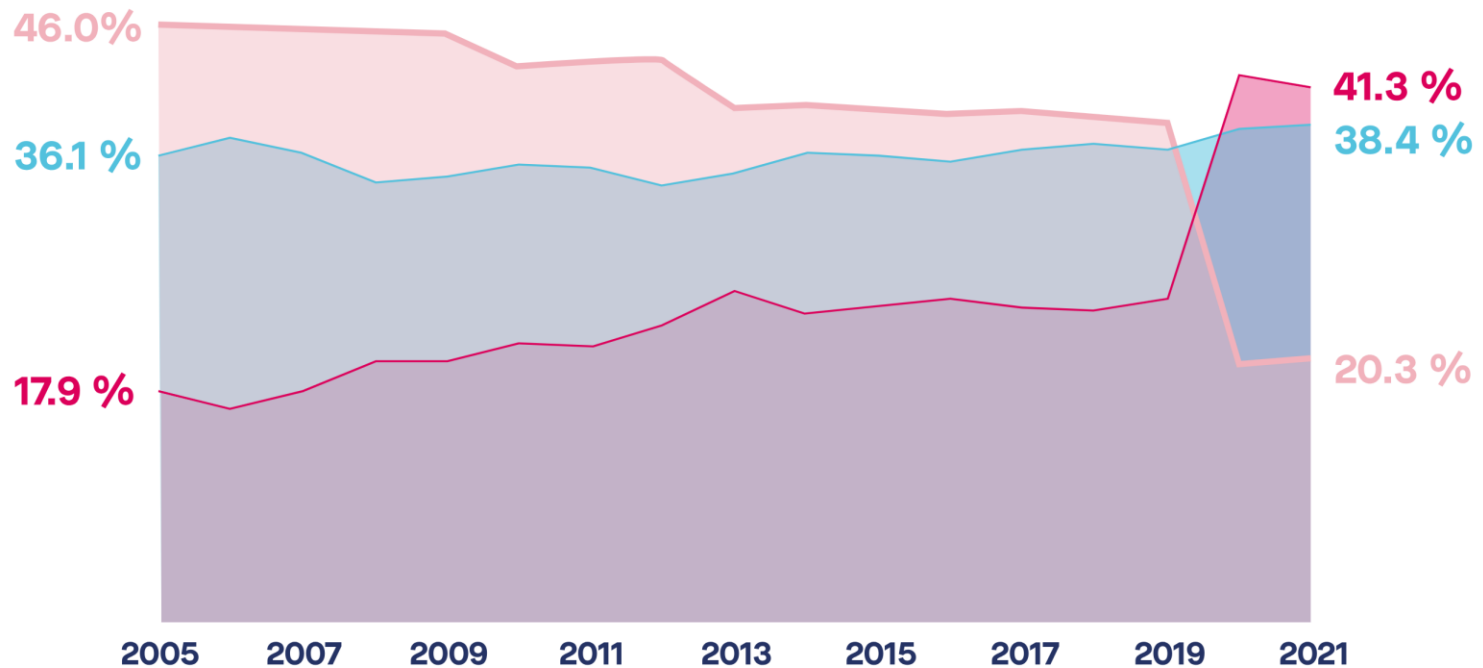
Political backsliding among formerly stable democracies in the last 10 years



8 in 10

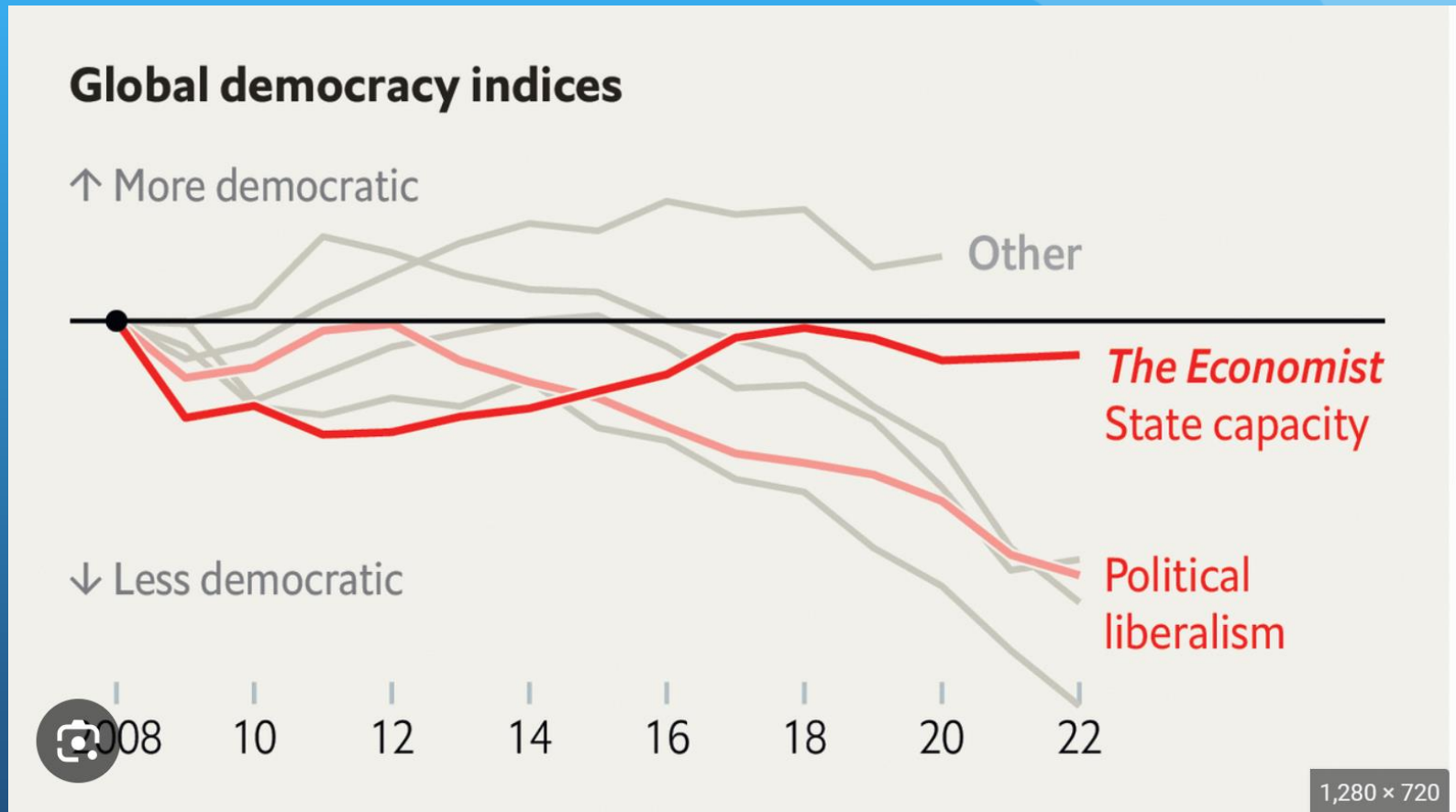


people lived in a **Partly Free** or **Not Free** country in 2021



The share of the world's population living in **Free**, **Partly Free** and **Not Free** countries

Democratic Backsliding



The State of Democracy

Global Democracy Index rates, by country/territory (2022)*

Full democracies

9.00-10.00

8.00-8.99

Flawed democracies

7.00-7.99

6.00-6.99

Hybrid regimes

5.00-5.99

4.00-4.99

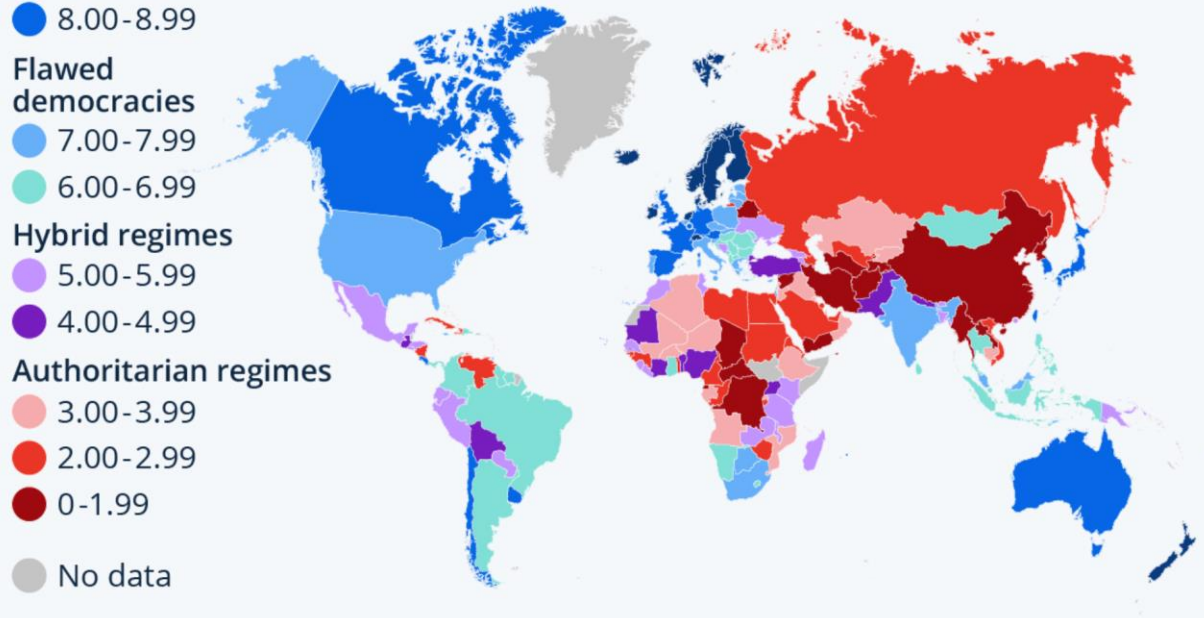
Authoritarian regimes

3.00-3.99

2.00-2.99

0-1.99

No data



* takes into account electoral process and pluralism, civil liberties, the functioning of government, political participation and political culture

Source: The Economist Intelligence Unit

HUMAN RIGHTS??? NICE IDEA . . .

BUT ARE THEY REALLY OF ANY USE???

Human Rights Policies Provide Positive Benefits

- The main practical benefit of adopting “human rights” is the **avoidance of chaos** in their absence. **An anarchic global polity, and national systems abiding by no rules other than “the end justifies the means”, is inherently disruptive, a disadvantage to all.** (UNESCO, 2018)
- “Human Rights” are one of the “Three Pillars” which support a **peaceful international** order. (United Nations, n.d. “Three Pillars”) [with Security and Development]
- In their absence, **barbarous events** have occurred, e.g., genocide in World War II
- Without them as treaty commitments there are no limits on State’s behavior, leading to dictatorship and global destabilization
- Human rights violations drive **conflicts** at all levels social and political levels
- Collective agreements in support of rights-based values help **preserve global order** in a diverse world

Human Rights Policies Provide Positive Benefits, Cont.

- Human rights **promote peace** and non-violence and are conducive to conflict reduction and resolution
- They help secure the necessary material conditions of human life and Well-being to bring **peace and prosperity**. They are a key component to economic prosperity
- The values of tolerance, equality and respect help **reduce social friction**, increasing efficiency within society
- Rights-based rules can **reduce abuse and exploitation**, helping avoid social discord.
- They help meet minimum requirements for a **life of dignity** and support a personal and national sense of coherence, stability and Well-being
- Their core values of justice and fairness have been recognized in the legal codes of a vast majority of nations for millennia and support a **stable and viable society**

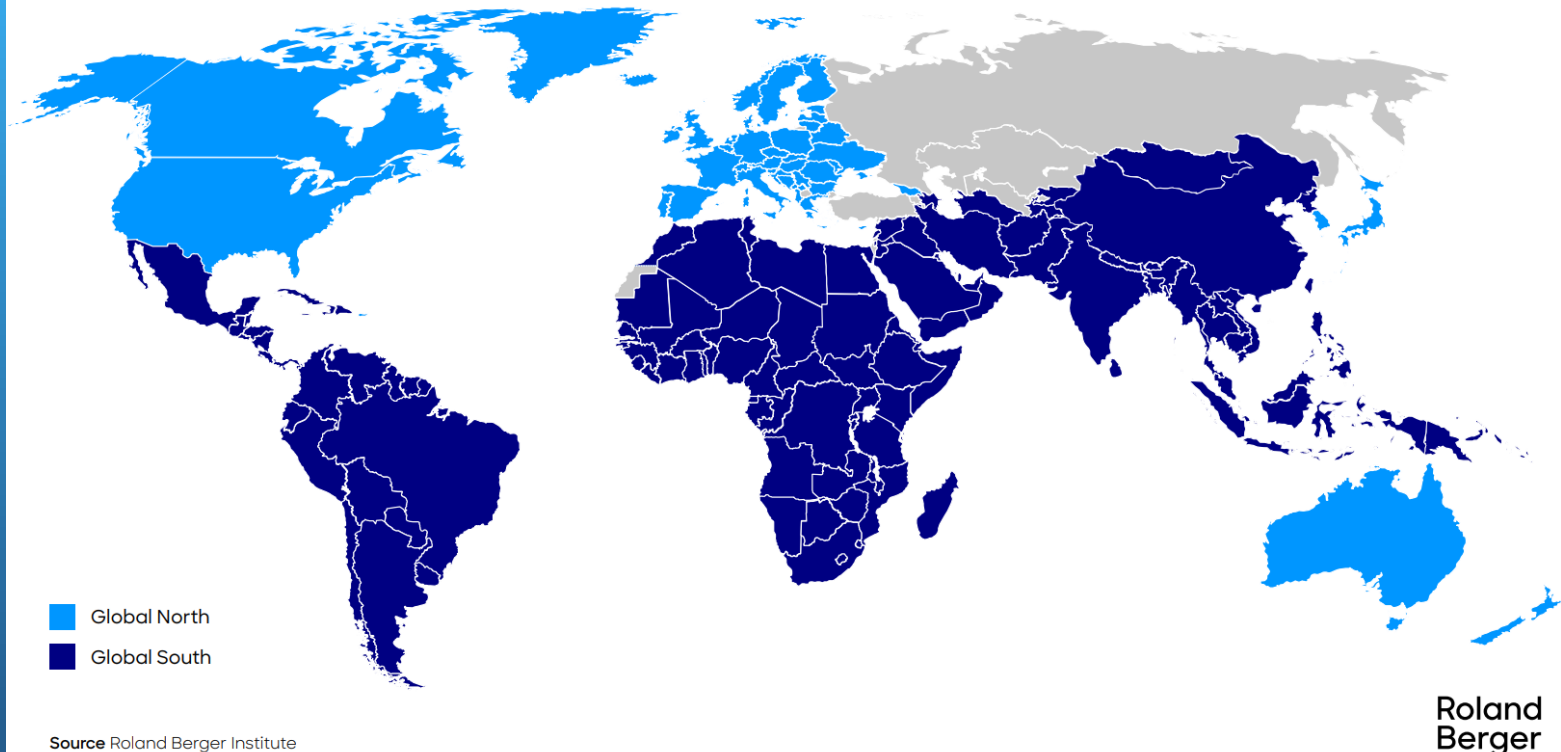
GLOBAL SOUTH? AGAIN??
THE POOR ARE ALWAYS WITH US.
WHO CARES?

PERHAPS YOU HAVEN'T BEEN PAYING
ATTENTION . . . MAYBE SLEEPWALKING?

3. Global South Ascending

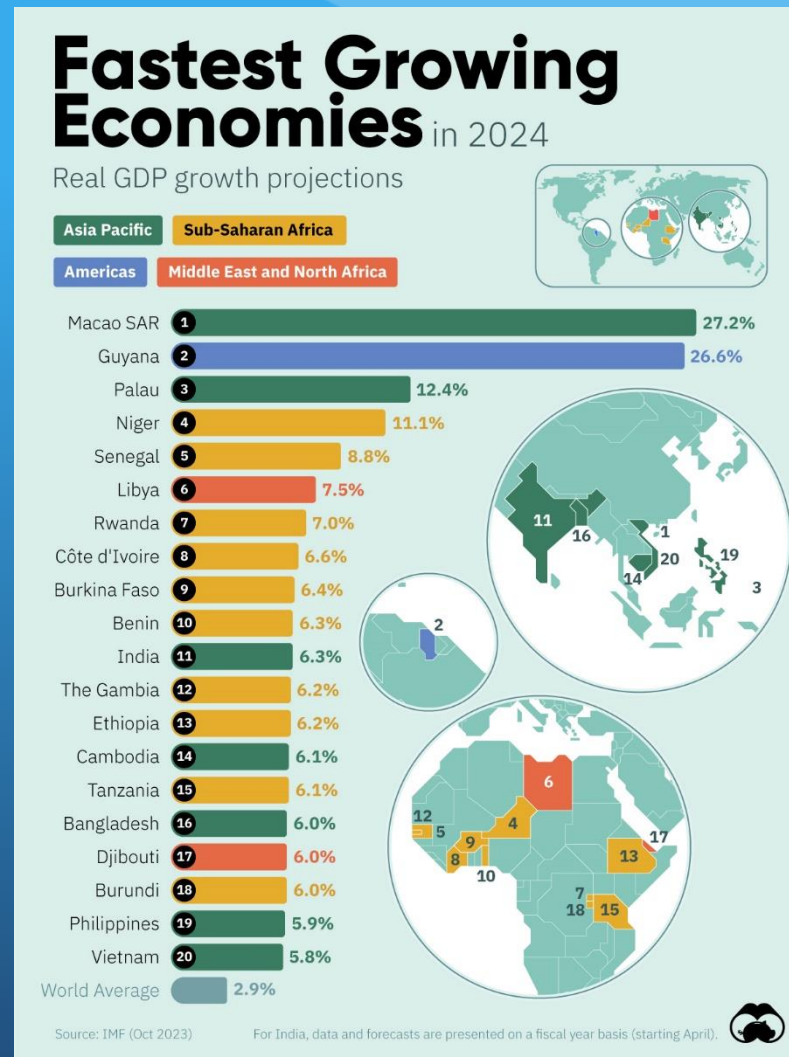
- Geopolitical Power Blocs: West and East
- What is the “Global South”?
- What are leading “Global South” multilateral organizations? (e.g., G-77 [135], BRICS, IBSA, SCO, Turkic States, African Union)
- What does it mean to say the “Global South” is “Ascending”?
- Where and how is the Global South exercising its growing power?
- What is the key role of AI and ICTs in the South’s development?

Figure 1: **Countries of Global South and Global North**

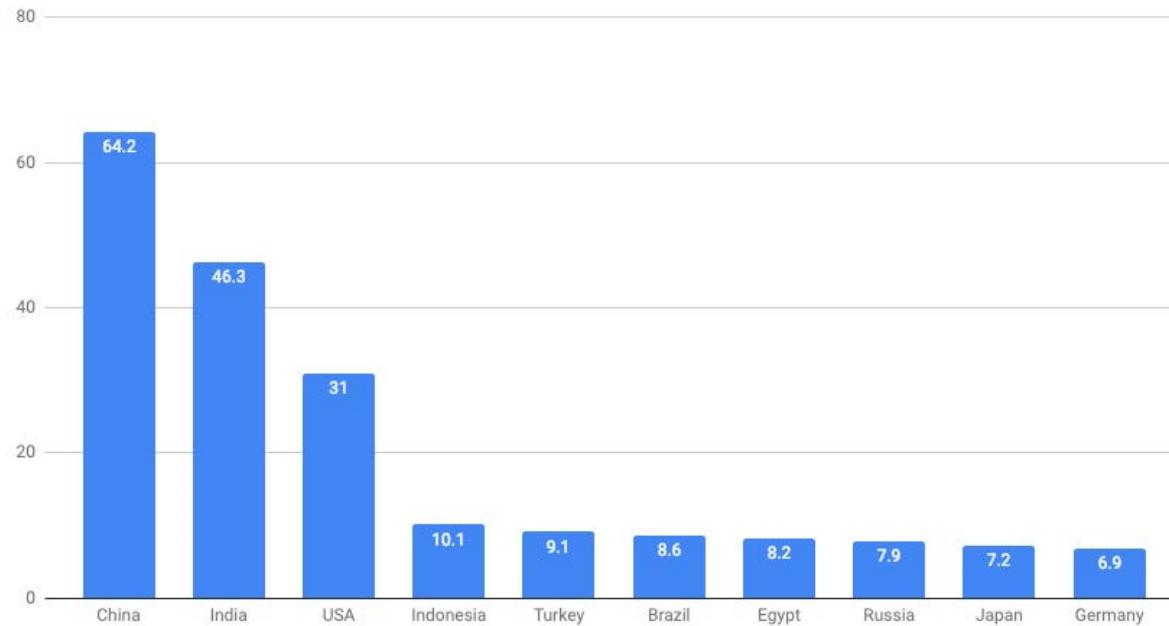


file:///C:/Users/rdt4/Desktop/roland_berger_quarterly_global_south.pdf

Source: IMF
World Economic
Outlook
October, 2023



World's biggest economies by 2030 (trillions of international \$ in purchasing power parity measures)



<https://www.businessinsider.com/us-economy-to-fall-behind-china-within-a-year-standard-chartered-says-2019-1>

ASTOUNDING LITTLE KNOWN FACT!

THE U.N. DOES MATTER!

4. UN: Development and Multilateral Reform

- Centrality of UN to Human Rights' Future: **Centrifugal forces leading to decoupling?**
- Development is at the heart of the UN (Declaration on “Right to Development”, 1986; treaty under discussion 2024)
- Millennium Development Goals (2015) (MDGs) and Sustainable Development Goals (2030) (SDGs)
- Relationship Between SDGs and Human Rights
- Tensions Between Multilateralism and Multistakeholderism
- Ongoing UN Structural Reform Process (“Enhanced Multilateralism”)
- Summit of the Future and Beyond (2024)

UN Development Goals: 2000-2030

Millennium Development Goals: 2000-2015

1. Eradicate extreme poverty and hunger
2. Achieve universal primary education
3. Promote gender equality and empower women
4. Reduce child mortality
5. Improve maternal health
6. Combat HIV/AIDS, malaria, and other diseases
7. Ensure environmental sustainability
8. Develop a global partnership for development

Sustainable Development Goals: 2015-2030

1. No poverty
2. Zero hunger
3. Good health and well-being
4. Quality education
5. Gender equality
6. Clean water and sanitation
7. Affordable and clean energy
8. Decent work and economic growth
9. Industry, innovation and infrastructure
10. Reduced inequalities
11. Sustainable cities and communities
12. Responsible consumption and production
13. Climate action
14. Life below water
15. Life on land
16. Peace, justice and strong institutions
17. Partnerships for the goals



5. Human Rights, the SDGs and AI

- AI and the South
- Data (Governance) Policy and the WTO
- AI, ICT's and SDGs keys to Development
- AI and Values Alignment
- Embedding Human Rights Values in AI
- Human Rights as Legal Regime



<https://www.ictworks.org/national-artificial-intelligence-policy-Rwanda/>

Emerging Economies Artificial Intelligence Ecosystem

ASIA 395
SSA 143
MENA 55
LAC 24

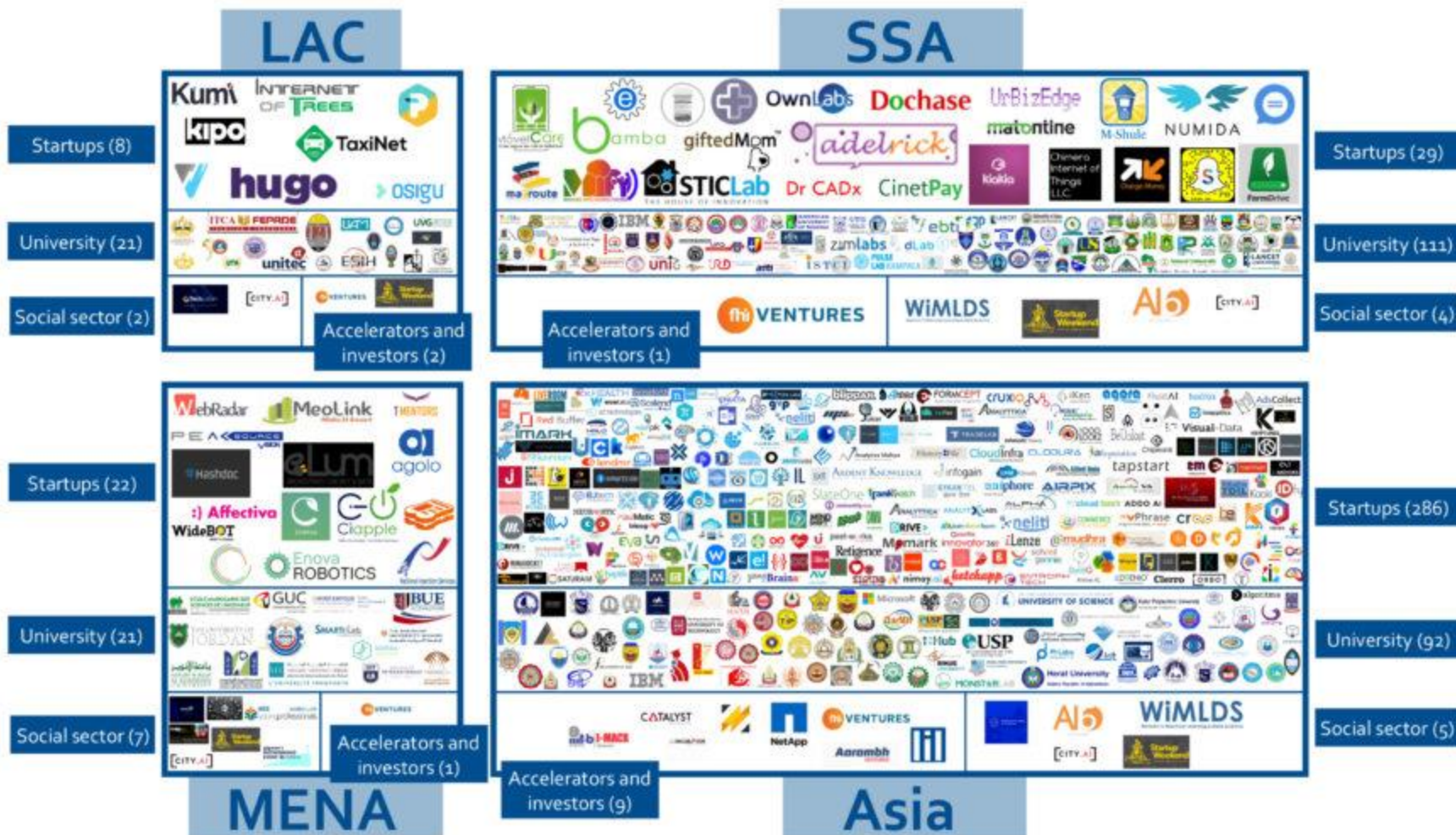
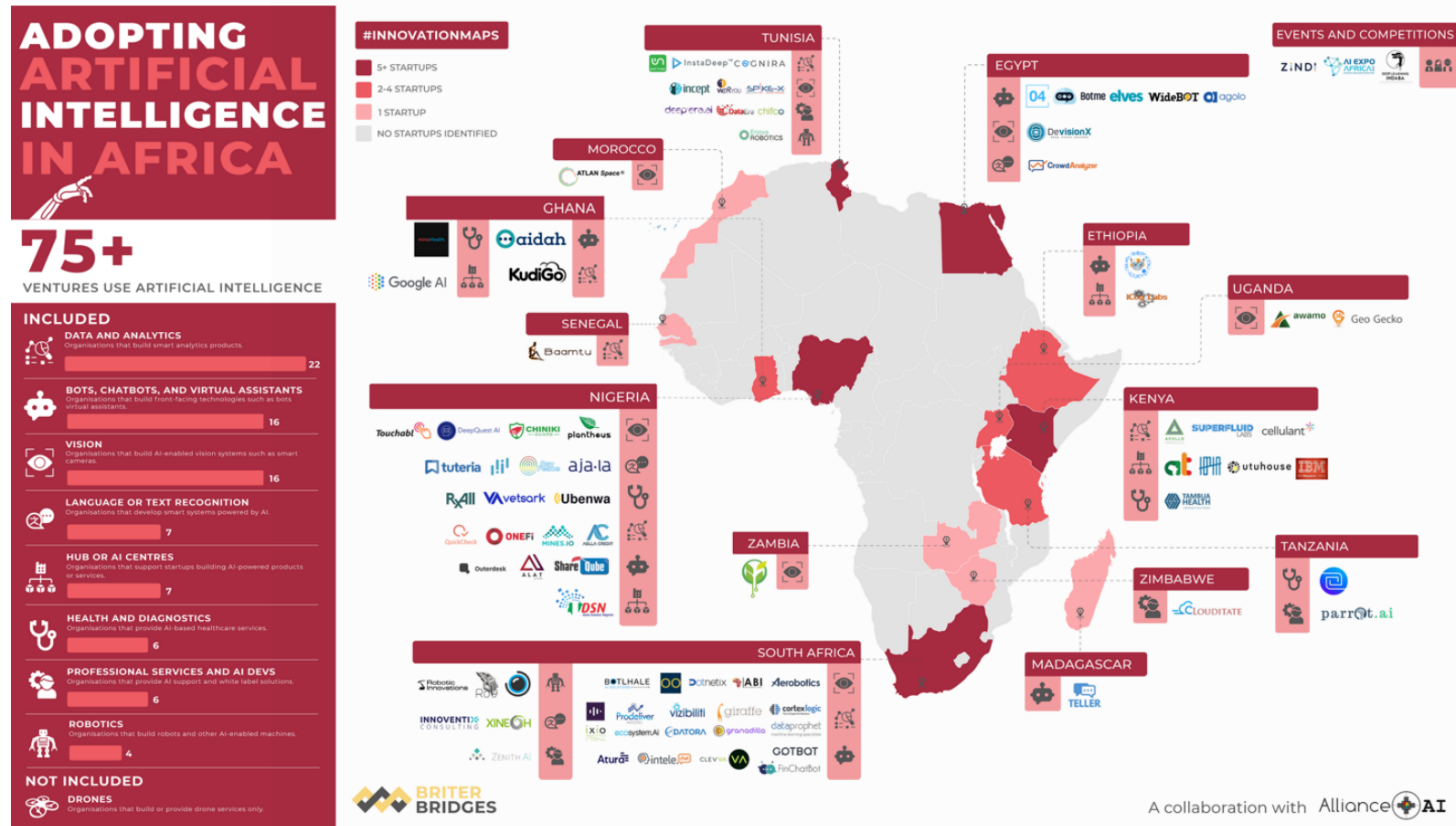


Figure 13 Companies using AI, ML and Deep Learning (Q3 2019)⁹⁵

India, US and WTO Data Policy

- India has stood apart from WTO digital trade negotiations noting the **asymmetrical nature** of the global digital economy and issues of **equity**.
- By not joining digital trade treaties, it could adopt data localization or other requirements to regulate data flows for policy reasons.
- Data are seen as **a national asset**, not an individual right. National treatment of data requires weighing and balancing factors such as the policy objective, the impact of the measure, and its proportionality.
- It asserts ‘data sovereignty’, where the government has sovereignty over data generated by its citizens within its borders, and opposes ‘**data colonialism**’, which holds foreign platforms seek to extract data from developing country citizens to use to dominate the Internet.
- **India was very gratified to see the recent U.S. reversal of position at the WTO on data flows and has taken it as a validation of its positions. (USTR leans into “localization”)**

6. Saving Human Rights in a Polarized World

- Persuadable transactional South is key
- Human Rights must be seen to work with SDGs and AI to support Development
- Human Rights values should be embodied in binding juridical forms with appropriate metrics



- Rational self-interested governments should support juridical human rights commitments with accountability
- Well-being approach offers non-instrumental balance combining qualities of human rights and SDGs

IS THERE AN ALTERNATIVE, NON-
IDEOLOGICAL, NON-INSTRUMENTAL,
PRUDENTIALLY EFFICACIOUS
NORMATIVE FRAMING FOR H.R. VALUES?

WHEW!!!!!!

I'M GLAD YOU ASKED . . .

Well-being³

- The concept of “Well-being” is a widely recognized, non-instrumental standard (i.e., an end, not a means) against which to measure the **overall quality of life** in a state or community. It is a unifying concept and captures both **objective and subjective** factors. Each society defines its own idea of ‘Well-being’ and sets its own aspirational goals and metrics. Well-being, like the SDGs, is grounded in commitment to a broad set of **defined and attainable metrics**.
- Many of the values underlying human rights can be found implemented in tangible projects to advance human Well-being through economic and social development projects, notably in the South. Has **appeal for transactional adopters** of human rights values in the South.

3. For an extended discussion of Well-being’s role in information policy, see: Taylor, R. (2021). “**The Future of Information Policy: Preparing for Transformational Change**”. In Research Handbook on Information Policy, Alistair Duff, ed., Edward Elgar Publishing: Cheltenham, 2021.



“Australia launches a Wellbeing Framework and Dashboard to Measure What Matters”, August 25, 2023

https://www.linkedin.com/pulse/australia-launches-wellbeing-framework-dashboard-measure-gallardo/?utm_source=rss&utm_campaign=articles_sitemaps

7. A “Global South+AI” Strategy

Recommended Policy Actions

- **Adopt a Comprehensive “Global South+AI” policy for advancing Human Rights and Well-being**
- Support Both Moral and Juridical Aspects of Human Rights
- Demonstrate Tangible Benefits of Human-Rights-Values Based Policies
- Pair Human Rights with SDGs to Accelerate Development
- Expand the Human Rights Juridical Framework
- Focus on Advancing Development of the South
- Accept South’s Political Diversity and Multiplicity
- Support South’s Development Policies
- Build AI and Data Market Initiatives in the South
- Emphasize Expansion of Juridical Human Rights at All Levels
- Promote Sustainable Development Initiatives
- Adopt an Integrated Approach to SDGs, Human Rights and AI
- Cautiously Engage UN Structural Initiatives

8. Conclusion: The Uncertain Future of Human Rights

- The question is simple: **Who gets to define humanity's future "human rights", the West or the East?** There is cause for concern that the answer is not going to be "the West".
- China is offering a future in which countries would be free of responsibility for upholding "universal values" defined by a handful of Western countries. **"Different civilizations" have their own perceptions of shared human "values"** according to China's President Xi. Countries should not "impose their own values or models on others".
- Beijing argues that governments' efforts to improve their **people's economic status equates to upholding their human rights**, even if those people have no freedom to speak out against their rulers.
- The values embodied in the UDHR are a blueprint for peace and economic development, but they are not self-evident or self-executing. There is hope, but it depends on the good will of many in the South yet to be persuaded.

Wake Up!!!!

This Presentation ends with a short wake-up call to which attention must be paid if human rights values are to be saved:

“Peace can only last where human rights are respected, where the people are fed, and where individuals and nations are free.”

14th Dalai Lama, Nobel Lecture, 1989

<https://www.dalailama.com/messages/acceptance-speeches/nobel-peace-prize/nobel-peace-prize-nobel-lecture>



Copies of this presentation available on request



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