



Access Now's submission to the United Nations (UN) to identify the terms of reference and modalities for the establishment and functioning of the Independent International Scientific Panel on Artificial Intelligence (AI) and Global Dialogue on AI Governance

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Introduction

Access Now welcomes the opportunity to provide its input to the United Nations (UN) to identify the terms of reference and modalities for the establishment and functioning of the [Independent International Scientific Panel on Artificial Intelligence \(AI\) and Global Dialogue on AI Governance](#). As an ECOSOC accredited organization, [Access Now](#) routinely engages with the UN in support of our mission to extend and defend digital rights of people and communities at risk around the world.

As a grassroots-to-global organization, we partner with local actors to bring a human rights agenda to the use, development, and governance of digital technologies, and to intervene where technologies adversely impact our human rights. By combining direct technical support, strategic advocacy, grassroots grantmaking, and convenings such as RightsCon, we fight for human rights in the digital age.

I. On the panel

a. What should be the mandate of the multidisciplinary Independent International Scientific Panel on AI, to be established within the United Nations?

The use and abuse of AI can [facilitate human rights violations](#) while also exacerbating existing societal power imbalances, therefore creating new risks, which disproportionately affect marginalized people and communities. The mandate of the multidisciplinary Independent International Scientific Panel on AI (the Panel) should therefore be grounded in the international human rights framework and the UN Sustainable Development Goals (SDGs), and align with the purposes articulated in the UN Global Digital Compact (GDC), in order to adequately address such risks and power imbalances.

We agree with other Member States that the Panel should avoid making policy recommendations. The Panel should therefore also avoid focusing on consensus outcomes. Instead, the mandate of the Panel should be narrow in scope to focus solely on the collection and consolidation of objective scientific evidence — from both natural and social sciences — focusing on the impacts, risks, and opportunities

of AI, throughout the "[AI lifecycle](#)" in various national, regional, and international contexts from an international human rights law perspective. Thus, the Panel should conduct human rights due diligence and impact assessments, ensuring alignment with the UN Guiding Principles on Business and Human Rights (UNGPs), and further consulting with the newly established Office of the High Commissioner for Human Rights (OHCHR) Digital Human Rights Advisory Service (DHRAS).

b. What should be the size, composition and governance structure of the Panel?

The Panel should be robust enough to ensure that diverse perspectives inform its mandate and outcomes. The Panel should therefore be composed of individuals with the relevant scientific expertise from various linguistic and multidisciplinary backgrounds — human rights, labour, environment etc. — with special attention to those from traditionally under-represented groups. The composition of the Panel should reflect balanced geographical and gender representation in line with the principles of diversity, equity, and inclusion, and account for historical discrimination and particular barriers to equal participation in [STEM fields](#). The Panel should be further divided into sub-groups to ensure that certain voices do not dominate discussion while also ensuring more in-depth analysis. The UN should further consider a mix of written and in-person, hybrid and other asynchronous modalities to further encourage a diversity of voices and perspectives.

The Panel should be fully independent and free from political influence. The Panel should further delineate clear lines of reporting through to UN Member States, the UN General Assembly, and relevant stakeholders. This would allow Member States and relevant stakeholders – particularly civil society, academia, the technical community, and the private sector – the necessary opportunity to formally provide views and insights into the work and outcomes of the Panel in line with the multi-stakeholder approach and principles articulated in the UN GDC.

It is imperative that the Panel does not duplicate existing UN initiatives related to AI. The Panel should therefore leverage the existing expertise and outcomes from other relevant UN processes, such as those led by OHCHR, ITU, and UNESCO, by integrating their outputs as relevant. The Panel should further consult with other UN agencies — such as UN Women, UNEP, and UNFPA — as well as UN treaty bodies – CERD, CRPD, and CEDAW — to consider the particularly unique risks and impacts of AI on individuals and communities at risk. As a result, the Panel should not be under the ambit of solely one UN agency, but rather multiple UN agencies should comprise the secretariat responsible for overseeing the Panel and related outputs. The UN could consider the modalities from the [UN Commission on Science and Technology for Development \(CSTD\)](#) as a precedent since the CSTD strikes a balance in its composition of national Governments and non-governmental experts, including civil society, academia, and private sector representatives, as well as maintaining strong links with other UN bodies. Further examples of intentionally inclusive and cross-agency bodies include the [UN Legal Identity Agenda Task Force](#), the Roundtables on Digital Cooperation implementing the [UN Secretary-General's Roadmap on Digital Cooperation](#), and the Global Connect Initiative.

c. *How should the nomination and selection process of the Panel be?*

The nomination and selection process of the Panel must be transparent, diverse, and inclusive. Transparency starts with the nomination and selection process itself. We call on the UN to issue a formal public call for nominations, and publish all key information all in a timely and accessible manner. Such information includes, but is not limited to: the number of members for the Panel (based on varying stakeholder groups disaggregated to ensure regional, linguistic, and gender diversity), the application and selection process timeline and criteria for membership, including rules regarding conflict of interest, and final decisions. The nomination process of the Panel should prioritize applications from individuals with diverse backgrounds — particularly individuals from the global majority — in line with the principles of diversity, equity, and inclusion. In tandem, the nomination and selection process should ensure equal representation of various stakeholders — with the relevant scientific and multidisciplinary background — represented by government, civil society, the private sector, academia, and the technical community. The UN could consider adopting a stakeholder peer nomination approach where peers from various stakeholder groups nominate other peers for their stakeholder category. An independent nomination committee should be established to ensure independent selection of individuals for the Panel. Overall, we call on the UN to ensure a holistic and inclusive consultative approach with stakeholders in the process for the selection and appointment of the Panel.

d. *What types of evidence-based impact, risk and opportunity assessments should it deliver, and with what frequency?*

We agree with [other Member States](#) that the Panel should “avoid making policy recommendations, but rather focus on synthesising and consolidating existing AI research through evidence-based impact, risk and opportunity assessment to provide policymakers the necessary elements for knowledge-based decision and the promotion of scientific understanding among stakeholders.” Priority should be given to HRI and HRDD assessments as evidence-based impact, risk, and opportunity assessments “drawing on existing national, regional and international initiatives and research networks” as recognized in the UN GDC and the UN General Assembly. As previously stated, such HRI and HRDD assessments should ensure alignment with the UNGPs, and further consult with the OHCHR DHRAS.

At a bare minimum, the Panel should aim to produce twice-annual reports and hold quarterly consultations, across regions and time zones, in venues, and through online mechanisms widely accessible and accommodating to all stakeholders. The Panel should be mandated to seek formal input from various stakeholders throughout the various stages of any reporting process (i.e. interim

and final drafts) in line with multistakeholder principles and best practices. In addition, the Panel should seek to participate jointly and severally in established global conferences and relevant events, including the UN Internet Governance Forum (IGF), RightsCon Summits, and Global Gathering, as well as national and regional IGFs and events including the Digital Rights and Inclusion Forum, Bread&Net, Forum on Internet Freedom in Africa, and more.

II. On the dialogue

a. What should be the mandate of the Global Dialogue on AI Governance, to be established within the United Nations?

Similar to the Panel, the mandate of the Global Dialogue on AI Governance (Global Dialogue) should be grounded in the international human rights framework and the UN SDGs, and align with the purposes articulated in the UN GDC. The Global Dialogue should be narrow in scope in order to not overlap with existing AI forums and outcomes — particularly stemming from the IGF — which the UN GDC acknowledges is the “primary multi-stakeholder platform for discussion of Internet governance issues.” The Global Dialogue should therefore complement existing AI policy dialogues such as those from OHCHR, UNESCO, ODET, ITU and CSTD, and feed them into the IGF as the main multilateral forum to ensure a multistakeholder approach in order to secure meaningfully and inclusive stakeholder engagement.

b. What types of outcomes should it achieve?

Similar to the Panel, the Global Dialogue should avoid making policy recommendations and instead focus on capacity building and information sharing amongst national, regional, and international initiatives – anchored in the international human rights framework – whilst ensuring the equal and meaningful participation of all stakeholders. The Global Dialogue should focus on concrete issues and topics including, but not limited to, the human rights and environmental risks and impacts of AI, and defining appropriate due diligence, prevention, mitigation, and redress policies and mechanisms.

c. How should Governments and all relevant stakeholders be involved?

The UN GDC renews its commitment towards the multistakeholder approach of Internet governance which includes all stakeholders. The Global Dialogue should therefore implement this renewed commitment to ensure that all stakeholders can share knowledge and expertise on AI Governance in a strengthened, transparent and meaningful dialogue.

d. What should be the format of the Dialogue?

As previously stated, the Global Dialogue should take place under the auspices of the UN IGF, including its national and regional counterparts and intersessional processes and fora. It should therefore function in a hybrid format with enough funding and support to ensure the safety, security, and equal participation of all stakeholders. Secure, open, and accessible communication platforms should be adopted to protect civil society and ensure participation regardless of technological resources. The UN and its agencies, offices, and other constituent bodies should make available timely, comprehensive and easily digestible information in a variety of languages on how to engage with the UN virtually. Such information should accommodate the diverse needs and interests of novice or non-skilled users of ICTs and members of vulnerable and marginalized groups, and to accommodate the discrepancies in access across demographics. Further, the UN and its Member States should seek to ensure security through measures to prevent, monitor, and redress any reprisals and intimidation for collaboration and participation online and in-person.

III. Cross-cutting

a. What should be the relationship between the Panel and the Dialogue?

The Panel and the Global Dialogue should mutually reinforce each other through an open, inclusive, multi-stakeholder approach.

b. How can the Panel and Dialogue effectively draw on and leverage existing initiatives within the United Nations? How can the UN system best support the Panel and Dialogue in a coordinated manner?

The UN IGF should serve as the primary forum for the Global Dialogue and consultation for outcomes from the Panel. The UN should therefore continue to fund and adequately support the IGF for its mandate. The Panel and the Global Dialogue should routinely coordinate and collaborate with relevant UN agencies, particularly OHCHR and its newly established DHRAS. As previously mentioned, the Panel and Global Dialogue should seek to participate jointly and severally in established global conferences and relevant events, including RightsCon Summits, and Global Gathering, as well as national and regional IGFs and events including the Digital Rights and Inclusion Forum, Bread&Net, Forum on Internet Freedom in Africa, and more.



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