

June 30, 2024

## Input for GA report 2024 AI and international solidarity

[Digital Governance Asia](#) (DGA) is pleased to provide input for the report on AI and international solidarity. We encourage the Independent Expert and the UN broadly to emphasize human rights recognition in AI governance mechanisms as they are currently forming in various settings, including at the UN's Global Digital Compact initiative, Summit of the Future, among other initiatives.

DGA is an Asia-Pacific based non-profit organization whose mission is to bring diverse stakeholders from the broader Asia-Pacific region together to address the challenges and opportunities in governance of emerging digital technologies, including e-commerce, social media, artificial intelligence (AI), and other algorithmic systems from a perspective rooted in agency and insights of the diverse Asia-Pacific region. Based on our values of connection, understanding, and justice, our vision is a region that thrives through sustainable digital opportunities, rights, and innovation. Our secretariat is powered by staff from APAC GATES, a rights consultancy based in Taipei. For more information please contact Mr. Seth Hays, Director of DGA at [seth@apacgates.com](mailto:seth@apacgates.com) or visit: <https://digitalgovernance.asia/> and <http://apacgates.com>.

Please find our responses to selected questions directed to civil society organizations below:

- **Are you able to use AI to build international solidarity communities and increase social cohesion- either political solidarity or social solidarity? Please provide examples.**

AI tools, such as generative AI could pose some ability to facilitate solidarity, both politically and socially, however at this stage they play more of a productivity enhancing role primarily in communications and content generation. More broadly, algorithmic social networks have been seen to play a role in facilitating both political and social solidarity, but also disruption.

- **Do you have access to procedures to communicate solidarity issues directly to AI Companies or State Institutions? What kind of procedure do you have? If not, what kind of procedure would you like to have?**

Some forums exist to communicate with industry and states around AI. We have tracked public comment opportunities for states in the Asia-Pacific region and have accessed existing networks of AI industry policymakers from industry related trade bodies (e.g. privacy, consumer protection, intellectual property).

We suggest that more formalized engagements occur and can be facilitated by the UN. We note that the IGF's Policy Network on AI (PNAI) as a good example, and we participate in their discussions.

- **Has your group (or members of the group) been subject to algorithmic discrimination? What type of impact did it have? Did you receive remedy?**

We track and analyze algorithmic discrimination as it is addressed in the diverse Asia-Pacific communities, which include both global south and developed industrialized countries. In particular, we note that indigenous rights and data sovereignty issues need particular attention in the Asia-Pacific region specifically.

We have noted that red-teaming of AI systems for discrimination, and human rights impact assessments.

- **Has the use of AI enabled education or training for groups or individuals in vulnerable or remote locations?**

We have noted the potential for use of AI in education for vulnerable or remote locations. However, such efforts should be assessed for positive impact, and not displace but enhance existing resources and methods.

- **Are you able to participate in forums to ensure AI will not discriminate against direct or indirect stakeholders?**
- **Is there transparency in the application of AI in contexts affecting you?**
- **Does the use of AI promote diversity within your community?**
- **Is there independent oversight of the use of AI affecting you?**

Some oversight and regulation is occurring by courts applying existing laws (e.g. tort, IP) and by other regulators such as privacy authorities.

- **Are you subject to surveillance, disinformation, denial of benefits, preventive exclusion from engaging in cyber solidarity actions, etc.?**

- **Do you have recommendations for the UN and the Independent Expert on Human Rights and International Solidarity to strengthen AI International Solidarity?**

Promoting positive use cases, and building incentives for such, for example AI for ecological sustainability, or peacebuilding[1] can be positive and weigh against negative use cases, such as for fraud, discrimination, disinformation and cybercrime.

We encourage the High Commissioner to invest in public literacy and awareness on the human rights implications of AI, particularly of emerging digital technologies. A good example for general public awareness is the following by the government of Malaysia called, “AI Untuk Rakyat” seeks to raise AI literacy for the public through online learning platforms.[2]

A major feature of AI and digital economy and ecosystems is the ongoing and intensifying problems of cybercrime.[3] As crime affects many human rights issues and disproportionately affects vulnerable populations, efforts should be made to move forward multilateral efforts to address Cybercrime.[4] In particular protecting and facilitating rights, and democratic processes, anticorruption and rule of law should guide cybercrime initiatives. Training should focus on critical rule of law infrastructure, such as courts and how digital tools are used. Trainings such as UNESCO’s AI Rule of Law is a good example of more education that is needed.[5]

Developing a course of convening around business and digital rights would help to address the dynamic and evolving nature of the relationship of people to AI systems broadly. Formats could be similar to those found in the IGF or the Guiding Principles on Business and Human Rights related work.

Promoting practical tools, such as industry certifications and rules would be beneficial at the UN level, particularly in emerging technologies such as AI. A major opportunity and enabler of global AI governance is the fostering of certification and auditing bodies, both public and private. For example, the International Algorithmic Auditors Association (IAAA) was organized to foster this community of professionals.[6] However, concerns have been raised that these governance tools may result in “audit washing” – evading meaningful correction of problems.[7] Regarding certification of data for example, training data for generative AI models has been criticized for using copyrighted works, which may violate intellectual property laws in many jurisdictions. Initiatives to validate and certify training data does not contain copyrighted material have addressed these concerns.[8] Other certification issue areas will no doubt be addressed.

Facilitating the sharing of practical implemented regulations of AI, such as those in privacy, consumer protection, anti-fraud, will help to develop cross border interoperability of rules. Platforming civil society, industry and government work to this end will be important, such as repositories of information and analysis as found in our newsletter, the Asia AI Policy Monitor.[9]

- [1] <https://www.allianceforpeacebuilding.org/afp-publications/designing-ai>
- [2] <https://www.pmo.gov.my/2024/01/govt-serious-about-digital-transformation-promoting-ai-literacy-pm-anwar/>
- [3] <https://www.microsoft.com/en-us/security/blog/2024/02/14/staying-ahead-of-threat-actors-in-the-age-of-ai/>
- [4] [https://www.unodc.org/unodc/en/cybercrime/ad\\_hoc\\_committee/home](https://www.unodc.org/unodc/en/cybercrime/ad_hoc_committee/home)
- [5] <https://www.unesco.org/en/artificial-intelligence/rule-law/mooc-judges>
- [6] <https://iaaa-algorithmicauditors.org/>
- [7] [https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=4568208](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4568208)
- [8] <https://www.fairlytrained.org/certifications>
- [9] <https://asiaaipolicymonitor.substack.com>