



Input for the 5th phase of the World Programme for Human Rights Education

This brief suggests that the World Programme should emphasize our **right to work** (provided as in, e.g., Article 6 of the International Covenant on Economic, Social and Cultural Rights).¹

Digital developments (including the application of AI and automation) undeniably affect the right to work of many. This is becoming more and more as a potent challenge amidst the current disruptive technological age (which is commonly known as the Fourth Industrial Revolution).

Nevertheless, technological, digital and online developments should not unduly undermine the right. It is therefore **pivotal for the World Programme to raise awareness of the right to work.**

The target sectors:

1. The **private sector (especially corporations)** is the one which benefits most from the use of AI and automation.
2. The **governments** also benefit from a more efficient economy that is technologically enhanced.
3. However, there will be an increasing group of people who lose their job, and require assistance in re-training, unemployment support, re-employment. The marginalized and less-privileged are particularly disadvantaged.

¹ ASEAN Human Rights Declaration, Art.27: right to work
Universal Declaration of Human Rights, Art.23: right to work
European Social Charter, Art.1: Parties undertake to achieve a level of employment that is as high and as stable as possible

4. Human rights education plays an important role in educating the **public, governments** and the **private sector** that the right to work has to be safeguarded, but not ignored without redress.

The thematic human rights issues that the World Programme needs to address:

1. Recognizing that digital developments (including AI) affect the right to work of many.
2. Recognizing that the **right to work should play an unignorable and pivotal role in the public policy process** and balancing exercise on regulating AI

The World Programme needs to better **inform both the governments** of their obligations & **the public** of their proper expectations for their governments

1. The right to work needs to be upheld and emphasized as an obligation for Governments to achieve sustainable socio-economic development. **Human Rights Education needs to emphasize that it is legally wrong to ignore the right to work when formulating policies.**
2. The governments cannot take a laissez-faire approach to technological development and its impact to our right to work. Art.6 requires governments to take steps to safeguard our right to work.
3. In reparation to the loss of the right to work, governments—as required by the international human rights instruments²—need to (a) provide training and guidance and (b) an adequate compensation fund for loss of employment.
4. Governments should take the lead to promote a new corporate social responsibility that urge companies to pay attention to the impact to employment they generate from disruptive digital applications

Human Rights Education needs to **raise awareness of the role of corporations**

1. This education is essential for both the corporations & the public to *fully* understand the human rights impact and responsibility.

² See e.g. UN General Comment No.18 on the Right to Work, para. 36. Available at <https://www.refworld.org/docid/4415453b4.html>.

2. Human Rights Education needs to discuss the justifications for imposing a social duty on corporations to offer solutions (e.g. providing training) as
 - Companies are the ones who deploy and benefit most from digital applications and AI;
 - The U.N. Guiding Principles for Business and Human Rights suggest companies help address human rights consequence; and
 - Corporate social responsibility.

OBOR Legal Research Centre

Contact

Martin Kwan is an independent policy consultant, researcher, and a 2021 United Nations RAFF Fellow. His expertise lies in technology and human rights.

His human rights research “Automation and the International Human Right to Work” was published in *Emory International Law Review Recent Development*. On the same topic, he has been invited as a podcast speaker for Cambridge University’s Centre of Governance and Human Rights:

<https://podcasts.apple.com/gb/podcast/artificial-intelligence-the-ultimate-threat-to/id1178474117?i=1000554997222>

As a guest panellist, he further explored the implication of AI to the right to work at the 6th Regional Meeting on Human Rights Education: Human Rights and Emerging Technologies (organized by the ASEAN University Network and Mahidol University):
<https://www.youtube.com/watch?v=5Z6eY0mWt7A&pp=ygUPbWFydGlulGt3YW4gUkFG>

He can be reached at martinkwan22@gmail.com