

# Human Rights Approach to AI Governance in Today's Multicultural World

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## Abstract

*Human rights are international rules and values that can be used as a basic framework for AI governance, especially in today's multicultural world. But with today's fast changes and technological progress especially in the field of Artificial Intelligence it is assumed that if AI is not governed properly and with inadequate legislation than it can lead to breaking human rights, as well as it can create inequality and deny human rights globally. But if it used properly then it can promote human rights, increase prosperity, and create a better future for us all. Therefore, in this paper will be discussed the positive outcomes and the negative consequences of proper or not proper use of human rights in AI governance in today's multicultural world.*

**Keywords:** Human rights, Artificial intelligence, governance, multicultural world, and multiculturalism

## I. Introduction to multiculturalism

Multiculturalism is a movement with an aim to promote and safeguard ethnic populations and societies which are culturally diverse by promoting a policy of cultural diversity. Multiculturalism is not a new movement but it has been picking up attention since the late twentieth century. The term is used as an umbrella for the moral and political needs of disadvantaged groups, like African Americans, women, LGDB people, the disabled, immigrants, minorities, and the indigenous people<sup>1</sup>. Furthermore, multiculturalism protects the diverse society from social conflicts, promotes solidarity, and enrichment of cultures<sup>2</sup>.

## II. Human rights and multiculturalism

Multiculturalism has become a popular issue in international relations mostly due to the globalization and the technological advances, which led to cultural pluralism.

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<sup>1</sup> B. Choudhury, *Multiculturalism: Through the Prism of Human Rights* in *International Journal of Research in Humanities and Social Studies* Volume 3, Issue 1, January 2016, pp. 25-26, available at <http://www.ijrhss.org/pdf/v3-i1/3.pdf> (accessed on 22.12.2022).

<sup>2</sup> Serohin, V., *Multiculturalism: A Human Rights-Based Approach*, in Collective Monograph *The Issues of Improving Legal Knowledge in the XXI century: The Unity of Theory and Practice*, Liha Pres, 2019, DOI <https://doi.org/10.36059/978-966-397-164-3/185-200>.

The multicultural movement protects and reinforces the existence, respect, coexistence as well as the government policies of culturally diverse people. It is acknowledging and promoting the interaction, coexistence and equality in regards to supremacy of diverse cultural groups within a state. Multiculturalism from a political aspect it is associated with "identity politics," which implies or stands for recognition of differences. So, multiculturalism is the foundation for the harmonious functioning and existence of one modern state, that promotes cultural diversity, equity, and social creativity of diverse people<sup>3</sup>.

As changes occurred in the modern state so did the International human rights underwent through cultural diversity changes. They have become more detailed, clear and acknowledged multiculturalism, which helped in the process of understanding and accepting cultural, linguistic and ethnic diversity. The International Convention on the Elimination of all Forms of Racial Discrimination (ICERD) defines racial discrimination as: "Any kind of distinction, exclusion, restriction or preference based on race, color, descent or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural life"<sup>4</sup>.

Furthermore, Article 22 of the Universal Declaration of Human Rights (UDHR) discusses culture and dignity, by acknowledging that any person has the right to economic, social and cultural rights. Also, the United Nations Charter promotes international co-operation in all fields, as well as respect of human rights and fundamental freedoms (art. 13.2). Furthermore, the Charter has pointed out the direct relations between cultural rights, human dignity and freedom, and their interconnection with one another. This relationship has been also introduced in the International Covenant on Economic, Social and Cultural Rights, where it is explained that a free human being is the one that can enjoy its freedom without any kind of fear or a threat<sup>5</sup>. Therefore, the human rights of culturally diverse people are present and have been present for a long time, but it should be acknowledged that there was a need for their renewal due to the fast technological advances and globalization.

That is why in 2000, the Millennium Declaration was adopted by the UN General Assembly. This Declaration confirmed the existence of fundamental values like freedom, the freedom from fear of violence, oppression and injustice, the freedom for tolerance and respect for human beings in their diversity. It acknowledged that the differences between societies and people should be cherished and respected<sup>6</sup>.

Moreover, in 2001 was created another international document this time at the UNESCO's General Conference. This document was the Universal Declaration of Cultural Diversity which confirms that culture is the leading piece in regards to identity, social cohesion, and even in economy. And if we want to have peace, stability and security then respect for different cultures, tolerance, dialogue, cooperation, trust and understanding are the key ingredients. The Declaration is intended to preserve multiculturalism as a precondition for protection of minority rights, as well as to serve as a guidance in

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<sup>3</sup> M. Kania, *Human Rights, Principles of Multiculturalism, and New Paths of Development in Latin America*, in *Journal of American Studies* 17 /2016, pp. 5-10, DOI: 10.12797/AdAmericam.17.2016.17.01, pp. 5-6.

<sup>4</sup> B. Choudhury 2016, *cited*, pp. 25-26.

<sup>5</sup> R. E. Gof, A. Momcilovic, *Respecting cultural diversity in ethics applied to AI: A new approach for a multicultural governance*, in *Revista Misión Jurídica*, Vol. 15, No. 23, Julio – Diciembre de 2022, p. 116.

<sup>6</sup> R. E. Gof, A. Momcilovic, *cited*, pp. 116-117.

creating cultural policies and instruments for promoting respect of cultural diversity, intercultural dialogue, as well as promote sustainable development in the world. To continue with, the political principles of multiculturalism are presented in Article 2 of this document where it is explained that in today's diverse societies, it is essential to ensure harmonious interaction among people with many different cultural identities, as well as encourage their willingness to live together. Furthermore, in the same document in Article 4 it is presented the role of multiculturalism in protecting and respecting human rights by stating that: "No one may invoke cultural diversity to infringe upon human rights guaranteed by international law"<sup>7</sup>.

Therefore, it can be concluded, that multiculturalism is of crucial importance which can lead to many positive transformations but it can also lead to negative flaws like conflicts especially in marginalized ethnic societies. So far, in many aspects' multiculturalism has failed mostly due to extremism, radical populism, and xenophobia<sup>8</sup>. But even with the best encrypted rights and with the best policies these eccentric uprisings are inevitable due to the diverse societies we live in and which are changing very fast in a little paste of time. In 2012, the UN General Assembly adopted resolution 66/290 recognizing the right to live in freedom and dignity, a document that emphasizes that today's multicultural international community cannot be deprived of respect for its cultural diversity because if deprived, it can lead to breaches in peace and stability<sup>9</sup>. And even though there are many international documents that aim towards the respect for cultural diversity, which is crucial for security, human development, dignity, freedom, and cooperation, still these international documents are not enough to have the maximum respect for cultural diversity of all human beings<sup>10</sup>. People should learn to respect one another no matter their differences and if humanity learns this than the international norms and regulations will only act as reminders or as guiding principles not as sanctions. We need to realize as human beings that no matter how different we are, we are still the same, a human being. So, we need to cherish each other, help each other in our vulnerabilities and weaknesses because we all leave in states, communities, regions that are diverse in nature, culture, tradition, language and so on. And with the internet, the technological advances and communications, with the globalization, this "differences" that we discuss are taken advantage of, they are used usually to threaten and hurt people, instead to be used to promote and respect cultural diversity.

### III. Human rights and ai in a multicultural world

After clarifying that cultural diversity is part of every human being and they cannot be separated, this leads to our other point in this paper, how are human rights affected and even disrespected with the drastic impact and influence of technology and Artificial Intelligence.

Our contemporary society even though it wants to cherish some traditional values and cultures it has been influenced and modernized very fast. The modernizing does not always have to be interpreted as bad. The new, modern era may be positive to

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<sup>7</sup> M. Kania, *cited*, pp. 5-6.

<sup>8</sup> M. Kania, *cited*, pp. 5-6.

<sup>9</sup> R. E. Gof, A. Momcilovic, *cited*, pp. 116-117.

<sup>10</sup> R. E. Gof, A. Momcilovic, *cited*, p. 116.

humanity with all the discoveries in science, culture, art, philosophy<sup>11</sup>. Especially with the discoveries in Artificial Intelligence. In order to accomplish and feel the benefits of artificial intelligence (AI) an international cooperation is required in the governance and ethical standards and norms, while respecting the diverse cultural needs and priorities. And to be honest there are many hurdles to be overcome in this respect due to the novelty of AI as well as due to the use and balance especially in the sphere of governance and the joint cultural cooperation on AI ethics. There are many misunderstandings between cultures and regions, even without using the AI, and by using it, the tensions are even bigger. But even where differences do exist, these differences do not have to necessarily prevent cross-cultural cooperation, because cooperation does not require achieving agreement on principles and standards, sometimes it is possible to reach agreement on practical issues<sup>12</sup>.

Mutual cultural cooperation will be essential for the success of AI governance. The cultural cooperation is meant for different cultures working together on ensuring that AI is developed, deployed, and governed in society properly. By encouraging this cultural cooperation, it does not mean that all states should have the same norms, standards, and regulations but they can and should be applied to the standards and needs to different cultures. Or it can also be identified where it is necessary and which issues need global standards and where cultural variation is needed. But the "Cross-cultural" cooperation is needed due to AI global benefits, meaning sharing the advances and benefits with other countries, and ensuring that no one is neglected. Cooperation helps researchers to share expertise, resources, which helps in the faster progress, as well as on managing the ethical and safety issues that may arise. If there is no cooperation, there is a risk of competitiveness between states which will lead to underinvestment in safe, ethical, and socially beneficial AI development. Finally, international cooperation is also important to ensure that AI is applied successfully and respectfully<sup>13</sup>.

Some scientist and policy makers view AI as a threat and others as a beneficial tool. Whatever the views, the concerns lead to the question of its governance and ethics. The need of a global governance in the sphere of AI is a necessity. Up until now the regulation has been built around the idea that human beings will remain in control over AI systems and applications, but until when this statement will be a reality it is questionable<sup>14</sup>. The European Union (EU) unlike other states is very descriptive of the governance that is influencing what is ethically acceptable and what is not. Meaning the EU is influencing the perceptions of setting the ethical standards of a trusted AI. And with this perception, it shapes the conduct of governance and the institutions. If this influence is beneficial, by setting guidelines for the use of AI, then it can be used as a powerful method for other means<sup>15</sup>.

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<sup>11</sup> M. Kuznetsova, *Modernity in Multicultural World of the 21<sup>st</sup> Century*, in International Journal of Research in Engineering, IT and Social Sciences, Volume 7, Issue 5, May 2017, pp. 16-18, available at: [https://www.academia.edu/35538957/Modernity\\_in\\_Multicultural\\_World\\_of\\_the\\_21\\_st\\_Century](https://www.academia.edu/35538957/Modernity_in_Multicultural_World_of_the_21_st_Century) (accessed on 22.12.2022).

<sup>12</sup> S.S. ÓhÉigeartaigh, J. Whittlestone, Liu Yang, Zeng Yi, Liu Zhe, *Overcoming Barriers to Cross-cultural Cooperation in AI Ethics and Governance*, Philos. Technol. No. 33/2020, pp. 571-593, available at <https://doi.org/10.1007/s13347-020-00402-x> Springer. Available at: <https://link.springer.com/article/10.1007/s13347-020-00402-x#citeas> (accessed on 15.12.2022).

<sup>13</sup> *Idem*.

<sup>14</sup> R.E. Gof, A. Momcilovic, *cited*, pp. 112-114.

<sup>15</sup> E.R. Goffi, L., Colin, S. Belouali, *Ethical Assessment of AI Cannot Ignore Cultural Pluralism: A Call for Broader Perspective on AI Ethics*, in Arribat – International Journal of Human Rights Volume:

To continue with, the AI design, development, and deployment (AI-DDD) should be harnessed in such a way to reduce inequality and by adopting a human rights framework for AI-DDD, it offers the potential for the set of guidelines for AI. People all around the world in high- and low-income countries use and share AI applications' and share its benefits. AI can bring much more benefits to low-income countries and populations by promoting equal access to public services like health, education, social assistance. One scenario, that presents the benefits of AI is The United Nations Sustainable Development Agenda, adopted by the UN General Assembly in 2015 which is supported by 193 nations. This agenda includes 17 sustainable development goals (SDGs) to be achieved by 2030. The agenda challenges the states to make efforts to work on the SDGs, and with this enforces sustainability and prosperity, respect for human rights, equality, and dignity of people in the world. The main aim of the SDGs is to be applicable to all human beings. AI has potential to advance the SDGs, with its innovations, and with the process to produce them, and with this process to fertilize this global transformation. By harvesting the AI for the achievement of the SDGs could create an equal world<sup>16</sup>.

SDG are one example where AI can be used for good and harvest equality in this multicultural world. But can human rights also help to guide and govern artificial intelligence (AI) or this idea is superficial? In 2018, United Nations investigators discovered that Facebook and its algorithms news promoted the circulation of hate speech. Also, some governments are using algorithmic systems to classify people. China is using algorithmic systems to categorize people by social characteristics, this system is called the Social Credit System which collects data on citizens and scores them and after that if they have not paid their debts, it shames them on screens where everybody can see them. Therefore, AI can be used for bad connotations and aspirations from governments, people and other actors as well. It is very easy to do this on purpose or even to do it unknowingly. But either way the misuse of AI can hurt human beings and their dignity. That is why human rights laws were established to have principles and mechanisms that will protect human beings from any kind of threat. Therefore, for AI to be used properly, the adoption of human rights in the AI governance is a necessity and it will provide the AI actors with guidance to preserve and respect human dignity and equality for all. Implementing human rights into AI governance can help anticipate mistakes before they even happen, it can help anticipate the possible harmful actions from different AI actors and guide them to develop policies for good use. Furthermore, AI accountability can be presented through human rights practice, like treaties, UN investigations, and other means and tools in order to monitor social impacts<sup>17</sup>. (Latonero, 5)

Therefore, AI governance can and should be guided by human rights. Because as mentioned previously there are a lot of examples where AI uses discriminatory

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1, Issue: 2, September 30, 2021 Available at <http://www.humanrights.periodikos.com.br/article/6061f45aa953955f3e675902/pdf/humanrights-1-2-151.pdf> (accessed on 15.12.2022), pp.155-156.

<sup>16</sup> D.E. Gibbons, *Toward a More Equal World: The Human Rights Approach to Extending the Benefits of Artificial Intelligence*, April 29th, 2021 in Artificial Intelligence (AI), Editorial & Opinion, Environment, Ethics, Human Impacts, Magazine Articles, Social Implications of Technology, Societal Impact. Available at: <https://technologyandsociety.org/toward-a-more-equal-world-the-human-rights-approach-to-extending-the-benefits-of-artificial-intelligence/> (accessed on 22.12.2022).

<sup>17</sup> M. Latonero, *Governing Artificial Intelligence: Upholding Human Rights & Dignity*, Data & Society, 2018, p. 5, available at: [https://datasociety.net/wp-content/uploads/2018/10/DataSociety\\_Governing\\_Artificial\\_Intelligence\\_Upholding\\_Human\\_Rights.pdf](https://datasociety.net/wp-content/uploads/2018/10/DataSociety_Governing_Artificial_Intelligence_Upholding_Human_Rights.pdf) (accessed on 10.12.2022).

algorithms and systems. Such algorithms are for example the facial recognition systems, that has flaws regarding darker skin women and this is due to a lack of adequate algorithmic data which can and is producing cultural biases of colored people. Therefore, the policy makers working on technological advances and aspects on AI are faced with difficult job of applying standards, values, or norms in different social contexts. They need to balance the above when developing or deploying the new technologies. Also, they need to take into consideration the potential misuses and abuses, the consequences, biases in the sociotechnical systems. So, Human rights do and can provide policy makers with a basis to address values which is also very important for tech companies whose products will be used across the globe where different values and laws apply<sup>18</sup>. Also, as an addition for guidance to the policy makers can be promotion of education in all areas of the technological sector. There are already educational courses designed and used especially for students to obtain and learn about future competitiveness and problem solving through programming. And in the spirit of diversity, equality, and respect, the governments have been promoting this kind of education<sup>19</sup>. This kind of technology literacy and education can empower multicultural students because many people especially the indigenous are in a disadvantage due to their lack of resources, cultural education, living conditions and surroundings. Therefore, by being part of this educational process they can gain capabilities to overcome this and other limitations<sup>20</sup>. So, AI governance should be guided and reinforced by human rights in this multicultural world.

#### IV. Conclusion

It can be concluded that, AI is part of our every day life and we should use this as an advantage, to improve it, make norms, guidelines and AI governance that empowers all people, no matter their nationalities, culture, religion, color and so on. We are all the same, we are human beings that have the power to learn, use, govern and promote AI in our own advantage. We can create AI that promotes and protects human rights in this multicultural world.

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<sup>18</sup> M. Latonero, *cited*, pp. 9-11.

<sup>19</sup> Chia-Wei Tsai, Yi-Wei Ma, Yao-Chung Chang, Ying-Hsun Lai, *Integrating Multiculturalism into Artificial Intelligence-Assisted Programming Lessons: Examining Inter-Ethnicity Differences in Learning Expectancy, Motivation, and Effectiveness*, Front. Psychol., 13 June 2022, Sec. Educational Psychology, <https://doi.org/10.3389/fpsyg.2022.868698>.

<sup>20</sup> *Ibidem*.

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