Outcome Report

Addressing the Impact of Artificial Intelligence on Media Pluralism and Public Interest Information

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on freedom
of the media
THERE IS NO SECURITY WITHOUT MEDIA FREEDOM

Introduction

The Office of the OSCE Representative on Freedom of the Media (RFoM) organized and hosted a ninety-minute panel-led discussion looking toward the impact of Artificial Intelligence (AI) technologies on media pluralism and public interest information. Presented as part of the International Press Institute's annual World Congress, the event brought together journalists, academics, representatives from international and non-governmental organizations and independent analysts, confronting the reality of the past year's rapid development of AI tools, in particular generative AI and so-called Large Language Models (LLMs). While automation and other technologies under an AI rubric have been on the global agenda for many years, the ability of generative AI to serve seemingly creative ends, in addition to its power as a process optimization tool for content governance, has created new questions, opportunities and concerns for independent media and access to information. This panel, an open-ended consideration of key issues, sought to begin a process of identification of the scope and nature of AI's impact on media pluralism and access to public interest information, among other things.

The post-its illustrate the concerns and opportunities of Generative AI (GAI) expressed by workshop participants.

QUESTION 1
What excites you about AI/algorithmic tools?

identify sources, audiences, etc - expanding

translations/ support for journalistic tasks

speed

scale

factchecking

reaching broader audiences (platform distribution, languages...) & building new audiences

new viewpoints

Regulatory challenge: surface the good things (democratically) and protect society, the media and information ecosystem against threats?

filtering and organizing vast amounts of information - which can also be used to counter disinformation

Role of regulation? Role of platforms? Role of civil society, the media...?

support with tenuous/ungrateful journalistic work

QUESTION 2
What are the concerns about AI/algorithmic tools?

Questions in impact on democracy and future of the media

Greater impact on non-Western language (additional bias)

Question of who actually has control (lack of oversight and/or misuse by those in power)

Factchecking is time-delayed (seeing is not/cannot be believing anymore)

Problematic bias/discrimination in datasets (input) that trains systems (and thus impacts output)

Creating distrust in anything we see/read

Not a trust machine

Differentiated access to tools - created different media ecosystems

Profit incentives currently

Looking backwards and reflecting the past

Surveillance state, supercharged with AI tools

Impact of disinformation to media by referring to (lack of) media expressions - in addition to falsified content (creating serious doubt of reliability, trust)

Fact or fiction? What's the most prevalent?

Algorithmic bias

Smarter than us humans?

Lack of checks & balances

Ongoing use of these tools lack human rights safeguards - not clear about the impact on the info ecosystem

Ability to falsify information (text, voice, image,...)

Ethical questions - relationship to human experiences

Defining the issue

Participants reacted in diverse ways to the panel's first set of prompts: what excites you, and what concerns you about the current rise of powerful AI tools? Excitement, understood as the potential for positive gains to be derived by AI for media pluralism and access to information, ranged from its speed, its ability to deliver information at massive scale, its potential capacity to advance translation across languages of journalism, its support for basic research conducted as a reportorial task, and the value it might have to expand a journalist's ability to identify sources and audiences. It was also suggested that generative AI, when mature, could play a significant role in filtering and organizing vast amounts of information which, while beneficial on its own, could also be used as a tool to counter disinformation. It was also suggested that generative AI could promote access to diverse viewpoints.

Despite these areas of excitement, or rather areas of potential value, participants generally conveyed a view of uncertainty, highlighting the possibility that generative AI is so novel that its future is difficult to assess. In a moment of uncertainty, concerns may be both under- and over-inclusive. That is, some concerns may hardly begin to surface the extent of AI's impact on the future of journalism, whereas other concerns may overstate the impact by relying on a worst-case, science-fiction-driven set of scenarios. In such an environment, all concerns should be put on the table, but it may be difficult to prioritize among the range of potentialities. Among those concerns, participants highlighted, for instance, the foundational problem of distinguishing verifiable information from fictions, intentional or otherwise; the potential that generative AI technologies could create distrust of media sources at a time of already diminished trust, or be weaponized to undermine the credibility and integrity of journalists; the fact that algorithmic biases could instantiate existing prejudice and replicate, or even amplify, its many forms on grounds starkly inconsistent with fundamental human rights protections against discrimination; and the fact that the technologies could establish differentiated access, facilitating the development of media ecosystems that benefit the developed world (or the wealthy) to the detriment of the developing world (and those in poverty). In these connections, some raised concerns about problematic datasets on which generative AI technologies are trained; – the problem in this context is concentrated on the sources of information upon which individuals may come to

rely on generative AI tools, as these tools have the capability to produce plausible-seeming content irrespective of its accuracy or public interest. This problem is amplified when journalists use these technologies without full transparency, particularly on the nature of the datasets that support AI output.

More generally, participants saw that the ongoing and rapidly growing use of generative AI tools was taking place in the absence of any obvious sorts of human rights safeguards, resulting in a global test bed, in effect, without clarity about the impact on the information ecosystem, human rights, democracy, and security. The possibility of AI supercharging existing state surveillance powers also raises concerns about the resilience of civic space in the face of massive technological power. Even beyond these basic problems, a deeper set of ethical questions revolved around the very relationship of AI outputs to human experience. That is, to what extent does AI interfere with the need for all individuals to develop the kind of critical thinking skills essential to assessment of information and determination of one's own opinions on all manner of public or private issues?

Setting beside one another the excitement and the concerns, one begins to see the emergence of major regulatory challenges – indeed, specific ones related to the promotion of access to information and general ones related to the mechanics of regulation (i.e., whether state, voluntary/self-regulatory, legislative, judicial or other modes of control should be part of any consideration of AI's future). One panelist framed the question as one

of accountability: if the authorship of any particular information (or AI-generated output) is hidden from view, perhaps from everyone, how do we even capture questions of responsibility for the range of concerns about the information ecosystem? How can accountability be generated for the mechanisms of AI in this context? The shaming of business enterprises' practices by activists and politicians, for instance, has been a successful part of the effort to restrain social media's worst behaviour, a process that has nonetheless taken years and significant dedication of research, advocacy, and pressure by various stakeholders. But how does shaming work when the creator of the content is unknown, or when the content is the product of AI technologies? Next to questions of oversight and regulation, from the perspective of journalism these kinds of accountability questions demand the growth of a cadre of data scientists who can work with journalists to identify and explore gaps in the information environment and convert that knowledge to meaningful accountability. In this context, the panellists made a strong case for sustainable financing of independent and investigative media to support the medias expanding roles. Finally, there is the issue of AI-generated content taking advantage of copyrighted content, particularly where the underlying material is neither credited nor compensated.

Continuing to pursue the questions around accountability and regulation, a panellist urged the participants to consider these in the context of the broader framework of media freedom. This panellist suggested it was a myth that media freedom could only be achieved by removing the state from the picture. To the contrary, media freedom and pluralism could be advanced where the state sees its positive obligation to ensure a vibrant information ecosystem, one that advances democratic debate and the knowledge necessary to support it. The past twenty years, however, have been dominated by a technological shift that upset any pre-existing systems of state support for independent media. Yet, how might those eager to promote media freedom through state support do so in a way that does not enable the state to slip into the despotic use of media for political control? What do the guardrails look like, and how do those apply in the context of AI, with its significant power to influence the flow, availability, and content of information?

Recommendations on the future of generative AI and media pluralism

The nature of this forum's conversation, among knowledgeable professionals thinking through the impact of massively powerful new technologies, suggests a wide set of unknowns concerning generative AI and its impact on media and access to information. Notably, the problems identified focused on near- and medium-term problems, not the long-term questions about whether Artificial general Intelligence – technologies with the ability to override human requirements or commands – is a likely outcome of LLMs.

This is an important starting point to consider for organizations, such as the OSCE, and the United Nations, for democratic states, journalists/publishers and human rights defenders. Building on the SAIFE policy manual, this open-ended conversation and the tenor of the reactions and input suggest an interest in identifying steps that should be taken to ensure, at least over the medium-term, the protection and advancement of media pluralism and the laying of a groundwork to ensure human rights-centred design, development, and deployment of generative AI tools. In keeping with that starting point, a number of recommendations rise to the foreground:

Recommendations for the OSCE RFoM:

* The RFoM, well-positioned as an advocate for access to information, should consider questions concerning generative AI and the future In consulting with various stakeholder groups, this could enable consideration not only of a range of topics deserving of further study, but also begin laying the groundwork for regulatory models that are consistent with OSCE participating States' commitments concerning media freedom, freedom of expression and privacy.

* The RFoM, working with the Human Rights Commissioner of the Council of Europe, the UN Office of the High Commissioner for Human Rights and other actors, should consider whether there are guiding principles to be drawn from international human rights law that could help shape the conversation concerning generative AI and media pluralism. This is particularly important at a time when AI industry is seeking to focus the conversation on very long-term concerns that are, in many respects, legitimate but less concrete in the obvious harms they present. Moreover, the global conversation currently lacks a human rights focus, something the RFoM may be in a position to help rectify.

Recommendations for States:

* States should focus attention on the existing problems presented by generative AI, considering how to advance media freedom and access to information. Governments will miss a significant portion of the debate over AI's impact on human rights if they listen exclusively, or give pride of place to, the current set of generative AI companies. By contrast, a genuinely multi-stakeholder approach, one that enables the articulation of a broad set of concerns, will be more likely to facilitate the development of broadly supported policies to advance media freedom and protect and promote human rights in the face of new technologies.

* States should evaluate emergent AI issues according to human rights principles grounded

in the UN Guiding Principles on Business and Human Rights. In particular, as States have the duty to protect human rights, they should ensure that their evaluation and consideration of regulatory frameworks are founded on international human rights law. It will be especially important for regulation to demand transparency, due diligence and accountability of private sector actors developing AI tools, while at the same time, States should pursue their regulatory objectives with transparency and full public participation.

Recommendations for Other Stakeholders:

✳ Journalists and media outlets should cover AI with an eye toward public understanding of both the current challenges and opportunities with the technologies and the long-term threats they may pose. In this connection, AI should be considered a particular beat of its own, according to which reporters not only cover the emergent technologies but also the regulatory agenda and the way in which AI is utilized across industries, the arts, and government, and the impact they might have on human rights and on society.

✳ Civil society organizations (CSOs) should be devoting appropriate attention to AI's development, focusing in particular on the impact of the technologies on the full range of human rights, social development, corporate power, and government services. Funders should recognize the needs of CSOs to develop expertise in this space, developing funding streams to support organizations committed to tracking the development and use of AI tools.

Conclusion

Some humility is demanded at a moment of rapid technological development. In the context of empirically based approaches to supporting and defending media freedom, that humility should begin with research, analysis and multi-stakeholder engagement. The RFoM and its global and regional partners excel at this kind of research-based policy development. Given the uncertainties involved in the generative AI moment that the world is presently observing, and the likelihood of its significance for the future of media pluralism and human rights, the RFoM and others have an opportunity to surface key concerns and create forums for the identification of policies moving forward.