

2020 UNICEF CONFERENCE ON AI AND THE RIGHTS OF THE CHILD

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Speaking Notes

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Guiding questions:

Yesterday we identified some challenges in developing AI policies in LAC. How have you managed to overcome these challenges and what successes practices do you have or know in developing digital or AI policies?

Many Caribbean Small Island Developing States, SIDS, have not yet fully established strategies and national policies to manage the impact of AI on their societies. To advance the Caribbean debate on AI, the Broadcasting Commission is collaborating with

UNESCO to host a Caribbean SIDS Forum on Artificial Intelligence: “Opportunities to Accelerate Human Progress for Sustainable Development,” scheduled for April 28 & 29. The Forum will provide a platform for dialogue between relevant Caribbean stakeholders from the public and private sectors, the expert community, media and academia, civil society and international organizations.

The Broadcasting Commission has also written a policy paper for government on Content Regulation for the Era of the Fourth Industrial Revolution, which sets out the opportunities and challenges of exponential technologies, including AI, and provides a direction of travel which emphasizes digital literacy and proposes the regulation of content across platforms and devices in a technology agnostic manner, and other reforms to the regulatory framework.

We are also associated with initiatives such as The IEEE Global Initiative on Ethics of Autonomous and Intelligent Systems, Reporters Without Borders' Journalism Trust Initiative (a self-regulatory initiative designed to combat disinformation online) and we work collaboratively with bodies such as the International Institute of Communications (IIC) [the guiding principle being that we must be rule shapers and not merely rule takers].

Jamaica also lobbied for the establishment of a Global Media and Information Literacy Week and we were pleased that at the recently concluded UNESCO 40th General Conference, representatives of governments across the world gave overwhelming support for a proposal that October 24 to 31 be declared as Global Media and Information Literacy (MIL) Week.

The objective of this global week is to give a consolidated message on the need for greater media and information literacy development to increase people's critical thinking competencies (knowledge, skills, attitude, and ethics) in information, media, and technology; enabling their quest for civic and social participation, self-protection online, self-expression, economic development, and to counter disinformation.

In the future, regulators will themselves use AI for automated content monitoring. The Broadcasting Commission of Jamaica is at the conceptual stage of developing an Automated Content Monitoring System (ACMS). The Commission therefore has an interest in AI guidelines, both as a potential developer and consumer. Our approach is based on the principle

that such guidelines must ensure that the public interest is served, without government overreach.

Even if regulators do not have the capacity to monitor content online, they will have to build regulatory capacity for supervising the efficacy of tools and measures being used by online operators to protect against fake news and other online harms (this will no doubt involve artificial intelligence).

How can we strengthen partnerships (Governments, Business, International Organizations, civil society, academia, etc.), for developing AI policies?

AI governance and ethics generate different responses globally, based on culture and experiences. We must take these differences into account when we are framing AI governance.

It is also problematic to frame policies around an issue which most people do not understand. So, as a precursor to policy-making, we must build trust by building digital literacy.

UNESCO's ROAM principles is a useful framework [human rights centric, openness, accessibility and multi-stakeholder participation; along with the cross-cutting issues of gender and Africa].

What kinds of incentives are needed for relevant actors to be engaged?

This is a somewhat complex question because AI leadership and interests are not homogenous. In US, AI is being driven by business, in China and UAE by government and in places like Canada and EU by academia. These groups do not necessarily have the same understanding of AI and what the use cases of AI are.

The Private sector is focused on how to increase efficiency and profit; government is focused on public welfare, and academia is focused on areas such as about safety and security.

The incentives will therefore have to be varied.

Perhaps we should focus on a framework approach with guiding principles rather than hard rules, at this stage given that we are talking about something which is developing.

We also need an omni-sectoral stakeholder approach -various non-state actors including academia, civil society, the private sector, youth, the disabled and indigenous communities and with the State remaining the guarantor of fundamental rights and freedoms.

[This is because the state is no longer sole arbiter of institutional power.]

A good example is the "We Protect Global Alliance", which currently comprises 97 governments, 25 technology companies and 30 civil society organisations. This month the alliance reported that five country partners (Australia, Canada, New Zealand, the UK and the USA) have drafted and

launched the "Voluntary Principles to Counter Online Child Sexual Exploitation and Abuse". They are a set of 11 actions tech firms should take to ensure children are not sexually exploited on their platforms.

But I want to caution against self-regulation as an ideal way to encourage industry co-operation. It should now be clear that it is not realistic to rely on self-regulation by technology companies to address the current array of problems, as they have already hitherto failed to do so. Self-regulation will be manifest only if it is supported by hard regs. The same is true for soft reg.

I also propose that Digital Literacy must get global priority attention. This could be financed by a type of universal service regime for social media companies.

How can you assess/measure progress/success of AI implementation?

By testing whether key Pillars of Trust have been met for AI:

- Is it fair?
- Is it easy to understand?
- Is it secure?
- Is it accountable?

And getting granular, we must also ask:

- Has AI fostered inclusivity?
- Have we future proofed decent work?
- Has AI facilitated the needs of the most needy and vulnerable, particularly the rights of children?

I want to elaborate on the rights of children by making specific suggestions:

1. We must reject technological determinism. AI should be developed and deployed consistent with the Rights of the child. AI policy must therefore be designed to promote the well-being of children, enhance their performance and mitigate against harm.
2. This should include a prohibition against AI-enabled children's toys that are intentionally addictive and capable of spying on children.
3. There should also be a prohibition against the storage, ownership and monetisation of data collected from children, society's most vulnerable demographic group.

4. Our children's memories will be influenced by their acquaintance with intelligent machines. We must look at appropriate ratings for children's AI experience, including intensity ratings.

5. I also reference for consideration, the recommendations of the Law Committee for the IEEE Global Initiative for Ethical Considerations in Artificial Intelligence and Autonomous Systems. They include:

Companies should establish an AI ethics statement that includes statements about discrimination, addressing data-driven profiling and commitment to take measures to avoid user discrimination.

NOTES

[AI is increasingly embedded in children's toys, tools, and classrooms, creating sophisticated new approaches to education and child development tailored to the specific needs of each user. However, special precautions must be taken to protect society's most vulnerable demographic. Germany has banned AI-enabled children's toys because they are considered to be spying upon the child].

[AI enabled devices are increasingly able to manipulate and addict users, to which children are more susceptible. This is particularly salient given the prevalence of bias in AI, to which children are less attuned than adults.]

[Issues of privacy are compounded by questions about the impact of AI-enabled toys on cognitive development. Is it necessary to protect traditional creative play? Or is early exposure to AI useful for

children who will grow up engaging with AI in the workplace? In absence of clear guidelines, parents and caregivers are left to make decisions about products with incomplete information and complex implications on their children's health and privacy. As these devices come onto the market, stakeholders need to consider the correct mechanisms to protect children whilst enabling the benefits of "precision education".]

[AI development and deployment should be required to conform with the often-ignored human right to "share in scientific advancement and its benefits." This right has never been legally defined so it is opportune to call upon the UN to do so. Sharing in scientific advancement should include the protection of tacit or traditional knowledge as a complement to scientific knowledge.

[The "right to science" includes both a right to participate in science (the activity) and a right to access to the body of knowledge ("benefits" or "progress" or "advances") that is a result of science.

[In addition, access to science needs to be understood as nuanced and multifaceted. People must be able to access scientific information, translated and actionable by a non-specialist audience.]