Call for submissions: Thematic report on new information technologies, racial equality, and non-discrimination

For her 2020 report to the 44th session of the UN Human Rights Council, the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance intends to analyse acute and structural threats that new information technologies such as big data, machine learning, and artificial intelligence (AI) pose to rights to non-discrimination and racial equality human rights principles and standards. She invites written submissions on this theme from interested stakeholders.

Purpose of the Report

Recent UN human rights reports have concluded that although recent technological advancements contribute to human rights advancements in many ways, they also threaten equal enjoyment of the human rights to privacy, freedom of opinion and expression, freedom of association, access to information, and to effective protection from hate speech, bias, and discrimination.[1] Scholars, journalists, and human rights mechanisms and advocates have warned of racially discriminatory harms of AI and other data-driven technologies, including in the fields of employment, education, healthcare, housing, safety, and criminal justice. Furthermore, there is concern that widespread use and reliance on predictive models that incorporate historical data—data often reflecting discriminatory biases and inaccurate racial profiling—sustains policing, national security, immigration, and other policies that are inconsistent with racial equality and non-discrimination.

Call for Submissions

To inform her report, the Special Rapporteur wishes to receive input from relevant stakeholders, including national and local governments, national and international non-governmental organizations, national human rights institutions and equality bodies, inter-governmental organizations, United Nations agencies and entities, activists, academics, and corporations. She invites all interested stakeholders to share their views and provide information on the following:

- Descriptions, examples, scholarship, and other accounts of how emergent information technologies—including AI, machine learning, and big data—have affected and may affect equal enjoyment of human rights;
- How new information technologies may entrench existing racial inequalities, including through the use of datasets or metrics that already reflect racial biases;
- The importance of racial diversity to creating and securing better outcomes in technological innovation;
- Benefits of new technologies and AI for advancing human rights, especially ensuring social development for vulnerable and marginalized populations;
- Gaps and limitations in international human rights law approaches to regulating new technologies and AI;
- The obligation of States to ensure private actors and corporations do not contribute to or otherwise engage in or facilitate racial discrimination in the context of new information technologies;

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[1] A/73/312, paras. 2, 6, 13.

- International human rights law perspectives on extraterritorial harms of new technologies and AI;
- Political economy of new information technologies and AI, including which States regulate these technologies, the dynamics of regulation, and which States benefit most from these technologies;
- Barriers to advancing effective, human-rights based regulation of new technologies and AI;
- Achievements in making digital economies and new technologies more inclusive;
- Lessons learned from advocacy, legal, and regulatory approaches to combatting technologically related racial discrimination; and
- Human rights-based remedies for the racialized harms of new technologies.

Guidelines for Submissions

Please email your written submissions to racism@ohchr.org.

The mandate will receive written submissions through **December 13, but strongly encourages early submissions.**

Respondents are requested to limit their comments to a **maximum of 2,500 words**. Additional supporting materials, such as reports, academic studies, and other background materials may be annexed to the submission.

To help her staff identify submissions, the Special Rapporteur kindly requests that respondents write "Submission regarding thematic report on new information technologies" in the email subject line.

With apologies, the mandate can only receive submissions in English, French, or Spanish.

Secure Submissions

If you have concerns about digital security and your submission, you may wish to contact organizations that can provide you with information and support. One such organization, Access Now, has a free digital security helpline to help keep individuals and organizations safe online. Inquiries can be sent to help@accessnow.org.

Public Availability of Submissions

Please indicate in your submission whether we can publish all or part of it on the website of the Special Rapporteur. **We will not publish any submissions without the explicit consent of the submitting individual and/or organisation.**