ARTIFICIAL INTELLIGENCE, HUMAN RIGHTS AND ENGAGEMENT IN POLICYMAKING

Session 3: Engaging in national AI policymaking

GLOBAL PARTNERS DIGITAL

OVERVIEW

- Objectives
- How national policy relating to AI is developed
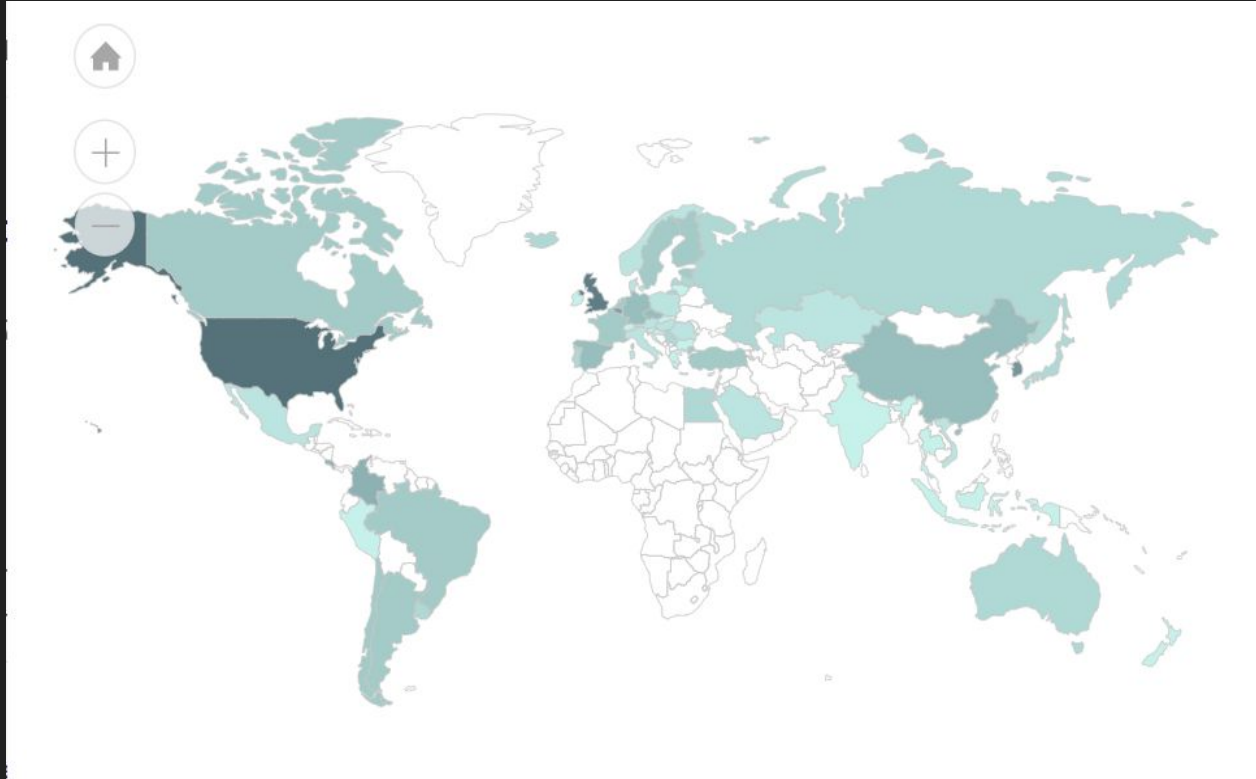- Civil society engagement in national AI policy

OBJECTIVES

- A better understanding of how policy relating to AI is developed at the national level
- Increased knowledge of opportunities and challenges for civil society engagement in national AI policy
- Improved skills and strategies for engaging in national AI policymaking processes

HOW NATIONAL AI POLICY IS DEVELOPED

TYPES OF NATIONAL AI-RELATED POLICIES

- **Specific governmental strategies**, such as a National AI Strategy
- **Broader governmental strategies**, such as a National ICTs Strategy or National Data Strategy
- **AI-specific legislation** (e.g. the EU's Artificial Intelligence Act)
- **Application-specific legislation** (e.g. regulation of facial recognition technology or autonomous vehicles)
- **Cross-cutting legislation**, e.g. on data protection, consumer protection, non-discrimination, corporate transparency
- **Internal rules and guidance**, e.g. government rules on the development, procurement or deployment of AI in the public sector, or guidance developed by a data protection authority

NATIONAL AI STRATEGIES, AGENDA AND PLANS

PROCESS OF AI POLICY DEVELOPMENT

SCOPING ➡ **PROCESS FORMATION** ➡ **DRAFTING** ➡ **AGREEMENT** ➡ **ADOPTION**

- Four key characteristics that should underpin any multistakeholder policy development process:

  - Open and accessible
  - Inclusive
  - Consensus-driven
  - Transparent and accountable

CIVIL SOCIETY ENGAGEMENT IN NATIONAL AI POLICY

WHY SHOULD CIVIL SOCIETY ENGAGE?

- Providing expertise on the impacts that AI have on different parts of society, including human rights impacts
- Providing specific expertise on the application of human rights frameworks when governing AI
- Building relationships between civil society and government departments and other bodies
- Ensuring that the final policy is more workable and effective
- Facilitating the involvement of civil society in the implementation and review of the policy

OPPORTUNITIES AND CHALLENGES

- **Opportunities**:
  - Governments are increasingly interested in AI as a subject and agreement on the need of some form of strategy, regulation or governance.
  - AI touches upon a number of broader policy areas, such as data protection, consumer protection and non-discrimination.

- **Challenges**:
  - A lack of transparency and openness in policymaking processes.
  - Hostility to human rights or an unawareness of their importance.

SKILLS AND STRATEGIES FOR ENGAGEMENT IN NATIONAL AI POLICYMAKING

HOW TO ENGAGE STRATEGICALLY

- Mapping the ecosystem
- Advocacy pathway
- Resources
- Review and evaluation

ENGAGEMENT SKILLS

- Legal analysis
- Using international human rights frameworks to develop advocacy arguments
- Text negotiation
- Issue framing (how to frame arguments for different stakeholders and audiences)
- Direct advocacy and lobbying of different actors
- Research / brief writing / evidence based arguments
- Campaign work and advocacy for concrete change
- Coalition building

DEVELOPING POSITIONS

- Framing, vision and objectives
- Research
- Talent
- Skills and the future of work
- AI in the private sector
- AI in the government
- Data
- Infrastructure and cybersecurity
- Ethics / human rights
- Inclusion
- Foreign policy and international cooperation
- Governance and stakeholder engagement

QUESTIONS