**Commentary Draft Convention on the Right to Development**

This convention contains three articles which mention technology as a part of the right to development. Given our increasing reliance on technology in the 21st century, it is extremely important that technology, specifically inclusive technology be prioritized as an aspect of development. Systemic gender, racial and intersectional bias sit at the core of current Artificial Intelligence & Algorithmic Decision-Making processes born in the North and replicated in the South. Therefore, it is critical that emerging technologies have human rights frameworks, inclusion and equality embedded at their core.

It is important that the right to development includes North-South and South-South collaborations that are capable of transforming norms and creating standards that guarantee a future of inclusion in the code with gender, race and class equity at their core. Development of technology that is born in the South and addresses the unique needs of the South is critical to foster development of 21st century systems that are both agile and inclusive. South-South collaboration should be encouraged and use the prism of AI and innovation to identify leverage points for structural change in the economy, sustainability, technology, and democratic governance. This will strengthen development that works for, and is accountable to, all.

If these principles are embedded in the convention, robust and resilient 21st century democracies may be achieved and strengthened. In addition, it is important that we harness AI to deliver equality outcomes creating new opportunities & innovative and proactive correction of inequities so that the technologies and development are more effective, inclusive and transformational.

Therefore, we suggest the following amendments and considerations ***(italicized + in bold)*** to the articles below:

**Article 13 – Duty to cooperate[[1]](#footnote-1)**

**Article 13.2.E.** To mobilize appropriate technical, technological, financial, infrastructural, and other necessary resources to enable States Parties, particularly those with limited availability of or access to these resources, to fulfil their obligations under the present Convention. ***Systemic gender, racial and intersectional bias sit at the core of current Artificial Intelligence & Algorithmic Decision-Making processes born in the North and replicated in the South; it is critical that emerging technologies have human rights frameworks, inclusion and equality embedded at their core.***

**Article 13. 4. F**

Enhancing North-South, South-South and triangular regional and international cooperation on and access to science, technology and innovation, and enhancing also knowledge-sharing on mutually agreed terms, including through improved coordination among existing mechanisms, in particular at the United Nations level, and through a global technology facilitation mechanism;  ***fostering* *development of technology that is born in the South and addresses the unique needs of the South.***

**Article 13. 4. G**

Promoting the development, transfer, dissemination and diffusion of environmentally sound ***and human rights compliant*** technologies to developing countries on favourable terms, including on concessional and preferential terms, as mutually agreed;

**Article 15 – Special or remedial measures**

**Article 15.2.E**

The facilitation and mobilization of financial, technical, technological, infrastructure, capacity-building or other assistance;[[2]](#footnote-2) ***that addresses the needs of those traditionally excluded from the conversation and creation of new technologies.***

1. pp 10 [↑](#footnote-ref-1)
2. pp 11 [↑](#footnote-ref-2)