

Developing a rights-based AI governance at city level

Recommendations from the Cities Coalition for Digital Rights

Key messages:

The Cities Coalition for Digital Rights is committed to ensure access to understandable and accurate information about the technological, algorithmic and Artificial Intelligence systems that impact people's lives, including the ability to question and change unfair, biased or discriminatory systems. To do so, CC4DR is calling local governments across the world to:

1. **Developing AI governance frameworks at city level** that meaningfully engage diverse stakeholders, strengthen procurement power of local public authorities and reinforce trust between cities and residents.
2. **Developing generative Artificial Intelligence guidelines** to provide directions for responsible use, and to protect residents from data misuse and potential biases.
3. **Fostering a fair, ethical and transparent approach for data use and management at local level.** Cities need to guarantee privacy, transparency and equity in the use of AI driven digital services.
4. **Promoting transparency through the creation of an AI registry**, allowing 1) residents and organisations to learn more about AI systems in operations in the city and 2) suppliers and developers to become aware of the ethical requirements for the design and deployment of their solutions.
5. **Mitigating the risk of harm through the development of an Algorithmic Impact Assessment framework.** This would advance cities' role in AI governance and create additional protection for residents.

Introduction

Cities Coalition for Digital Rights (CC4DR) representatives from the cities of New York and Toronto have led the CC4DR's workstream to advance mainstream policies that promote the use of digital technologies, data and AI for good; set ethical and legal co-created policy standards to ensure that they contribute to communities' wellbeing; and improve opportunities for inclusion, equity and autonomy now and in the future. This mission directly aligns with CC4DR's commitment to ensure digital technologies serve societal good through transparent, accountable, and equitable deployment.

A critical component of responsible, lawful, and ethical use of emerging and digital technologies and data is reflected in CC4DR's commitment to upholding privacy, data protection and security. To further this mission and explore these commitments, New York and Toronto recently issued a survey to member cities and close partners to understand the maturity of cities in their use and governance of AI systems, as well as the motivation and direction driving policy developments. This, and other experiences, from the Cities of Toronto and New York will be explored in this paper as a reflection of the past year.

Human rights and AI governance in urban areas

Cities must advance and promote digital rights for their constituents and communities. The use of digital technologies that benefit the wellbeing of individuals and communities should ensure that digital rights and liberties are protected and promoted. It is therefore critical for Cities to advance these values in AI policy and governance, including by emphasizing the following :

1. Privacy and Data Rights - creating policies to promote informed meaningful consent (taking into consideration vulnerable populations) and data minimization (collecting only necessary data with clear purpose limitations and regular data deletion policy).
2. Equality Rights - creating policies that emphasize fairness and non-discrimination to minimize algorithmic bias particularly in marginalized communities and promoting equal access of technology systems incorporating accessibility requirements and digital divide considerations.
3. Transparency and Accountability - promoting policies that emphasize explainability and public trust of algorithmic decisions and oversight mechanisms.

A clear need for AI urban policies

Cities need to address a number of challenges that their residents may face when innovating and interacting with digital technologies, including: fairness in delivering and digitizing public services; data privacy and security concerns; accountability and transparency; digital infrastructure inequities .

Advancements in AI further drive the need to address these challenges. The recent survey conducted by Toronto and New York City reveals that this is not lost for most cities. For example, 88% (n=16) believe the integration of data ethics in the life cycle of AI systems are either 'very important' or 'absolutely important'. Respondents also believe that it is either 'important' or 'very important' for local governments to play a role in the regulation of AI (82%, n=16). While cities' use of AI systems continue to grow (52%, n=25) including generative AI (76%), many (80%, n=15) are also planning to create specific AI policies.

Strategies and solutions from a local perspective

Cities play a vital role in implementing strategies and solutions to address these emerging issues and risks. Cities are often large enough to have significant impact but localized enough to implement and adjust programs quickly. We are often best positioned to experience the needs of our constituents, and provide services or policy to address them. Cities keenly know the impacts that policy has on our communities, and can adapt and adjust according to need. We are also often looked to as the source of redress and information, placing a responsibility on cities to promote public trust and accountability when deploying technology.

One example of how New York City is already working towards ensuring the development and implementation of responsible AI is the Artificial Intelligence (AI) Action Plan. Launched in October 2023, the Action plan lays out 37 actions over seven initiatives to create governance for the city's use of AI, engage with New Yorkers and other partners on timely and topical AI matters, hone AI skills for the city's workforce, and support agencies in implementing AI solutions. The City of Toronto has created an interdivisional AI Working Group to help develop and operationalize key responsible AI deliverables as part of its larger work on AI governance. Some of the deliverables currently underway include the development of an AI policy, AI registry, generative AI guidelines, and an Algorithmic Impact Assessment framework. Additionally, Toronto is working to promote algorithmic and data literacy across the workforce. The design and development of these artifacts are informed by ethical principles, ensuring the design, development, and use of AI systems align with and promote transparency, accountability, fairness, safety, human oversight, as well as validity and reliability.

Policy recommendations

To implement a rights-based AI governance, CC4DR members and local governments, should consider exploring the following recommendations:

- **Developing AI governance frameworks at city level**, that
 - inform AI development and meaningfully engages diverse stakeholders, especially those most likely to be negatively impacted by AI.
 - Ensure a responsible adoption of digital services by strengthening the procurement power of local public authorities.
 - Address concerns before contracts are signed to reinforce trust between cities and residents.
- **Developing generative artificial Intelligence guidelines** that also encompass enterprise-level generative AI solutions. As the use of generative AI is growing, including as enterprise-level software 'upgrades', cities are increasingly recognizing the need to provide a framework for responsible use, and to protect residents from data misuse and potential biases.
- **Fostering a fair, ethical and transparent approach for data use and management at local level.** Cities can have a key role in guaranteeing privacy and transparency for residents when implementing local digital services, which promotes digital rights and public trust. One way this can be achieved is by promoting equity as a privacy principle in policies, standards and related guidance. Both New York and Toronto have incorporated equity into their frameworks.

- **Promoting transparency through the creation of an AI registry.** AI registry platforms allow citizens and visitors to learn more about AI systems in operation in the city. This enables trust and transparency as key values, and ensures that suppliers and developers become aware of ethical requirements for the design and deployment of their solutions. The algorithm register standard based on the best practice of Amsterdam and Helsinki can serve as an example in this context.
- **Mitigating the risk of harm through the development of an Algorithmic Impact Assessment framework.** These frameworks are a key step for ensuring public agency accountability. However they mostly exist at national level until now. An initiative for a local Algorithmic Impact Assessment framework would advance cities' role in AI governance and create additional protection for residents. In keeping with the goals of transparency and responsible AI, cities should also consider making these assessments publicly available.

References

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- Mission 3: results from the AI Governance Maturity Survey (October 2024), [Cities Coalition for Digital Rights, https://citiesfordigitalrights.org/mission-3-results-ai-governance-maturity-survey](https://citiesfordigitalrights.org/mission-3-results-ai-governance-maturity-survey).