"Artificial Intelligence is both a scientific field (integrating multiple scientific ranges: Mathematics, informatics, neurology, psychology, engineering, sociology…) that aims to create a technological equivalent to human intelligence, on the one hand; and autonomous intelligent systems with algorithms capable of performing actions that have so far been created exclusively by humans, or that help or make decisions or self-learn through the data at their disposal, on the other."

Amina Bouayach, CNDH Chairperson.

Artificial intelligence & digital citizenship. For ethical AI that respects human rights

Amina BOUAYACH,
Chairperson of the National Human Rights Council (CNDH), Morocco.

The National Human Rights Council (CNDH) considers human rights relevant to artificial intelligence within an international context characterized by a holistic reflection on this matter. Numerous initiatives from international, regional, and national bodies are developing. From a systemic perspective, approaching this topic requires first establishing a definition of industrial intelligence. While it may prove challenging to find a comprehensive and conventional definition, given the multiple angles of approach, we have adopted the following definition:

"Artificial Intelligence is both a scientific field (integrating multiple scientific ranges: Mathematics, informatics, neurology, psychology, engineering, sociology…) that aims to create a technological equivalent to human intelligence, on the one hand; and autonomous intelligent systems with algorithms capable of performing actions that have so far been created exclusively by humans, or that help or make decisions or self-learn through the data at their disposal, on the other".

In today's world where digitization is a lever for societies' growth and evolution, artificial intelligence is used in a wide array of fields, such as: mobility and image processing (facial recognition, automated archiving, localization, cryptography, etc.); in education; in data processing and decision-making assistance; in maintenance; in data transfers and documentation; in banking and accounting; in health and medicine; in planning; mapping; building simulation; information and communication.

Artificial intelligence is thus amongst the mechanisms to facilitate the enjoyment of fundamental rights and freedoms by citizens. However, the uses of artificial intelligence are not devoid of risks to certain rights and freedoms, namely the right to physical integrity and integrity of

data, the right to freedom of opinion and expression, the right to access information, the right to privacy, consumer rights, equality and non-discrimination, protection of vulnerable groups (e.g., children, persons with disabilities), the right to physical and psychological integrity, freedom of elections, the right to employment, freedom of assembly, freedom of peaceful demonstration, ...

The Council shares the conviction of the United Nations High Commissioner for Human Rights that "Artificial intelligence can be a force for good, helping societies overcome some of the great challenges of our times. But AI technologies can have negative, even catastrophic, effects if used without sufficient regard to how they affect people's human rights... This is why there needs to be systematic assessment and monitoring of the effects of AI systems to identify and mitigate human rights risks".

Considering the enormous opportunities that artificial intelligence provides to facilitate access to rights and freedoms, on one side, and the risks that its use poses to certain rights and freedoms, on the other; the Council, through its human rights-based approach, seeks to propose ways to achieve the following objectives:

−   Developing artificial intelligence in line with a constructive approach to human rights and the values of a democratic society;

−   To study and address the effects of artificial intelligence on human rights adequately;

−   Artificial intelligence actors to assume responsibility for its use;

−   Citizens to enjoy the benefits of technology associated with artificial intelligence in respect of human rights.

After conducting broad consultations with all national stakeholders and actors, a national seminar was held April 28th, 2021, to confer onto the possible pathways to the enjoyment of AI while respecting human rights when it comes to morality, ethics and practices. The seminar also discussed digital citizenship, scientific production on AI and the place of artificial intelligence in the modern economy.

The Council will organize an international seminar in Rabat on December 3rd, 2021, to discuss existing international initiatives in the organization of artificial intelligence with regard to human rights, the various standards, guidelines, and regulations, and governing principles in the field.

60 participants will attend the seminar, including twelve panelists. Among them,

nine international speakers participated remotely. The participants were representatives of national administrations and institutions, researchers and academics, lawyers, experts from various backgrounds, civil society representatives, journalists, print and electronic press representatives, and audiovisual media.

Through her opening remarks, the Chairperson of the CNDH first will explain the reasons that motivated the Council to support the development of AI in Morocco, with the mission of protecting and promoting human rights as well as preventing their violation. Perceptive that the use of artificial intelligence is likely to affect these rights and raises concerns relating to privacy, education, work, social care, healthcare, mobility, law enforcement, and public order.

She will also present the various consultation processes that the CNDH has carried out at the national level in matters of AI and public freedoms, freedoms of expression, the right to privacy, the right to communication, and human rights in the digital space... and their outputs.

The threat that the widespread use by states and companies of artificial intelligence, including profiling, automated decision making, and machine learning technologies, impacts the enjoyment of the right to privacy and associated rights and leads to the violation of fundamental rights such as individual and political freedoms (freedom of association, expression, etc.). Artificial intelligence can also lead to job losses and replace humans' role in society even though it makes certain operations more efficient; since machines are taking over some of the low-level manual tasks that humans once controlled.

However, the critical risk remains in how information and data can lead to discriminatory practices that exclude individuals and violate basic human rights standards and laws.

Finally, the presentation will mention to the recent debate on AI at the level of United Nations bodies and their concerns, translated into recommendations concerning updating international and national legal instruments to protect and promote the use of artificial intelligence that respects and protects the human rights of individuals and societies. A challenge that the CNDH is ready to take on as a human rights institution.

After the publication of valuable contributions in the 1st issue of this journal ([1] [2] [3] [4] [5] [6] [7] [8]), we are pleased to publish in this 2nd issue constructive contributions ([9] [10] [11] [12] [13] [14] that fall within the framework of the consultations carried out by the CNDH in the field of Artificial

Intelligence and Big Data , and Human Rights.

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