

## HUMAN RIGHTS COUNCIL – 57th SESSION

### Interactive dialogue with the Working Group of Experts on People of African Descent

03 October 2024

**Ms. Barbara G. Reynolds, Chair of the Working Group**, shared outcomes and takeaways from the report on digitalization and Artificial Intelligence (AI) based on a desk review of recent research and reports. The impact of digitalization and AI on the economic, social and cultural sectors is becoming rapidly evident, raising substantial questions and concerns about human rights and ethics as the use, misuse and abuse of these technologies can inadvertently or intentionally introduce, perpetuate and exacerbate biases and discrimination in virtually all sectors, communities and societies. Digitalization and AI have a multiplier effect, speeding up and extending their scope and reach with each successive iteration in their design and deployment, whether for good or for ill.

Large-scale AI systems are developed almost exclusively in a small number of companies and elite university laboratories which rarely people of African descent. Facial recognition software used by governments and the police disproportionately affects people of African descent as they propagate biased associations about race groups, exacerbating racial inequality. In health, housing, employment, and education, data used as evidence to train AI models have been prejudiced against people of African descent by disproportionately reflecting specific demographics, and by having certain assumptions or stereotypes about different groups embedded in the data.

Based on its findings, the Working Group concluded that that people can unconsciously retain biases garnered from AI, retaining, and deploying these biases in decision-making that result in biased judgments and discriminatory outcomes, if left unchecked. Thus, the fundamental solution is to ensure that from the inception, at the lowest rung of any digitalization and/or AI, there is a conscious effort to act for benefit and not harm, recognizing that once human agency is involved, there is going to be bias.

Among the recommendations made by the WG, States must support a recognition of the impact of race, racial bias and racial discrimination in digitalization and the use, misuse, and abuse of artificial intelligence through research regarding people of African descent. States must ensure that digitalization and the use of artificial intelligence continue to be regulated, moderated, facilitated, and remain subject to human oversight.

Following, **Ms Reynolds shared the main findings of the visit to Norway**. The Country has in place the requisite legislation and legal and policy frameworks for migrants to be considered for entry into Norway and to remain in Norway. The Working Group noted and documented a number of positive measures that the Government of Norway has institutionalized to facilitate and support migrants to Norway, spanning education and orientation about the culture, norms, and legal provisions, the orientation of employers, basic training for employment, provision of basic housing and translation/interpretation support among others.

The Working Group noted that in every city and at every engagement with people of African descent three issues came up: 1) The first concern was the perceived risk or threat of separation of children from their families because parents' customs and practices do not cohere with Norwegian customs and practices. 2) A second concern was that regardless of time spent in Norway, even for Norwegian born children of African descent, including biracial children. 3) A third concern that was widely raised is the difficulty, particularly for men of African descent, to secure decent work, particularly work on

par with their qualifications, skills and experience because they cannot speak Norwegian with a proper Norwegian accent.

The underrepresentation of Africans and people of African descent and their views and concerns in politics, administration and public life is a pressing topic that requires attention.

The Working Group concluded that People of African descent, who are stereotypically referred to as immigrants are alienated in practice with little sense of belonging. The Working Group provided several recommendations on specific areas of concern focused on the need for more robust gathering of data, sufficiently disaggregated by race to be able to better identify and define the situation facing people of African descent in Norway, regardless of their status, and to put in place structure and procedures that would simplify and accelerate the resolution of complaints.

**Norway (country concerned)** affirmed the comprehensive equality policy to ensure non-discrimination. Skin color and ethnic origin should never be decisive for how a person is treated within the legal system, by a teacher or employer, or for inclusion into different parts of society. **However, it acknowledged that there are children, young people, and adults of African descent who experience racism and discrimination in Norway.** The WG's concerns are useful in order to take targeted, intersectional, and participatory actions against discrimination and intolerance. **The report reminded the Government of the serious and negative impact of racism and discrimination, and which demands its continued attention.**

Considering participation in work an effective measure for integration, last year the Government launched an Action Plan against racism and discrimination. Based on scientific research and knowledge, it is particularly aimed at racism and discrimination experienced by young people, access to and full participation in work life and it emphasizes the efforts of municipalities and local communities.

In conclusion, the country regrettably noted that most of the factual corrections and comments to the draft report were not taken into account. Thus, the final report contains findings that are based on anecdotal information and clear misunderstandings. This presents challenges concerning our comprehensive assessment of the report's conclusions and recommendations.

### Interactive dialogue

32 country delegations took the floor during the interactive dialogue. **The majority of the countries, while highlighting national programs and initiatives to combat racism in digital communication services and to strengthen and support black media,** shared concerns over the alarming gap between the rapid proliferation of artificial intelligence systems and the inadequate governance mechanisms to regulate them. This gap proportionately affects people of African descent to compound existing racial inequalities and discrimination. Structural racism is responsible for continued and diverse forms of racial discrimination in all areas of society. **Sierra Leone** supported the call for states to invest in public education, affordable Internet access, digital literacy, and lifelong learning for all. **Jamaica and Zimbabwe** asserted that effective regulation, education, and collaboration are indispensable in fostering an environment where technological advancements enhance rather than undermine democratic principles and development goals.

**Several countries, including Panama, Gambia, and the African States** listed the key challenges observed in the WG's report, including embedded racial biases in AI systems and digital technologies that can result in discriminatory impacts on African descent peoples; the lack of transparency in data

collection and algorithm design processes; insufficient participation of people of African descent in technology development and policy-making; and exacerbation of existing inequalities in access to economic, social and cultural rights. To overcome these challenges, **the EU** adopted the Artificial Intelligence Act to foster trustworthy and human-centric AI by ensuring that AI systems are safe and respect human rights, democracy, and the rule of law.

On the contrary, **the Russian Federation** stated that there are no such good or bad technologies. The issue lies in their use of the technologies, and their intentions behind it. Actions in regulating AI should be measured. Science-based should take account of the interests and rights of all states irrespective of the level of technological development. It was against prohibitions and moratoriums on the development and application of AI systems.

**UN Women**, echoing the concern over the alarming gap between the proliferation of AI systems and their governance mechanisms, questioned about priority actions states can take to ensure that women and girls of African descent fully benefit from the transformative potential of digital technologies. Biases and lack of transparency in data and algorithms can have disproportionate and adverse effects on the realization of human rights by people of African descent, particularly women and girls, including by compounding and normalizing racial injustices and existing inequalities.

As we approach the end of the international decade of people of African descent and celebrate the 30th anniversary of the **UNESCO** routes of enslaved people's program, the impact, really great impact of enslavement, the impact of colonialism, the impact of upper hate on people of African descent worldwide remains pervasive despite progress. It stressed the importance of prioritizing reparatory justice that is linked with environmental justice and digital equity as part of the ongoing efforts to ensure the human rights and dignity of people of African descent are upheld.

**NGOs** stressed the vital role of the Working Group in defending the DDPA and acting against the disinformation campaigns and system efforts undermining it. In the report on AI and emerging technologies, the Working Group has identified a range of areas that need attention. Among others, **the Justiça Global and the International Organization for the Elimination of All Forms of Racial Discrimination** affirmed that AI is designed to be neutral and objective. However, this is not the case because the data used to train it represents marginalized communities. Certain artificial intelligence features have generated racist results, including the use of facial recognition in the *Brazilian* public security system to increase large-scale incarceration of the black population.

#### Delegations that took the floor during the Interactive dialogue (32 country delegations):

*Gambia (on behalf of the African Group), European Union, Portugal, Germany, Jamaica, Sierra Leone, United States of America, Zambia, Brazil, Colombia, Belgium, Iran (Islamic Republic of), Algeria, Panama, Ecuador, Egypt, Spain, Cuba, Russian Federation, Zimbabwe, Venezuela (Bolivarian Republic of), China, Angola, Benin, Mozambique, Trinidad and Tobago, Bahamas, Sudan, Indonesia, South Africa, Honduras, Kenya.*

#### NHRIs and NGOs that took the floor during the Interactive dialogue (8):

International Youth and Student Movement for the United Nations, Justiça Global, International Organization for the Elimination of All Forms of Racial Discrimination, International Federation for the Protection of the Rights of Ethnic, Religious, Linguistic & Other Minorities, Geledés - Instituto da Mulher Negra, American Civil Liberties Union, International Service for Human Rights.

International organization: UN Women, UNESCO.

To watch the full meeting refer to the UN WEB TV: [Part 1](#) and [Part 2](#).