



## Center for AI & Digital Policy

### Statement to the UN Global Digital Compact on AI and Human Rights

Your Excellencies,

Antonio Guterres, Secretary General

Amandeep Gill, Secretary-General's Envoy on Technology

Claver Gatete, Co-Facilitator GDC, and Executive Secretary of the United Nations Economic Commission for Africa and Permanent Representative of Rwanda to the UN

Anna-Karin Eneström, Co-Facilitator GDC, Ambassador, and Permanent Representative of Sweden to the UN

The Center for AI and Digital Policy (CAIDP) has actively contributed to the UN Global Digital Compact (GDC) by submitting several rounds of written comments and actively participating in consultations, roundtables, deep dives and stakeholder discussions. In response to some Member States breaking the silence procedure on GDC Draft, and the necessary improvements which we had already foreseen on the existing Draft, CAIDP takes this opportunity to highlight its concerns and recommendations.

#### About CAIDP

CAIDP is an independent non-profit research and education organization, incorporated in Washington, DC, and Brussels<sup>1</sup>, with a global network of researchers. CAIDP was established “to promote a better society, more fair, more just — a world where technology promotes broad social inclusion based on fundamental rights, democratic institutions, and the rule of law.” CAIDP currently serves as an advisor on AI policy to the Council of Europe Committee on AI, the OECD, the Global Partnership on AI, the European Parliament, UNESCO, and other national and international organizations. CAIDP annually publishes the *Artificial Intelligence and Democratic Values* (AIDV) Index<sup>2</sup>, a comprehensive review of AI policies and practices in 80 countries, based on a rigorous methodology and twelve metrics established to assess alignment with democratic values.

---

<sup>1</sup>CAIDP, About CAIDP, <https://www.caidp.org/>

<sup>2</sup>CAIDP, *Artificial Intelligence and Democratic Values Index* (2023), <https://www.caidp.org/reports/aidv-2023/>

## Recommendations for Global Digital Compact (GDC)

CAIDP and many civil society advocates have recommended that GDC center international human rights and obligations.<sup>34</sup>We strongly believe that economic development, technological innovation and human rights are not mutually exclusive, but they strengthen each other. “The Global Digital Compact is expected to “outline shared principles for an open, free and secure digital future for all.”<sup>5</sup>

CAIDP’s recommendations can be summarized as follows:

- Establish the UN Special Rapporteur for AI and Human Rights
- Support the establishment of a meaningful International Scientific Panel on AI
- Call For Ban of Lethal Autonomous Weapons Systems (LAWS)
- Implement the Universal Guidelines for AI as the basis for the global governance of AI

CAIDP’s recommendations are consistent with Point 3 of the Global Digital Compact v2, *“We recognize the pace and power of emerging technologies are creating new possibilities **but also new risks for humanity, some of which are not yet fully known. We recognize the need to identify and mitigate risks and to ensure human oversight of technology in ways that put sustainable development at the centre and enable the full enjoyment of human rights.**”*<sup>6</sup>

Here we emphasize that the urgency of some emerging issues must be addressed with the appointment of experts<sup>7</sup> who have the agility, authority and competence needed for the complexity and intricacy of fundamental human rights and AI. Further, inclusivity and governance, addressed under Principles, Objectives and Commitments and Actions of the Compact, go hand in hand with the values endorsed by CAIDP.

## Call To Establish the UN Special Rapporteur for AI and Human Rights

We closely follow and acknowledge each of the milestones achieved by the UN with regards to ethical, inclusive, responsible AI. In our observations, we are equally mindful of the need to sustain capacity and resource management to keep pace with rapid developments in AI. This is necessary to ensure the commitments(on which so much of the world’s collective wellbeing

---

<sup>3</sup>CAIDP, Five Point Plan for AI Governance, (Sep 30, 2023), [https://www.linkedin.com/posts/center-for-ai-and-digital-policy\\_caidp-five-point-plan-for-ai-governance-activity-7113908196057976833-2dSI/](https://www.linkedin.com/posts/center-for-ai-and-digital-policy_caidp-five-point-plan-for-ai-governance-activity-7113908196057976833-2dSI/)

<sup>4</sup>Civil society joint brief on the UN Global Digital Compact (Jul 19, 2024).<https://www.accessnow.org/press-release/civil-society-joint-statement-on-un-global-digital-compact/>

<sup>5</sup> UN Global Digital Compact, Background Note, (Jan 17, 2023), [https://www.un.org/techenvoy/sites/www.un.org.techenvoy/files/Global-Digital-Compact\\_background-note.pdf](https://www.un.org/techenvoy/sites/www.un.org.techenvoy/files/Global-Digital-Compact_background-note.pdf)

<sup>6</sup> United Nations, *Global Digital Compact Rev 2.0*, (Jun 26, 2024), [https://www.un.org/techenvoy/sites/www.un.org.techenvoy/files/GlobalDigitalCompact\\_rev2.pdf](https://www.un.org/techenvoy/sites/www.un.org.techenvoy/files/GlobalDigitalCompact_rev2.pdf)

<sup>7</sup>Marc Rotenberg, *The Imperative for a UN Special Rapporteur on AI and Human Rights*, AIRe (2024), <https://aire.lexxion.eu/article/aire/2024/1/13>

and progress depends), are honored without superseding fundamental rights. Human rights are universal, inalienable, and are protected by international law and treaties.

In *The Imperative for a UN Special Rapporteur on AI and Human Rights*, published in January 2024, CAIDP’s Founder and Executive Director Marc Rotenberg made the case for a UN Special Rapporteur for AI and Human Rights<sup>8</sup>:

“...To effectively navigate the intricate landscape of AI and human rights, there is a pressing need for the creation of a UN Special Rapporteur on AI and Human Rights. **This role would not only complement existing efforts but also provide the agility, authority, and competence required to address emerging challenges and safeguard human rights in the digital age.**”<sup>9</sup>

Here it is important to underscore ‘complement’ ‘emerging challenges’ and ‘safeguard human rights.’ Our proposed mandate for the Rapporteur includes the responsibility to:

- Gather relevant information, to assess trends, and to identify new challenges;
- Promote principles and best practices to safeguard human rights;
- Participate in international conferences with the aim of promoting a systematic and coherent approach;
- Raise awareness concerning the importance of promoting and protecting human rights in the design, development, and deployment of AI systems;
- Report on alleged violations, wherever they may occur, of the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights; and
- Submit an annual report to the Human Rights Council and to the General Assembly.

“As an independent expert appointed by the UN Human Rights Council, [the UN Special Rapporteur on AI and Human Rights would]... provide the necessary focus and skills to complement the related work of the UN.”<sup>10</sup> A Special Rapporteur on AI and Human Rights would have a focused and strong mandate to facilitate international cooperation, encourage the adoption of global standards for AI ethics and human rights, and hold actors accountable for violations. This builds on earlier work regarding the UN Special Rapporteur for Privacy. CAIDP consistently demanded protection of human dignity and rights<sup>11</sup>(including prohibition against surveillance, right to privacy, online safety for children<sup>12</sup>, advancing the rights of people in vulnerable situations,

---

<sup>8</sup>Marc Rotenberg (2024)

<sup>9</sup> Marc Rotenberg, *Commentary - Imperative for a UN Special Rapporteur for AI and Human Rights*, (March 2024), [https://www.linkedin.com/posts/marc-rotenberg\\_rotenberg-un-sr-for-ai-and-human-rights-activity-7174477133333901312-7qef/](https://www.linkedin.com/posts/marc-rotenberg_rotenberg-un-sr-for-ai-and-human-rights-activity-7174477133333901312-7qef/)

<sup>10</sup>Marc Rotenberg (2024)

<sup>11</sup>CAIDP, *AI and Fundamental Rights* (9 December 2022) <https://www.caidp.org/app/download/8429077463/CAIDP-AI-UNOHCHR-09122022.pdf?t=1670609595>

<sup>12</sup>CAIDP *Big Tech and the Online Child Sexual Exploitation Crisis* (31 Jan, 2024) <https://www.caidp.org/app/download/8500510563/CAIDP-Statement-SJC-Big-Tech-01302024.pdf?t=1721476442>

and protection against gender-based violence<sup>13</sup>, responsible use of neuro-technology<sup>14</sup> as well as independent monitoring and reporting of alleged infringements.<sup>15</sup>

GDC Draft proposes that UN Digital Human Rights Advisory Service provides “upon request, expert advice and practical guidance on human rights and technology issues to governments, the private sector and other stakeholders.” **While a step in the right direction, such an ‘advisory’ service will not be enough for protection of human rights or independent reporting.** As has been earlier mentioned, the complete outcomes of many of these emerging risks are not fully known. The Rapporteur would be responsible for engaging a multitude of institutions, foresight and research to adopt a proactive and prepared stance ahead of the challenges manifesting themselves. We appreciate that the principles under which UN Digital Compact V2 operates include **Responsibility, Development, Human Rights, Equity and Inclusivity.** With its focus on AI and Human Rights, the Rapporteur’s role prioritizes monitoring commitments and ensuring compliance towards the same. We affirm, hence, that the UN Special Rapporteur is a “Strategic necessity in an age where AI technologies hold immense power over societal norms, individual freedoms, and democratic institutions.”<sup>16</sup>

### Call For Ban of Lethal Autonomous Weapons Systems (LAWS)

We reiterate UN Secretary-General Antonio Guterres’ Statement that

“...we are witnessing new, life-threatening risks as a result of AI – from the propagation of disinformation to mass surveillance, to the prospect of lethal autonomous weapons. **All the while, AI systems are being deployed with little oversight or accountability.** We cannot sleepwalk into a dystopian future where the power of AI is controlled by a few people, or worse, by opaque algorithms beyond human understanding. **We need rules, safety, and universal guardrails.** How we act now will define our era. September’s UN Summit of the Future represents an opportunity to build the foundations of global AI governance.”<sup>17</sup>

---

<sup>13</sup>CAIDP, *Testimony Before US Congress House Committee on Oversight and Accountability Subcommittee on Cybersecurity, Information Technology, and Government Innovation*, “*Advances in AI: Are We Ready For a Tech Revolution?*” (8 March 2023), [www.caidp.org/events/in-congress-house-oversight/](https://www.caidp.org/events/in-congress-house-oversight/)

<sup>14</sup>CAIDP, *Comment to the United Nations Educational, Scientific, Cultural Organization (UNESCO) In response to Request for Comments Related to Recommendation on the Ethics of Neurotechnology* (12 July 2024), [https://www.linkedin.com/posts/center-for-ai-and-digital-policy\\_caidp-unesco-neurotechnology-july-12-activity-7222660716581842944-ixOj?utm\\_source=share&utm\\_medium=member\\_desktop](https://www.linkedin.com/posts/center-for-ai-and-digital-policy_caidp-unesco-neurotechnology-july-12-activity-7222660716581842944-ixOj?utm_source=share&utm_medium=member_desktop)

<sup>15</sup>CAIDP, *Ban Facial Surveillance* (October 2022), <https://www.caidp.org/statements/ban-facial-surveillance-technology/>

<sup>16</sup>Marc Rotenberg (2024)

<sup>17</sup>António Guterres (May 31, 2024), *We cannot sleepwalk into a dystopian AI future*, <https://www.linkedin.com/pulse/we-cannot-sleepwalk-dystopian-ai-future-ant%C3%B3nio-guterres-qitue/>

We also remind that the former UNHRC High Commissioner Michelle Bachelet also called for redlines for AI systems that cannot be used in compliance with international human rights law. She warned that

“we cannot afford to continue playing catch-up regarding AI – allowing its use with limited or no boundaries or oversight and dealing with the almost inevitable human rights consequences after the fact.”<sup>18</sup>

The UN Digital Compact V2 repeatedly emphasizes the need for safety and security:

(i) Responsible Principle (i): *Safe, secure and trustworthy emerging technologies, including artificial intelligence, offer new opportunities to turbocharge development. Our cooperation will advance responsible, accountable, transparent and human-centric design, development, deployment and use of digital and emerging technologies, with effective human oversight.*”<sup>19</sup>

CAIDP has called for a ban on Lethal Autonomous Weapons Systems (LAWS) for many years<sup>20</sup>, and our position on this is well-documented.<sup>212223</sup> Ahead of the Summit of the Future, this is a point of particular concern. We appreciate that GDC focuses more on online technologies. However, as Secretary-General underlined “Summit of the Future represents an opportunity to build the foundations of global AI governance”, and the GDC cannot stay silent on technologies which fundamentally undermine human rights. We encourage to build upon the language already agreed and adopted in the UN Resolution on AI.<sup>24</sup>

We must all acknowledge that LAWS’ impact goes beyond battlefield. LAWS can undermine freedom of speech, association, privacy, and can target political dissidents, as well as people in vulnerable situations.<sup>25</sup> LAWS bypass several traditional guardrails.<sup>26</sup> We recommend

---

<sup>18</sup>United Nations, *Urgent action needed over artificial intelligence risks to human rights* (15 September 2021). <https://news.un.org/en/story/2021/09/1099972>

<sup>19</sup> United Nations, Global Digital Compact Rev 2.0,[Principles], (Jun 26, 2024), [https://www.un.org/techenvoy/sites/www.un.org.techenvoy/files/GlobalDigitalCompact\\_rev2.pdf](https://www.un.org/techenvoy/sites/www.un.org.techenvoy/files/GlobalDigitalCompact_rev2.pdf)

<sup>20</sup> CAIDP, *CAIDP Statement to House Armed Services Committee regarding US AI Policy* (Mar 25, 2021). <https://www.caidp.org/app/download/8305652763/CAIDP-HASC-03252021.pdf?t=1637335261>

<sup>21</sup> CAIDP, *CAIDP Statement on draft, final report of US National Security Commission on AI* (Feb 26, 2021). <https://www.caidp.org/app/download/8297285563/CAIDP-NSCAI-02262021.pdf?t=1614291373>

<sup>22</sup> CAIDP, *Statement on AI & Warfare* (Dec 10, 2023) [https://www.linkedin.com/posts/center-for-ai-and-digital-policy\\_caidp-statement-on-ai-based-weapon-systems-activity-7140430101116092416-rzEI?utm\\_source=share&utm\\_medium=member\\_desktop](https://www.linkedin.com/posts/center-for-ai-and-digital-policy_caidp-statement-on-ai-based-weapon-systems-activity-7140430101116092416-rzEI?utm_source=share&utm_medium=member_desktop)

<sup>23</sup>CAIDP, *Artificial Intelligence and Democratic Values Index* (2023)

<sup>24</sup> United Nations, Resolution A/78/L.49 *Seizing the opportunities of safe, secure and trustworthy artificial intelligence systems for sustainable development* (Mar 21, 2024), <https://press.un.org/en/2024/ga12588.doc.htm>

<sup>25</sup>CAIDP, *CAIDP Policy News Update 2.44* (December 23, 2021), <https://www.caidp.org/news/>

<sup>26</sup> Human Rights Watch, *Submission to the United Nations Secretary-General on Autonomous Weapons Systems* (May 6, 2024), <https://www.hrw.org/news/2024/05/06/submission-united-nations-secretary-general-autonomous-weapons-systems>

that UN member states draw on the findings of the UN Secretary General’s forthcoming report on lethal autonomous weapons systems that will be presented at the 79th Session of UN General Assembly<sup>27</sup>, and commence negotiations on a new international treaty to regulate autonomous weapons systems, prohibit lethal autonomous weapons systems, establish stringent safeguards against the integration of AI enabled targeting systems, and enshrine the principle of human responsibility for the use of lethal force.

## Support For the International Scientific Panel on AI

We also support his call to establish an **International Scientific Panel on AI**. We believe that the mandate of this panel, to “conduct independent risk and opportunity assessments; a structured dialogue connecting governance initiatives and harmonizing standards across borders and sectors” would also benefit significantly from the establishment of a **UN Special Rapporteur for AI and Human Rights** to address the intricacies of human rights issues, especially as they pertain to AI and the Global Majority. **These two AI and Human Rights focused entities can complement and strengthen each other’s mandates.**

In January 2024, CAIDP’s Marc Rotenberg acknowledged the UN’s progress on advancing responsible, ethical AI:

“The formation of the UN High-Level Expert Group on AI governance carries forward the organization’s commitment to ensuring that AI technologies are governed in a manner that prioritizes ethical considerations and human rights. (...) There is also the possibility that the UN Advisory Board will recommend the creation of a new global agency, similar to the International Panel on Climate Change, that will bring together scientists specifically to assess risks associated with the development of advanced AI models.”<sup>28</sup>

The same statement also foresaw the creation of a Panel similar to the IPCC.

In our 5-Point Plan on AI Governance<sup>29</sup>, we called for the establishment of an International Panel on Artificial Intelligence. Our proposal for the terms of reference and modalities of the Panel are as follows:

- a. Panel members should be nominated by member states. Consistent with our earlier statements, we reiterate inclusivity via maintaining a fair balance between developed and developing countries.

---

<sup>27</sup> United Nations General Assembly Resolution: Lethal autonomous weapons systems, (A/RES/78/241), (22 December 2023), <https://digitallibrary.un.org/record/4033027?ln=en&v=pdf>

<sup>28</sup> Marc Rotenberg (2024)

<sup>29</sup> CAIDP, Five Point Plan for AI Governance, (Sep 30, 2023)

- b. Methodology must align with rights set out in the UDHR and goals set out in the SDG. Progress will therefore be measured by alignment with the universal values previously established by the UN.
- c. Panel priorities and/or modus operandi should reflect:
  - 1) Rigorous, independent scientific assessment
  - 2) Routine annual reporting
  - 3) Plenary/Bureau/Executive Committee
  - 4) Multiple Working Groups(*Computer Science Basis, Social and Economic Impacts, Responsible and Ethical Adoption, Mitigation and Termination, Management of Public Registries*)

### **Implement the Universal Guidelines for AI as the basis for the global governance of AI**

CAIDP launched the Universal Guidelines for AI (UGAI)<sup>30</sup> in 2018. These Guidelines assemble a series of measures - focused on the need for **autonomy, transparency and human determination** with regard to the evolving landscape of intelligent computational systems. At their core, these Guidelines protect people by establishing institutional obligations and reinforcing the rights of people in the context of such systems. At CAIDP, we acknowledge that some (and not all systems) pose a risk. We are clear about the obligations and prohibitions where needed, and also how future development and deployment will benefit from principles that reflect the values of the UGAI.

The Guidelines are as follows (and attached at the end of this document):

1. Right to Transparency
2. Right to Human Determination
3. Identification Obligation
4. Fairness Obligation
5. Assessment and Accountability Obligation
6. Accuracy, Reliability and Validity Obligations
7. Data Quality Obligation
8. Public Safety Obligation
9. Cybersecurity Obligation
10. Prohibition on Secret Profiling
11. Prohibition on Unitary Scoring
12. Termination Obligation

---

<sup>30</sup>CAIDP, Universal Guidelines for AI (UGAI), (18 October 2018). <https://www.caidp.org/universal-guidelines-for-ai/>

We believe this is the most comprehensive and far-reaching set of Guidelines that take a fair view of human needs, rights and the pace of technological change. Hence, CAIDP calls for the UGAI to be the basis on which global AI governance is implemented.

We thank the UN Global Digital Compact for this opportunity to provide our opinion on AI and Human Rights. We look forward to the final version of GDC which protects and advances human rights and innovation together.

We would be happy to discuss further if and when needed.

Respectfully,



**Merve Hickok**  
President, CAIDP



**Marc Rotenberg**  
Founder and Executive Director, CAIDP



**Grace Thompson**  
Teaching Fellow



**Nayyara Rahman**  
Policy Fellow



**Julian Theseira**  
Policy Group Member





# UNIVERSAL GUIDELINES FOR AI

## RIGHT TO TRANSPARENCY

All individuals have the right to know the basis of an AI decision that concerns them. This includes access to the factors, the logic, and techniques that produced the outcome.

## RIGHT TO HUMAN DETERMINATION

All individuals have the right to a final determination made by a person.

## IDENTIFICATION OBLIGATION

The institution responsible for an AI system must be made known to the public.

## FAIRNESS OBLIGATION

Institutions must ensure that AI systems do not reflect unfair bias or make impermissible discriminatory decisions.

## ASSESSMENT AND ACCOUNTABILITY

An AI system should be deployed only after an adequate evaluation of its purpose and objectives, its benefits, as well as its risks. Institutions must be responsible for decisions made by an AI system.

## ACCURACY, RELIABILITY, AND VALIDITY

Institutions must ensure the accuracy, reliability, and validity of decisions.

## DATA QUALITY

Institutions must establish data provenance, and assure quality and relevance for the data input into algorithms.

## PUBLIC SAFETY

Institutions must assess the public safety risks that arise from the deployment of AI systems that direct or control physical devices, and implement safety controls.

## CYBERSECURITY

Institutions must secure AI systems against cybersecurity threats.

## PROHIBITION ON SECRET PROFILING

No institution shall establish or maintain a secret profiling system.

## PROHIBITION ON UNITARY SCORING

No national government shall establish or maintain a general-purpose score on its citizens or residents.

## TERMINATION OBLIGATION

An institution that has established an AI system has an affirmative obligation to terminate the system if human control of the system is no longer possible.



@THECAIDP



Center for AI and Digital Policy