

Background Guide

The United Nations Educational, Scientific and Cultural Organization (UNESCO)

Topic: Artificial Intelligence and the Rule of Law



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I. Introduction to the Committee

UNESCO is the United Nations Educational, Scientific and Cultural Organization. It contributes to peace and security by promoting international cooperation in the sectors of education, science, culture, communication and information. UNESCO promotes knowledge sharing and the free flow of ideas to accelerate intercultural understanding. UNESCO's programs contribute to the achievement of the Sustainable Development Goals defined in the 2030 Agenda, which were adopted by the UN General Assembly in 2015.

In 1942, the governments of the European countries, which were confronting Nazi Germany and its allies, met in the United Kingdom for the Conference of Allied Ministers of Education (CAME). World War II was not over yet, but countries were looking for ways and means to rebuild their education systems once peace was restored. The project quickly gained momentum and soon acquired a universal character. Upon the proposal of CAME, a United Nations Conference for the establishment of an educational and cultural organization (ECO/CONF) was convened in London in November 1945. It gathered together representatives of 44 countries, and they decided to create an organization that would embody a genuine culture of peace.

UNESCO develops educational tools to help people live as global citizens free of hate and intolerance. They work to ensure that every child and every citizen has access to quality education. By promoting cultural heritage and the equal dignity of all cultures, UNESCO strengthens the bonds between nations. UNESCO holds scientific programs and policies as platforms for development and cooperation. They believe in standing up for freedom of expression, as a fundamental right and a key condition for democracy and development. They also help countries to adopt international standards and manage programs that foster the free flow of ideas and the exchange of knowledge.

More recently, cultural diversity is under attack and new forms of intolerance, rejection of scientific facts, and threats to freedom of expression challenge peace and human rights. In response, UNESCO's duty remains to reaffirm the humanist missions of education, science and culture.

II. Statement of the Problem

Artificial intelligence (AI) has surfaced over the last few years and is becoming increasingly popular. It is the “science and engineering of making intelligent machines, especially intelligent computer programs. It is related to the similar task of using computers to understand human intelligence, but AI does not have to confine itself to methods that are biologically observable” (IBM). The rapid rise in artificial intelligence has created many opportunities globally, from

facilitating healthcare diagnoses to enabling human connections through social media and creating labor efficiencies through automated tasks (UNESCO, 2023). However, these rapid changes also raise profound ethical concerns. These arise from the potential AI systems have to embed biases, contribute to climate degradation, threaten human rights and more (UNESCO, 2023). Such risks associated with AI have already begun to compound on top of existing inequalities, resulting in further harm to already marginalized groups. AI technology brings major benefits in many areas, but without the ethical guardrails, it risks reproducing real world biases and discrimination, fueling divisions and threatening fundamental human rights and freedoms.

There are multiple different types of ethical dilemmas when it comes to AI. For example, there is biased AI, which could be a basic image search for “schoolgirl,” but will most likely see a page filled with women and girls in sexualized costumes. If you type in “schoolboy,” however, results will show ordinary boys. These are examples of gender bias in artificial intelligence, which comes from stereotypical representations rooted within societies. The use of AI in judicial systems around the world is increasing as well, which is creating more ethical questions to explore (UNESCO). AI could evaluate cases and apply justice in a better, faster, and more efficient way than a judge. For example, they can increase the efficiency and accuracy of lawyers in both counselling and litigation, with benefits to lawyers, their clients and society as a whole. Existing software systems for judges can be complemented and enhanced through AI tools to support them in drafting new decisions. This trend towards the ever-increasing use of autonomous systems has been described as the automatization of justice. Some argue that AI could help create a fairer criminal judicial system, in which machines could evaluate and weigh relevant factors better than human, taking advantage of its speed and large data ingestion (UNESCO).

Another example of biased AI is that it creates art. Work of art produced by AI requires a new definition of what it means to be an “author.” In order to do justice to the creative work of both the “original” author and the algorithms and technologies that produced the work of art itself. AI is a powerful tool, and it can impact human creativity. There are many ways artificial intelligence can cause ethical problems, and they show the importance of ethics in the development of arts, technologies, gender, and much more.

Artificial Intelligence could also influence conflict. In November 2020, a top Iranian nuclear scientist was killed when his car came under machine gun fire. The attack sparked outrage and confusion, especially because no one pulled the trigger (Council, 2023). The assassination was carried out by an Israeli remote-controlled machine gun that used AI to target and kill the scientist (Council, 2023). AI can be used to make weapons and can also enhance military capabilities, including many nonlethal functions such as systems that record and analyze data from aircraft sensors to better predict engine failures (Council, 2023).

III. History/Past UN Action

The *Recommendation on the Ethics of Artificial Intelligence* was adopted by acclamation by 193 Member States at UNESCO's General Conference in November 2021 (UNESCO). The Recommendation emphasizes who should be in control of these technologies. It makes a strong call to governments around the world to establish the necessary institutional and legal frameworks to govern AI technologies and ensure they contribute to public good (UNESCO). The Recommendation also establishes a set of values in line with the promotion and protection of human rights, human dignity, and environmental sustainability. It advances essential principles such as transparency, accountability, and the rule of law online (UNESCO). It includes policy chapters that call for better governance of data, gender equality, and important aspects of AI applications for education, culture, labor markets, the environment, communication, health and social wellbeing, and the economy. There is also a Readiness Assessment and the Ethical Impact Assessment that comes with the Recommendation to ensure real change is on the ground.

There are ten core principles that lay out a human-rights centered approach to the Ethics of AI. The use of AI systems must not go beyond what is necessary to achieve a legitimate aim. Risk assessment should prevent any harms (UNESCO). Security risks should be avoided and addressed by AI actors. Privacy must be protected and promoted throughout the AI lifecycle. International law and national sovereignty must be respected in the use of data. This means that States can regulate the data generated within or passing throughout their territory (UNESCO). AI systems should be auditable and traceable. There should be oversight, impact assessment, audit and due diligence mechanisms in place to avoid conflicts with human rights (UNESCO). The ethical deployment of AI systems depends on their transparency and accountability. AI technology should be assessed against their impacts on sustainability, understood as a set of constantly evolving goals (UNESCO). Member States should ensure that AI systems do not displace ultimate human responsibility and accountability. Public understanding of AI and data should be promoted through open and accessible education. Lastly, AI actors should promote social justice, fairness, and non-discrimination while taking an inclusive approach to ensure AI's benefits (UNESCO).

Key policy areas also make for clear arenas where Member States can make strides towards responsible developments in AI (UNESCO). Values and principles are important to establishing a basis for ethical AI framework; however, recent consensus around AI ethics have emphasized the need to move toward practical strategies. The Recommendation does this by setting eleven key areas for policy actions. UNESCO suggests creating policies by ethical impact assessment, ethical governance and stewardship, data policy, development and international cooperation, environment and ecosystems, gender, culture, education and research, communication and information, economy and labor, and health and social wellbeing.

In 2014, the UN Convention on Certain Conventional Weapons (CCW), which tries to ban or restrict different weapons systems, met for the first time to discuss lethal autonomous weapons systems (LAWS) (Council, 2023). Examples of LAWS could be affixed to an autonomous drone or tank and use recognition technology to identify targets. There has not been a consensus yet, but Pakistan was the first country to call for prohibition on LAWS (Council, 2023). Countries like the United States, Russia, and others with powerful militaries have opposed the ban.

IV. Latest Developments

The first global forum on the Ethics of Artificial Intelligence took place in the Czech Republic in the context of the country's Presidency of the Council of the European Union, and work is being done to launch the Observatory on the Ethics of AI.

UNESCO created an expert platform to advance gender equality called Women4Ethical AI. This platform supports governments and companies' efforts to ensure that women are represented equally in both design and deployment of AI (UNESCO). Members will also contribute to the advancement of all the ethical provisions in the Recommendation on the Ethics of AI. Within this program, there are 17 female experts from academia, civil society, the private sector and regulatory bodies (UNESCO). They share research and contribute to an emerging repository of good practices. The platform will drive progress on non-discriminatory algorithms and data sources, and incentivize girls, women, and under-represented groups to participate in AI (UNESCO).

Another part of UNESCO is the Ibero-American Business Council for Ethics of AI. This was created as an initiative between UNESCO and companies operating in Latin America that are involved in the development or use of AI in various sectors (UNESCO). The council serves as a platform for companies to come together, exchange experiences, and promote ethical practices that AI is developed and utilized in a manner that respects human rights and upholds ethical standards (UNESCO). This group is co-chaired by Microsoft and Telefonica, and the council is committed to strengthening technical capacities in ethics and AI. It wants to create a competitive environment that benefits all stakeholders in Latin America and promotes the responsible and ethical use of AI.

Recently, in September 2023, UNESCO called on governments to regulate the use of Generative Artificial Intelligence (GenAI) in education and research, including age limits for users (UN, 2023). GenAI, such as ChatGPT, can produce automated text, images, and more. It is used by millions of students worldwide. However, very few countries have policies in place to ensure safe and ethical use of AI tools (UN, 2023). UNESCO is trying to create a global standard, which includes mandating protection of data privacy and considering an age limit of 13 for their use in the classroom.

V. Problems a Position Paper and Resolution Should Address

A resolution should focus on monitoring usage of artificial intelligence and paying close attention to ethics at both the philosophical and policy levels. They should follow the Recommendations from UNESCO and should solve ethical issues.

Guiding Questions

1. Is there an internationally accepted definition of artificial intelligence?
2. What countries are the leaders in AI?
3. What types of applications of AI are seen as beneficial?
4. How does AI relate the question of war and conflict?
5. What areas of the SGDs are negatively and/or positively impacted by emerging AI technologies?
6. Should there be different rules and laws for government and private sector uses of AI?

VI. Helpful Sources

Ethics of Artificial Intelligence: <https://www.unesco.org/en/artificial-intelligence/recommendation-ethics>

Recommendation on the Ethics of Artificial Intelligence: <https://unesdoc.unesco.org/ark:/48223/pf0000385082.page=4>

What is Artificial Intelligence? <https://www.ibm.com/topics/artificial-intelligence>

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