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**Organisation Details**

**Is this submission presented on behalf of an organisation:**

Yes

**Name of organisation**

Izerobzero

**Position in organisation**

Consultant

**Nature of submission: public or confidential**

**I have read the information about this Project concerning publication, confidentiality, and privacy obligations at**

Yes

**I would like my submission to be treated as confidential**

No

**Human rights and technology**

**1. What types of technology raise particular human rights concerns? Which human rights are particularly implicated?**

The use of voice activated devices or systems incorporating software in a connected environment exposes the users to unacceptable risk of systemic as well as transient abuse. In particular, use of voice activated technology in conjunction with Artificial Intelligence systems have the ability to violate the very identity that forms the basis for life of an individual and have the potential to stay undetectable.

Affected right: Article 03: the right to life liberty and security of person

**2. Noting that particular groups within the Australian community can experience new technology differently, what are the key issues regarding new technologies for these groups of people (such as children and young people; older people; women and girls; LGBTI people; people of culturally and linguistically diverse backgrounds; Aboriginal and Torres Strait Islander peoples)?**

While children and senior citizens are particularly vulnerable, an individual's voice is a fundamental identity of every human, an identity others rely on to build relationships and hence affects everyone. No matter what the benefit of such technology could be, it is far outweighed by the potential threat to a human's claim to his or her own voice and as such should be banned altogether.

**Reinventing regulation and oversight for new technologies**

**a) What gaps, if any, are there in this area of Australian law?**

Its unclear if an explicit legislative instrument exists to adequately regulate operating systems and software applications used on connected devices including mobile phones from exhibiting unintended consequences.  
(ref:)labelling notices driving ACMA's approval of connected devices

**b) What can we learn about the need for regulating new technologies, and the options for doing so, from international human rights law and the experiences of other countries?**

The ability of applications on connected devices in disrupting democratic processes overseas breaching national boundaries abounds the news media. The retrospective awareness of the downside of drone technology after its proliferation and measures to contain its misuse shows us the need to curtail the development of the technology during research- its often difficult to pull back technology from the field.

**c) What principles should guide regulation in this area?**

We have a small window of opportunity in this country as not all essential processes have yet been fully digitised/mobilised. We can legislate to put a hold on the research as well as release of devices or systems incorporating software with the ability to make autonomous decision in delivering claims (AI) in a connected (wireless or otherwise) environment; clean up and safeguard existing implementations prior to lifting the hold.

There are IEEE codes and Asilomar principles are starting points. We should derive our own based on the fundamental physics exploring the limit of what is achievable by the technology and limit of the vulnerable segment of humans in

preserving their life, liberty and security of person in an environment where such technology is deployed, even if they opt out from using it directly themselves.

#### **4. In addition to legislation, how should the Australian Government, the private sector and others protect and promote human rights in the development of new technology?**

Recognise that in a connected world if it happens to some one it can happen to you and integrate empathy into the DNA of every activity.

#### **Artificial intelligence, big data and decisions that affect human rights**

#### **5. How well are human rights protected and promoted in AI-informed decision making? In particular, what are some practical examples of how AI-informed decision making can protect or threaten human rights?**

Not all types of technology pose the same level of threat.

Potential for harm:

Devices or systems that incorporates software with the ability to make autonomous decision in delivering claims (AI) in a connected (wireless or otherwise) environment

Potentially no direct violation(indirect violation due to rendering human skills redundant to be explored further)

a)Devices or systems that incorporate software with the ability to make autonomous decision in delivering claims (AI) in an isolated environment

b) Devices or systems that incorporate software with deterministic behaviour and validated claims

- in a connected environment

- in an isolate environment

c) Devices or systems that do not incorporate software but are manufactured using technology that incorporates software with the ability to make autonomous decision in delivering claims or inform humans in the decision making process

- in a connected (wireless or otherwise) environment

- in an isolated environment

d)Devices or systems that do not incorporate software but are manufactured using technology that incorporates software with deterministic behaviour and validated claims

- in a connected environment

- in an isolate environment



**a) What should be the overarching objectives in regulation in this area?**

The overarching objective should be to preserve life, liberty and security of person; life and liberty imply that a person's body, brain and sensory faculties are their own and should not be violated in research or during use of any device or system.

**b) What principles should be applied to achieve these objectives?**

as per question 3

**c) Are there any gaps in how Australian law deals with this area? If so, what are they?**

as per question 3

**a) An organisation that takes a central role in promoting responsible innovation in AI-informed decision making?**

(the role is not unlike that of the therapeutic goods administration)

- assessing and approving research activities whether its in academia or industry
- establishing and maintaining governance regulations, guidelines, education and revisions
- monitoring/liasing/advocating international developments consistent with the intent of the organisation
- establishing inspection regimes for compliance
- establishing and managing measures for complaints and incidents of harm

**b) Self-regulatory or co-regulatory approaches?**

layered co-regulatory approach augmented with guidelines for self regulatory measures on a day to day to operation

**c) A 'regulation by design' approach?**

if this means clipping the technological feasibility to do harm, then it is the preferred approach, but can not be used in isolation of the other.