

Errol Fries - #76

Hi Human Rights and Technology Project Consultation Project Team,

Ok, it looks like I missed the consultation period for the Issues Paper. Perhaps the following can be considered in future deliberations.

My Main Areas of Concern

My main areas of concern can be summed up by the following:

- **Our rights and our obligations to others form an ethical basis for all human activities whether technologically enabled or not.** Technology and how it is used should not diminish or impinge on the rights of people. **Equally important** is the idea that technology should not diminish the obligations that people have to each other. Put another way, the human rights **and** obligations of individuals or groups of individuals must always take precedence over the actions of technological products, services and their providers. This concept stems from the notion that the capabilities of technological actors such as software, algorithms or robotic (e.g. autonomous) vehicles, etc. to perform functions (good and bad) are inherently dependent on the rights and obligations of the people who operate or use them.
- **Accountability for any adverse effects of technological products and services must rest with identifiable individuals or groups of individuals.** Put another way, there must always be ways in which people (natural persons) can be held legally and morally accountable for the design, implementation and operation of technological services and products. Present-day excuses when things go wrong such as “it was due a computer error” show how easily we allow accountability to evaporate so that the people who are actually accountable are not held accountable. In other examples we may blame companies when in fact it is individuals in those companies who should bear the consequences when things go wrong. We must not allow the increasing use of powerful technologies to be accompanied by an increasing obfuscation of the accountable human actors behind the scenes - anonymity diminishes accountability and diminished accountability diminishes trust.
- **Certification of powerful technologies is not only about trust it is also about accountability.** This follows on from the previous points. We must be absolutely certain who we are trusting. This means we must know who the accountable human actors are that have designed, produced or operate a technology. This should be part of the certification process.

With respect to the concept of an “Turing Certificate” for Artificial Intelligence (AI) products as proposed by Alan Finkel, Chief Scientist of Australia I would add the following:

- It will not be sufficient to certify both a vendor and product as worthy of trust at one instance in time. Such a certification must cover the lifecycle of a product or indeed a service from design and development through to implementation and ongoing operation. Thus, trust via certification regime needs to be established and maintained for as long as a product or service is used.
- This kind of certification should be achieved via demonstrably robust and verifiable processes and be performed by disinterested (unbiased), qualified and independent bodies.

Please put me on your mailing list. As a former mechanical engineer and IT professional (now retired) I am very interested in how the rights of Australians will be affected by technology in the coming years. If there is any way individuals such as myself can become involved in your work please let me know.

Regards

Errol Fries

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