

# -Humanitarian Law RULEs!

Center for the Study of Humanitarian Law  
Newsletter

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## ChatGPT and Human Rights: Any Implications?

Since its release in November 2022, this generative AI has been dominating topics of conversation and news headlines. ChatGPT allows users to generate new contents, by entering a prompt into a system to create a specified output.<sup>1</sup> However, the human rights sector has raised concerns relating to the illegal possession and usage of people's personal information in ChatGPT's training data. As recognized in the Universal Declaration of Human Rights and other treaties, privacy is a fundamental human right.<sup>2</sup> People have the right to decide for themselves when, how, and for what purpose others can handle their personal information.<sup>3</sup> Thus, how is this an issue if some data is already publicly available on the internet platform? Regardless, their use can breach what is called "Contextual Integrity."<sup>4</sup> This is a fundamental principle in legal discussion of privacy, which prohibits the use of contexts of information outside of where it originally produced.

Another alarming concern involved is in the form of user prompts.<sup>5</sup> This Chatbox might potentially learn sensitive information without the user's awareness.<sup>6</sup> The information will be stored in a public domain where it will be incorporated into responses to other people's prompts and used to further train the tool.<sup>7</sup> Particularly in Cambodia, ChatGPT is not widely available yet. However, the digital committee of the Ministry of Post and Telecommunication revealed in March 2023 that it has been using ChatGPT to help with daily work, such as administrative work, answering questions, writing articles, and translating.<sup>8</sup> It might be a concern as it allows OpenAI, the company that created ChatGPT, to generate access to a huge quantity of sensitive information. The Data can be disclosed to affiliates, processed and stored in the ChatGPT database located in the US.<sup>9</sup> Anyone in possession of this data could gain insights into internal discussions.

Moreover, with ChatGPT's ability to collect and analyze vast amounts of data, there is a risk that it could be used to monitor individuals' activities and surveillance their online behavior.<sup>10</sup> Alongside the proposal of planned implementation made by Cambodian officials to establish a National Internet Gateway which permits the government to monitor individual's internet activities, this will cast a looming concern for what the future would hold for Cambodian citizens regarding their freedom of expression and rights to privacy.<sup>11</sup> Now, there is no sufficient data for measuring to what extent our information is being used and handled by ChatGPT that could disclose individual identities. The tech company has yet to respond regarding this concern or revealed any potential approach to ensure privacy protection for its users.<sup>12</sup>

<sup>1</sup> Paul Aufiero and Anna Bacciarelli, "Pandora's Box: Generative AI Companies, ChatGPT, and Human Rights", HUMAN RIGHTS WATCH, Available at: <https://www.hrw.org/news/2023/05/03/pandoras-box-generative-ai-companies-chatgpt-and-human-rights> [Accessed on 24 May]

<sup>2</sup> "Privacy and human rights", an international survey of privacy law and practice, Available at: <https://gilec.org/privacy/survey/intro.html>

<sup>3</sup> "The importance of Privacy", Office of the Victorian information commissioner, Available at: [OVIC](https://www.oivc.vic.gov.au/)

<sup>4</sup> Chat GPT is a privacy nightmare, I bids,

<sup>5</sup> Marcus Evans (UK), Lara White (UK) and Steve Roosa (US), "Everyone is using Chat GPT, what does my organization need to look out for", Data Protection report, Available at: <https://www.dataprotectionreport.com/2023/04/everyone-is-using-chatgpt-what-does-my-organisation-need-to-watch-out-for/>

<sup>6</sup> Jyotirmoy Banerjee, "ChatGPT and Human Rights: Navigating the Technological Frontier", Human Rights Review, Available at: <https://humanrightslawreview.in/chatgpt-and-human-rights-navigating-the-technological-frontier/>

<sup>7</sup> Chat GPT is a privacy nightmare, I bids,

<sup>8</sup> Latsamy Phonevilay, "Cambodian Ministry plan Khmer version of ChatGPT", Available at: [Latiantimes.com](https://www.latiantimes.com/) [Access on 02 June 2023]

<sup>9</sup> Council of the European Union, analysis and research team, 24 April 2023, Available at:

## LIBRARY HOURS

Mondays to Friday  
8.45am – 5.30pm

## E-RESOURCES

E-Journals on (1) Human Rights Law Review and (2) Case Western Reserve Journal of International Law and other Free E-Resource

## CONTACTS

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[https://www.consilium.europa.eu/media/63818/art-paper-chatgpt-in-the-public-sector-overhyped-or-overlooked-24-april-2023\\_ext.pdf](https://www.consilium.europa.eu/media/63818/art-paper-chatgpt-in-the-public-sector-overhyped-or-overlooked-24-april-2023_ext.pdf) [Access on 09 June 2023]

<sup>10</sup> Salil tripathi, "ChatGPT impact on human rights", Institute for human rights and business, [Access on 09 June 2023]

<sup>11</sup> Sorn Sarath, "Controversial NIG postponed as criticism grow", Cambodian Journalist Association Alliances, [Access on 09 June 2023]

<sup>12</sup> Paul Aufiero and Anna Bacciarelli, Ibid,