***Opening Remarks –***

***“Does Artificial Intelligence reinforce racism and racial discrimination?”***

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Good morning and thank you for being here today at our first public meeting at the 10th session of the “Group of Independent Eminent Experts on the Implementation of the Durban Declaration and Programme of Action”. Today we are going to talk about the racist impact of Artificial Intelligence, so we called this public meeting: “Does Artificial Intelligence reinforce racism and racial discrimination?”

Video about the campaign “Revolution against the algorithm” by UNESCO and the civil organization RacismoMX: <https://youtu.be/ihL-QxAS5Sc?si=lLJsQIZASVF7k9xJ>

As it has become obvious by now, with its continuous introduction in all sorts of aspects of public and private life, A.I. is on track to become a staple wherever modern technology is present. Only this month, several government agencies announced their public initiatives boosting A.I. as a mechanism to expand their government capabilities: from the Californian local government publicizing its generative A.I. Initiative, to Hamburg’s local government announcing its incorporation to Large Language Model (LLM) testing.

As several UN organs have declared before, the impacts of this evolution in technology make it unavoidable for these institutions to study it. The CERD has a special responsibility in making sure all these advancements develop without deepening the inequalities that racialized minorities (and majorities in the case of Latin America), diverse ethnic groups, and migrant people experience.

This Committee in specific has already highlighted the need to advance discussions regarding the use of these new tools. Specifically, in the general recommendation No. 36 of 2020, the Committee oversaw the way in which certain algorithmic decision-making and A.I. tools are used explicitly by law enforcement officials in relation to the generation of racial profiles that guided the fulfilment of their responsibilities. At that moment and restricted specifically to what was named as “algorithmic profiling by law-enforcement”, the Committee identified the opacity in the production of these analytics and decision-making tools, as one of the structural reasons behind their biased implementation by law-enforcement groups. Furthermore, in that same line of thought, the Committee also identified the precise way in which already biased institutions implement biasedly produced tools as a risk in furthering racist dynamics.

While contained to the analysis of racial profiling done by law-enforcement institutions and individuals, these two lessons can be extrapolated to other applications and its racist effects. For instance, the National Fair Housing Alliance in the U.S. showed in a 2021 report that the use of A.I. tools perpetuated housing discrimination in the assessment of potential tenants. Also, a report of the same year, made by U.S. organization Upturn, found that A.I. tools incorporated in hiring methods reproduced the same racist biases that traditional hiring selection procedures have. In these two cases, the advancement of these new technologies has the potential of widening racial disparities instead of combating them.

Our experience in Latin America not only highlights the errors in the predictive algorithms built by biased databases, but also the problematic applications that this technology has in its implementation. On the one hand, the Mexican digital human rights organization R3D has noted several problems in the implementation of facial recognition algorithms, such as the 2021 case in which the local government of Coahuila (a State in Northern Mexico) used video-surveillance technology to persecute Black Lives Matter activists. On the other hand, and more representative of the problem at large, we have the case of the local government of Bahía in Brazil, that in 2018, installed a facial recognition system built by informal databases. Since the start of its implementation, more than a thousand people have been arrested, out of which –several– have been declared innocent. Note that I say “several” since the local government still negates the mistakes done in its adoption and implementation.

It is undeniable that new and revolutionary A.I. tools open a new window of opportunities, the fact is that its implementation by already biased institutions have worsened racist and discriminatory practices. By providing a supposedly “objective”, technological, and silver-plated façade to the implementation of racist practices, the use of A.I. tools have hampered economic security and have systematized the profiling of already marginalized groups that have long dealt with systemic discrimination. As the Mexican digital activist, Grecia Díaz, said: “Artificial Intelligence is not quite what its name describes; it is not artificial since the human biases are always imprinted on them, and it is not intelligent since it makes many mistakes”.

While the possible areas of implementation of A.I. tools by governmental institutions and companies are infinite, the discussion surrounding its implementation and its effects is still insufficient. There is a need for clearer guidelines, both in the construction and implementation of these different technologies.

That’s why we are here: let’s gain control over the tools, let’s get ahead of the consequences, and let’s prevent and combat the racist actions that could derive from them.

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