



Forum: First Committee (Human Rights)

Issue: The Impact of Artificial Intelligence (AI) on Cultural Rights

Introduction

Artificial intelligence has emerged as one of the most transformative technologies of the 21st century, reshaping how societies create, preserve, disseminate, and experience culture. As AI systems increasingly mediate cultural life — from content recommendation algorithms to digital heritage preservation — they fundamentally affect human ability to participate in cultural expression, preserve linguistic heritage, and maintain cultural identity.

The impact is dual-edged: while AI offers unprecedented opportunities for cultural preservation, language preservation for marginalized communities, and access to cultural resources, it simultaneously poses significant risks to cultural rights, including algorithmic bias, cultural appropriation, erosion of cultural diversity, and digital dispossession. This issue demands urgent international attention within the framework of human rights protection, as cultural rights are inseparable from civil, political, economic, and social rights, and their suppression directly undermines the broader right to development, particularly for communities in the Global South.

Positive features

- Content generation in different art fields: visual arts, music, literature, cinema. For example, AI can create photo-realistic portraits, generate dynamic works that react to user actions.
- Preservation of cultural heritage. AI helps to identify and document the features of artifacts, restore faded colors, and fill in missing areas.
- Improving the efficiency of visitor service in cultural institutions: personalized recommendations for exhibitions and events, and virtual chat bots.
- Rethinking cultural heritage — AI reveals hidden connections in art, music, and mythology on a scale that is beyond human analysis.

Problems

- Loss of originality of works. AI algorithms can create mass, but depersonalized works of art, devoid of individuality.
- Quality of source data. AI is often trained on erroneous information and produces unreliable texts, inaccurate translations, which are then distributed as genuine.
- Automation kills the essence of craftsmanship - crafts and oral traditions are valuable precisely by the process of transmission from person to person. If professionals rely only on AI catalogs, automatic translations, and artificially

reproduced motifs, the result may be superficial or even harmful to traditional culture.

- Legal conflicts arise due to the fact that intellectual property laws are poorly adapted to the realities of generative algorithms. For example, disputes over the authorship of images created using AI tools.

Definition of Key Terms

Artificial Intelligence (AI) — a range of computational technologies designed to perform tasks that typically require human intelligence, including machine learning, deep learning, and natural language processing, capable of analyzing data, recognizing patterns, and making decisions.

Cultural Rights — the fundamental human rights recognized in international law that include the right to participate in cultural life, to use one's own language, to enjoy cultural heritage, and to benefit from scientific and artistic progress. Cultural rights encompass freedom of artistic expression, protection of intellectual property, and cultural self-determination.

Algorithmic Bias — the phenomenon where AI systems trained on datasets reflecting societal inequalities produce discriminatory outcomes against certain groups, such as women, ethnic minorities and persons with disabilities, thereby reinforcing existing prejudices and social exclusion.

Digital Divide — the disparity in access to digital technologies, internet connectivity, and digital literacy between developed and developing nations, as well as between urban and rural areas, limiting certain populations' ability to benefit from AI innovations.

Cultural Diversity — the existence of various cultures, traditions, languages, artistic practices, and forms of knowledge within and across societies, representing humanity's collective heritage and creative expression.

Digital Dispossession — the pattern whereby cultural data and creative works from communities are extracted and used to train AI systems without consent, compensation, or reinvestment in the originating communities, effectively converting cultural heritage into raw data.

Cultural Sovereignty — the right of communities and nations to maintain control over their cultural expressions, traditional knowledge, and cultural heritage, including the ability to determine how these elements are used, represented, and protected.

Intellectual property — non-physical property that is the product of original thought.

"Authors' rights" — a term frequently used in connection with laws about intellectual property.

Background Information

Historical Context

The integration of artificial intelligence into cultural sectors represents a continuation of historical technology adoption patterns, yet with unprecedented scale and speed. For decades, digital technologies have been promoted as solutions to social problems and

bridges to human rights and justice. However, each new technological wave has simultaneously created new forms of exclusion and harm for marginalized communities. As cultural heritage and creative production increasingly migrate to digital platforms, AI systems now function as both promoters and gatekeepers of culture and identity globally.

The rise of AI development has been concentrated within economic and cultural frameworks shaped by powerful actors, predominantly located in the Global North. This concentration of technological power raises urgent questions about cultural sovereignty, participation, and the collective right to development. Large technology companies, primarily based in North America, East Asia, and Europe, design and deploy AI systems with limited regard for diverse cultural contexts outside their home markets.

Current Situation

As of 2025, AI systems have become deeply embedded in the infrastructure mediating cultural life worldwide. Content recommendation algorithms on streaming platforms determine what cultural content billions of people discover and consume. Machine translation systems powered by large language models affect how linguistic minorities access information. Generative AI tools trained on billions of texts and images from the internet are creating new cultural content without human authorship. Digital heritage preservation projects employ AI-powered monitoring systems for cultural sites and archives.

The central challenge today is that these technologies are not culturally neutral. When datasets overwhelmingly reflect Western epistemologies and are dominated by English-language content and perspectives, AI models inevitably reproduce and amplify these dominant frameworks while marginalizing local and Indigenous forms of expression. The UN Special Rapporteur in the field of cultural rights, Alexandra Xanthaki, has observed that these "tools are not neutral," and they fundamentally marginalize local and Indigenous forms of expression.

This dynamic manifests daily through digital infrastructures that determine which languages are translated, whose art is recommended, whose history is considered credible, and whose cultural expression is censored or suppressed. For marginalized and developing communities, this represents a pattern of digital colonialism, where local cultural production becomes content and datasets extracted by global technology companies with minimal benefit to originating communities.

The 2025 UNESCO Global Report on Cultural Policies explicitly states: "Artificial intelligence systems pose new risks to cultural diversity and the visibility and circulation of diverse cultural expressions." This technology depends on training data scraped from local cultural production, particularly from the Global South, but rarely reinvests in the communities that generate it, creating what scholars term "data colonialism."

Generative AI systems trained on vast corpora of human-created art, literature, music, and media increasingly produce content indistinguishable from human work, raising fundamental questions about authorship attribution, artistic integrity, and the moral rights of creators. When AI-generated images, texts, or music flood cultural marketplaces without transparent labeling, they erode the authenticity of human creativity, undermine artists' economic livelihoods and blur the essential distinction between human expression-rooted in lived experience, emotion, intentionality and algorithmic recombination. This threatens the very essence of cultural rights: the right of individuals and communities to create, attribute, and control their original expressions as reflections of their humanity. International

frameworks like the Berne Convention and WIPO treaties, which protect authors moral rights to attribution and integrity, face unprecedented challenges when AI systems generate works derived from human creativity without consent, compensation, or recognition, fundamentally devaluing the human authorship that constitutes cultural heritage's core value.

Major Countries and Organizations Involved

Key Countries

Global North Countries: The United States, Canada, European Union member states (particularly Germany, France, and Italy), and Japan lead in AI development and deployment. These countries are shaping global AI standards through the EU AI Act and other regulatory frameworks, but these frameworks often reflect their own cultural perspectives. The EU AI Act (in effect 2025-2026) establishes harmonized rules for AI development and deployment, including provisions protecting cultural heritage institutions' rights to use text and data mining (TDM) for cultural preservation while also requiring transparency in AI-generated content and banning certain high-risk practices like social scoring.

BRICS Nations: Brazil, Russia, India, China, and South Africa, expanded to include Saudi Arabia, Egypt, the United Arab Emirates, Ethiopia, Indonesia, and Iran. These nations have emerged as a unified voice calling for UN-led global AI governance that prioritizes digital sovereignty and the needs of developing countries. The BRICS Leaders' Declaration on Global Governance of Artificial Intelligence (2025) emphasizes equitable development outcomes and addressing digital and data inequalities between and within countries. India has emphasized AI's strategic value for economic development and cultural heritage preservation, while Brazil highlighted the need for global action to regulate AI while respecting labor rights and cultural expressions.

African Nations: African countries face particular challenges with AI and cultural rights due to linguistic diversity (home to approximately 2,000 languages, representing 30% of the global total) and limited technological infrastructure. However, initiatives like the African Languages Lab demonstrate that African nations are not passive recipients but active participants in AI governance for cultural preservation. About 40% of languages globally are at risk of extinction, with hundreds of endangered African languages facing accelerated decline due to AI systems' inability to process them.

International Organizations

UNESCO: The primary UN specialized agency for culture, UNESCO has established the first global standard on AI ethics through the Recommendation on the Ethics of Artificial Intelligence (2021), adopted by all 193 member states. This recommendation emphasizes that culture and creativity are central to human dignity and that technological innovation must advance diversity rather than homogenize it. UNESCO has also launched monitoring systems using AI to protect cultural heritage sites and published the Global Report on Cultural Policies addressing AI's impact on cultural diversity.

UN Human Rights Council: The Human Rights Council has commissioned studies through the Expert Mechanism on the Right to Development (EMRTD) examining AI's impact on cultural rights within the framework of the right to development. The council has called for

binding global frameworks protecting cultural rights in the age of AI and requested analyses of how AI affects the enjoyment of cultural rights.

World Intellectual Property Organization (WIPO): WIPO addresses copyright and intellectual property issues raised by AI, including questions about authorship, ownership, and moral rights in AI-generated cultural content. WIPO has conducted extensive consultations on whether copyright should be attributed to autonomous AI-generated works and how to protect the rights of artists and creators whose work is used to train AI systems.

UN General Assembly: Approved the first global resolution on artificial intelligence on March 21, 2024, calling for "safe, secure, and trustworthy AI systems" that respect human rights and international law. The resolution specifically addresses the need to protect cultural rights and emphasizes that AI should be developed through a lens of humanity, dignity, and fundamental freedoms.

Office of the UN High Commissioner for Human Rights (OHCHR): Has produced reports analyzing AI's widespread use by states and businesses, including impacts on cultural, economic, and social rights. Reports have called for bans on AI applications incompatible with international human rights law and for moratoria on high-risk systems unless adequate safeguards are established.

World Health Organization (WHO) European Region: Has assessed AI integration in health systems across Europe with attention to cultural sensitivity and the need for AI applications that respect diverse cultural contexts and do not deepen health inequalities through algorithmic bias.

Relevant Treaties and UN Resolutions

International Treaties and Instruments

Universal Declaration of Human Rights (1948): Article 27 recognizes everyone's right to participate in cultural life and to share in scientific advancement and its benefits, establishing the foundational framework for cultural rights.

International Covenant on Economic, Social and Cultural Rights (1966): Articles 13-15 protect the right to education, participation in cultural life, benefit from scientific progress, and protection of authors' moral and material interests.

UNESCO Recommendation on the Ethics of Artificial Intelligence (2021): The first global standard-setting instrument on AI ethics, adopted by all 193 UNESCO member states. It establishes core values (human rights and dignity, peaceful and just societies, diversity and inclusiveness, environment protection) and principles for AI development including transparency, accountability, and privacy. Specifically addresses cultural rights, requiring that AI systems advance cultural diversity rather than homogenize it, protect linguistic diversity, and respect cultural data sovereignty.

UN Declaration on the Right to Development (1986): Establishes that development is a process enabling all peoples to participate, contribute to, and benefit from economic, social, cultural, and political progress. This is increasingly understood as requiring AI systems to be designed with cultural rights protection.

Berne Convention for the Protection of Literary and Artistic Works (1886, most recently revised 1979): International copyright treaty protecting authors' rights over creative works, now facing questions about how these protections apply in the age of AI-generated content and unauthorized training data use.

TRIPS Agreement (1994): World Trade Organization's Agreement on Trade-Related Aspects of Intellectual Property Rights, setting minimum standards for intellectual property protection globally, including copyright and protection of authors' moral rights.

Convention for the Safeguarding of Intangible Cultural Heritage (2003): Recognizes intangible cultural heritage as a driver of human development and cultural sustainability, now challenged by AI systems that can appropriate, replicate, and commercialize intangible cultural expressions without consent.

UN Resolutions

UN General Assembly Resolution on AI (March 2024): The first comprehensive global resolution on artificial intelligence, calling for member states to ensure AI systems respect human rights and fundamental freedoms. While not specifically addressing cultural rights, it establishes the principle that AI development and deployment must align with international human rights law.

UN Human Rights Council Resolution 42/15: Requested analysis of AI's impact on privacy, economic, social, and cultural rights, leading to ongoing expert mechanism studies.

UN Human Rights Council Resolution 45/6: Welcomed the Expert Mechanism on the Right to Development's first report and requested thematic studies on emerging issues, including a dedicated 2024-2026 study on AI, cultural rights, and the right to development.

BRICS Leaders' Declaration on Global Governance of Artificial Intelligence (2025): While not a binding UN resolution, this declaration from 11 major developing nations calls for UN-led global AI governance prioritizing digital sovereignty, equitable access to AI benefits, data protection, and addressing digital divides—with implications for cultural rights protection in the Global South.

Previous Attempts to Solve the Issue

International and Regional Initiatives

UNESCO's Thematic Initiatives (2018-Present): UNESCO launched an ambitious project in 2018 to develop an ethical framework for AI, resulting in the 2021 Recommendation. However, implementation remains nascent, with significant gaps in translating recommendations into binding national legislation and enforcement mechanisms.

EU AI Act Development (2021-2025): The European Union began regulatory development in 2021, culminating in the comprehensive AI Act coming into full effect in 2025-2026. The Act includes provisions protecting cultural data sovereignty and requiring transparency in AI-generated content. However, critics note this remains a regional rather than global solution, potentially creating fragmented standards.

Text and Data Mining Exceptions (TDM) in EU Copyright: Articles 3-4 of the EU Directive on Copyright in the Digital Single Market (CDSM Directive, 2019) established exceptions allowing text and data mining of copyrighted works for research and cultural preservation purposes, attempting to balance AI innovation with cultural protection. However, questions remain about whether this adequately protects author moral rights and traditional knowledge.

WIPO Conversations on AI and Intellectual Property (Ongoing since 2019): WIPO has conducted extensive consultations addressing copyright issues raised by AI, including questions about authorship attribution, moral rights protection, and compensation for creators whose work trains AI systems. The process has produced draft issues papers but no binding international treaty to date.

UNESCO AI Monitoring Systems for Cultural Heritage (2020-Present): UNESCO has deployed AI-powered monitoring systems using satellite imagery and drone surveillance to detect threats to cultural sites and prevent illicit artifact trafficking (e.g., INTERPOL Project PSYCHE, UNESCO's AI-Powered Monitoring System). These represent positive applications of AI for cultural protection, though they raise concerns about surveillance overreach.

Digital Humanities and Cultural Heritage Digitization Projects: Academic and governmental institutions have undertaken AI-assisted digitization of archives and cultural heritage materials to improve accessibility. Examples include the Leonardo Database operated by Italian Carabinieri for artifact recovery and various national library digitization projects. However, these often lack meaningful community consent protocols.

African Languages Lab and Language Preservation Initiatives (2020-Present): Youth-led collaborations like the African Languages Lab use AI and natural language processing to document, digitize, and develop language preservation tools for low-resource African languages. This initiative demonstrates community-led approaches but faces significant funding, infrastructure, and human capacity constraints. Similar initiatives include Masakhane (machine translation for African languages), though these remain limited compared to major global language AI projects.

BRICS-Led Governance Initiatives (2025): The BRICS coalition has called for UN-led global AI governance, with specific emphasis on addressing digital divides and ensuring developing countries' meaningful participation in AI policy-making. This represents an attempt to create more inclusive governance structures than those currently dominated by Global North countries and corporations.

Shortcomings of Existing Approaches

Despite these initiatives, significant gaps remain:

Limited Enforcement Mechanisms: International recommendations like UNESCO's framework lack binding enforcement mechanisms or accountability structures. Countries face minimal consequences for non-implementation.

Regional Fragmentation: Different regions (EU, China, US) are developing divergent regulatory approaches, creating compliance complexities and potentially enabling regulatory arbitrage by technology companies.

Data Consent and Compensation Absent: No international mechanism exists requiring AI companies to obtain consent from communities whose cultural heritage is used in training data, nor mechanisms for equitable compensation.

Delayed Implementation: The gap between policy adoption (e.g., UNESCO 2021 Recommendation) and actual implementation remains substantial, with many countries still developing national legislation years after international frameworks were agreed.

Insufficient Resources for Global South: Capacity-building support for developing countries to implement AI governance and develop local AI solutions remains inadequate relative to the scope of the challenge.