MASMUN'27

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HUMAN RIGHTS COUNCIL

Topic 2:

Addressing AI's Influence on Human Behavior and Human Rights in China

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Topic Overview

Artificial intelligence can be used to identify people, to understand people, and to make predictions about and impact upon their choices, by means of systems like recommendation engines, face recognition and automated risk assessments. The human rights challenge is how to stop discriminatory and invasive applications of artificial intelligence while encouraging positive innovation. The delegations should clearly differentiate between existing technologies and policy as opposed to broad statements about all applications of artificial intelligence in China.

Background Information

AI relies on the data it uses, the rules that underlie how it is programmed, and the environments where it operates. Its use in public security, commercial platforms, employment, education, and online content moderation raises concerns about infringing on privacy, reinforcing bias, restricting speech, or making decision-making unchallengeable. China has laws and regulations on personal information, data security, and algorithmic recommendation. The debate is now about how the rules are implemented, how comprehensive they are, and how China balances state interests, commercial creativity, and individuals' rights.

Global Initiatives and Past Work

Principal global standards cover the Universal Declaration of Human Rights, especially in regard to the right to privacy and the right to freedom of expression, the International Covenant on Civil and Political Rights (signed by China in 1998 but not yet ratified), and the Convention on the Rights of the Child, particularly as they relate to children. It is crucial to distinguish between treaty commitments and non-legally binding declarations, recommendations, and technical assistance.

Key Challenges

Artificial Intelligence systems and new regulatory standards are often difficult for humans to understand and appeal, especially if the decision is taken on the basis of a distorted or insufficient data. Several states are at odds regarding matters such as sovereignty, security, public order, and the scope of international supervision. If new regulations are strong, they could also be very costly to introduce, and they could have a different effect on small developers than on big tech companies. Delegates should not assume that artificial intelligence is necessarily harmful or that there will be one law that fits all.

Possible Areas for Resolution

\Human rights impact assessments might be required or promoted, possible in the form of independent assessments before and post deployment of high-impact AI systems.

Transparency and explanation might be promoted or required, with notification of high-impact AI decision-making to individuals or groups, with comprehensible information of the risks, accuracy and impact of the system and the reasons for decisions, and documentation of the AI system.

There might be exploration of independent oversight and remedies, with implementation of audit trails, complaint processes and fair and meaningful human review for decisions that significantly impact individuals. Data protection and restrictions on surveillance might be debated, with considerations of necessity, proportionality, limits on duration, constraints on access, and protections against misuse and abuse. International dialogue and debate about technical cooperation might be encouraged, among other things with respect to testing, bias and accountability and standards, all while respecting national legal and regulatory differences.

Guiding Questions

1. Which AI uses create the greatest risks to human rights, and how should those uses be identified?
2. How can individuals challenge decisions made or influenced by automated systems?
3. What transparency should governments and private companies provide without exposing legitimate security information or trade secrets?
4. How can international standards account for differences in national law and political systems?
5. What protections are needed for children and other groups particularly vulnerable to profiling?
6. How should the effectiveness of AI safeguards be measured?

Resources

- **OHCHR: The Right to Privacy in the Digital Age** — https://www.ohchr.org/en/special-procedures/sr-privacy/right-privacy-digital-age
- **UNESCO: Recommendation on the Ethics of Artificial Intelligence** https://www.unesco.org/en/artificial-intelligence/recommendation-ethics
- **China: Personal Information Protection Law (English translation, NPC Observer)** https://npcobserver.com/2021/08/20/personal-information-protection-law/
- **UN Human Rights Council** https://www.ohchr.org/en/hr-bodies/hrc