II.B. Rights of Indigenous Peoples

II. Rights of Vulnerable Populations · https://aiethicslab.rutgers.edu/Docs/ii-indigenous/

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[Insert statement of urgency and significance for why this right relates to AI.]

Sectors

The contributors of the *AI & Human Rights Index* have identified the following sectors as responsible for both using AI to protect and advance this human right.

- ART: Arts and Culture
- BUS: Business
- COM: Media and Communication
- DEF: Defense and Military
- EDU: Education and Research
- ENV: Environmental and Energy
- FIN: Financial Services
- GOV: Government and Public Sector
- HLTH: Healthcare and Public Health
- INTL: International Organizations and Relations
- LAW: Legal and Law Enforcement
- REG: Regulatory and Oversight Bodies
- SOC: Social Services and Housing

- TECH: Technology
- TRAN: Transportation and Infrastructure
- WORK: Employment and Labor

AI’s Potential Violations

[Insert 300- to 500-word analysis of how AI could violate this human right.]

AI’s Potential Benefits

[Insert 300- to 500-word analysis of how AI could advance this human right.]

Human Rights Instruments

Universal Declaration of Human Rights (1948)

G.A. Res. 217 (III) A, Universal Declaration of Human Rights, U.N. Doc. A/RES/217(III) (Dec. 10, 1948)

Article 18

> Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Convention (No.107) concerning the Protection and Integration of Indigenous and Other Tribal and Semi-Tribal Populations in Independent Countries (1957)

328 U.N.T.S. 247, Convention (No. 107) concerning the Protection and Integration of Indigenous and Other Tribal and Semi-Tribal Populations in Independent Countries (June 26, 1957)

International Covenant on Civil and Political Rights (1966)

G.A. Res. 2200A (XXI), International Covenant on Civil and Political Rights, U.N. Doc. A/6316 (1966), 999 U.N.T.S. 171 (Dec. 16, 1966)

> Article 27
>
> In those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language.

International Covenant on Economic, Social, and Cultural Rights (1966)

G.A. Res. 2200A (XXI), International Covenant on Economic, Social and Cultural Rights, U.N. Doc. A/6316 (1966), 993 U.N.T.S. 3 (Dec. 16, 1966).

Article 1

> All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

Article 15 (1a)

> The States Parties to the present Covenant recognize the right of everyone to take part in cultural life.

African Charter on Human and Peoples' Rights (1981)

African Charter on Human and Peoples' Rights arts. 1–31, June 27, 1981, O.A.U. Doc. CAB/LEG/67/3 rev. 5, 21 I.L.M. 58 (1982).

Article 22 (1)

> All peoples shall have the right to their economic, social and cultural development with due regard to their freedom and identity and in the equal enjoyment of the common heritage of mankind.

Indigenous and Tribal Peoples Convention (No. 169) (1989)

Indigenous and Tribal Peoples Convention (ILO No. 169), June 27, 1989, 28 I.L.M. 1382.

Article 7 (1)

> The peoples concerned shall have the right to decide their own priorities for the process of development as it affects their lives, beliefs, institutions and spiritual well-being and the lands they occupy or otherwise use, and to exercise control, to the extent possible, over their own economic, social and cultural development. In addition, they shall participate in the formulation, implementation and evaluation of plans and programmes for national and regional development which may affect them directly.

Convention on the Rights of the Child (1989)

G.A. Res. 44/25, Convention on the Rights of the Child, U.N. Doc. A/RES/44/25 (Nov. 20, 1989).

Article 30

> In those States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practise his or her own religion, or to use his or her own language.

Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities (1992)

G.A. Res. 47/135, Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, U.N. Doc. A/RES/47/135 (Dec. 18, 1992).

Article 2 (1)

> Persons belonging to national or ethnic, religious and linguistic minorities… have the right to enjoy their own culture, to profess and practise their own religion, and to use their own language, in private and in public, freely and without interference or any form of discrimination.

Declaration on the Rights of Indigenous Peoples (2007)

G.A. Res. 61/295, United Nations Declaration on the Rights of Indigenous Peoples, U.N. Doc. A/RES/61/295 (Sept. 13, 2007)

Please consider the entirety of this source as it is directly applicable to the current topic.

Article 31 (1)

> Indigenous peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions, as well as the manifestations of their sciences, technologies and cultures, including human and genetic resources, seeds, medicines, knowledge of the properties of fauna and flora, oral traditions, literatures, designs, sports and traditional games and visual and performing arts. They also have the right to maintain, control, protect and develop their intellectual property over such cultural heritage, traditional knowledge, and traditional cultural expressions.”

World Conference on Indigenous Peoples – Outcome Document (2014)

G.A. Res. 69/2, Outcome Document of the World Conference on Indigenous Peoples, U.N. Doc. A/RES/69/2 (Sept. 22, 2014).

Section 10

> We commit ourselves to working with indigenous peoples to disaggregate data, as appropriate, or conduct surveys and to utilizing holistic indicators of indigenous peoples’ well-being to address the situation and needs of indigenous peoples…

American Declaration on the Rights of Indigenous Peoples (2016)

American Declaration on the Rights of Indigenous Peoples, adopted June 15, 2016, O.A.S. Res. 2888 (XLVI-O/16).

Articles 21 and 23

> Indigenous peoples have the right to maintain and develop their own decision-making institutions, and to participate in decision-making in matters that would affect their rights... They also have the right to equal opportunities to access and participate fully and effectively as peoples in all national institutions and fora.

1.0 Research

2.0 Curate

3.0 Review

4.0 Revise

5.0 Published

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