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Towards Substantive Equality in Artificial Intelligence

Transformative AI Policy for Gender Equality and Diversity

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Background to the report

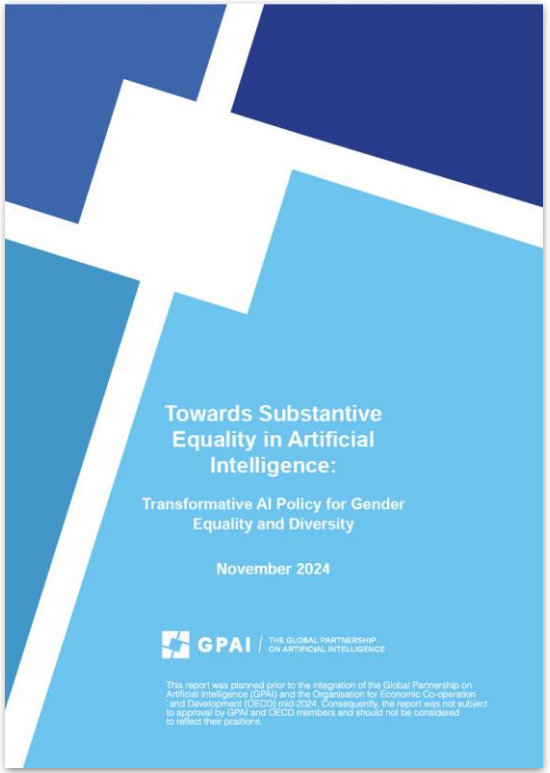
Report in numbers

3 AIMS

1. To explore how AI systems reinforce systemic inequalities
2. Focus on impacts of AI on women and marginalised communities
3. Recognises AI's potential and its role in amplifying bias and power imbalances.

200 participants: Civil society organisations, academic institutions, government bodies, and indigenous communities.

5 global regions: Sub-Saharan Africa, Latin America, Asia-Pacific, the Middle East and North Africa and Europe/North America.



Interrelated report themes

Human rights–based approach
Anchors AI policy in international legal frameworks such as CEDAW, ICESCR, and UNCRPD, ensuring that dignity, equality, and agency are at the heart of how AI systems are designed, deployed, and regulated.

Substantive equality
Shifts the focus from formal equality to fair and equitable outcomes by addressing structural disadvantage, power imbalances, and the need to redress systemic inequalities.

Transformative change
Calls for deep, structural reforms, not just technical adjustments, that challenge the roots of exclusion and position AI as a force for justice and societal transformation.

Global justice and solidarity
Elevates the knowledge, priorities, and lived experiences of the Global Majority. Advocates for decolonised, inclusive AI governance that redistributes power and reflects diverseperspectives.

Interconnected rights

The Transformative AI Policy Framework is based on three interconnected rights:

- **The right to inclusion:** Remedying systemic disadvantage.
- **The right to participation:** Redressing the democratic deficit in AI development.
- **The right to dignity:** Reversing misrecognition and injustice.

Key findings

Inclusion is not equal to access

Inclusion is often mistaken for mere access to AI tools like mobile phones or internet platforms, without considering empowerment or benefit.

- Access alone does not guarantee participation in decision-making, benefit from outcomes, or protection from harm.
- Many users remain passive data providers, not empowered contributors or beneficiaries.

Implication: True inclusion means historically marginalised groups must be decision-makers, not just end-users or data sources.

AI and colonial exploitation

- The economic benefits, infrastructure, and innovation capacity in AI are heavily skewed towards the Global North and corporate entities.
- AI development reflects extractive models. Africa supplies data, minerals (e.g. cobalt), and cheap labour but receives minimal value in return.
- The Global South and marginalised groups are largely data providers and labourers in the AI value chain, not owners or decision-makers.

Implication: AI ecosystems reproduce environmental, labour, and data exploitation, with women and marginalised workers most affected.

Lack of local representation in AI development

- AI systems deployed in Africa are predominantly developed in the Global North, often without adequate understanding of local contexts, needs, or cultural dynamics.
- Support for African-led innovation remains minimal.
- For example, AI tools used in public services, such as facial recognition or identity verification, frequently misclassify individuals with darker skin tones or non-Western naming conventions, resulting in service denial or errors in identification.

Implication: Poor contextualisation exacerbates systemic exclusion, especially for people with disabilities, rural populations, and those who speak minority languages, reinforcing digital inequality.

Data exploitation and weak consent mechanisms

- Many AI deployments involve opaque data collection practices, with people unaware of how their information is used.
- For example, African populations are increasingly targeted for data harvesting through mobile apps and biometric systems, often with no meaningful consent or control..

Implication: “Informed consent” becomes meaningless in contexts of structural inequality, where individuals cannot realistically refuse participation. This highlights significant power asymmetries in how data is gathered and used.

Government capacity gaps in AI governance

- Many governments lack the technical expertise, legal frameworks, and institutional readiness needed to effectively regulate AI systems or evaluate their societal impact.

Implication: Without targeted capacity building and cross-sector support, states may unintentionally adopt or endorse harmful AI technologies under the guise of innovation, deepening inequality and eroding public trust.

Exclusion of local knowledge systems

- Mainstream AI models are predominantly shaped by Western, technocratic perspectives and often fail to recognise or incorporate Africa's rich cultural, linguistic, and epistemic diversity.
- Indigenous, feminist, and Global South knowledge systems are excluded from AI development.

Implication: This results in epistemic injustice, where certain voices are invalidated or rendered invisible, limiting the relevance, inclusivity, and legitimacy of AI solutions in local contexts.

Call for ethical, participatory AI

There is a strong regional drive to decolonise AI by supporting locally grounded, participatory design.

Recommendations include:

- Fund community-led AI innovation
- Mandate algorithmic transparency in public services
- Create regional data sovereignty frameworks

Policy recommendations

Inclusive design and democratic innovation

1. **Involve Marginalised Groups in Technical and Non-Technical Roles**
   - Enforce affirmative action policies.
   - Tackle structural barriers in education and employment.
2. **Invest in Capacity Building for Institutional Inclusion**
   - Train public and private sector actors on intersectional inclusion.
   - Institutionalise dialogue with marginalised communities.
3. **Permit Processing of Special Categories of Data**
   - Allow collection of sensitive data (e.g. race, gender) for equity monitoring under strict safeguards.
   - Ensure strong data protection and informed consent protocols.
4. **Fund Transformative Technology Research and Design**
   - Incentivise feminist, decolonial, and community-led approaches.
   - Provide grants and public recognition to inclusive innovation efforts.

Meaningful participation in AI Governance

5. **Promote Effective Public Engagement and Community Participation**
   - Support forums and initiatives that amplify marginalised voices.
   - Fund participation-related costs (e.g. travel, interpretation).
6. **Invest in Capacity Development Among Marginalised Groups**
   - Enable education, advocacy, and leadership development.
   - Fund grassroots consultations and community-driven AI literacy.
7. **Legislate for Ex Ante Public Participation Rights**
   - Guarantee legal rights to public consultation before AI systems are deployed.
   - Draw from models like the Aarhus Convention.
8. **Protect Collective Data and AI Rights**
   - Adapt IP and data protection laws to protect Indigenous knowledge.
   - Acknowledge and enforce group-based rights and data sovereignty.

Transparency & accountability for harm prevention

9. **Establish the Right to Information in AI Systems**
   - Mandate public disclosure of system design, logic, and data sources.
   - Promote interpretability and algorithmic transparency.
10. **Enable and Conduct Human Rights Impact Assessments (HRIAs)**
   - Require HRIAs before deploying high-risk AI.
   - Assess both risks and whether alternatives exist.
11. **Develop Accountability Measures for Public Sector AI**
   - Create AI-specific public procurement standards.
   - Require open-source and transparent algorithm use in government systems.

Effective access to justice

12. **Strengthen Contextual Liability for Non-Discrimination**
    - Update liability frameworks to reflect AI's complexity.
    - Clearly define responsibilities of developers, deployers, and operators.
13. **Empower Equality Bodies to Initiate Action**
    - Allow public bodies to bring forward AI-related complaints.
    - Remove the requirement for individual plaintiffs.
14. **Ease the Burden of Proof for Claimants**
    - Shift evidentiary burden to AI system providers in discrimination cases.
    - Support victims' access to remedy, legal aid, and compensation.

Discussion questions

What can MP’s do?

- What interventions are needed to address societal inequalities and drive inclusion and equality in our governance systems? (infrastructure, education etc.). Please share how navigating these challenges in your constituencies?
- What does inclusive AI policies look like from an African perspective?
- What does success look like?
- Which tools (dashboards, audits, scorecards) can help monitor impact?
- What commitments can we make today towards building inclusive AI policies within the region and in our own national contexts?

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