



GATORMUN XXIII

**The United Nations Educational, Scientific, and
Cultural Organization
Background Guide**

Eric Han

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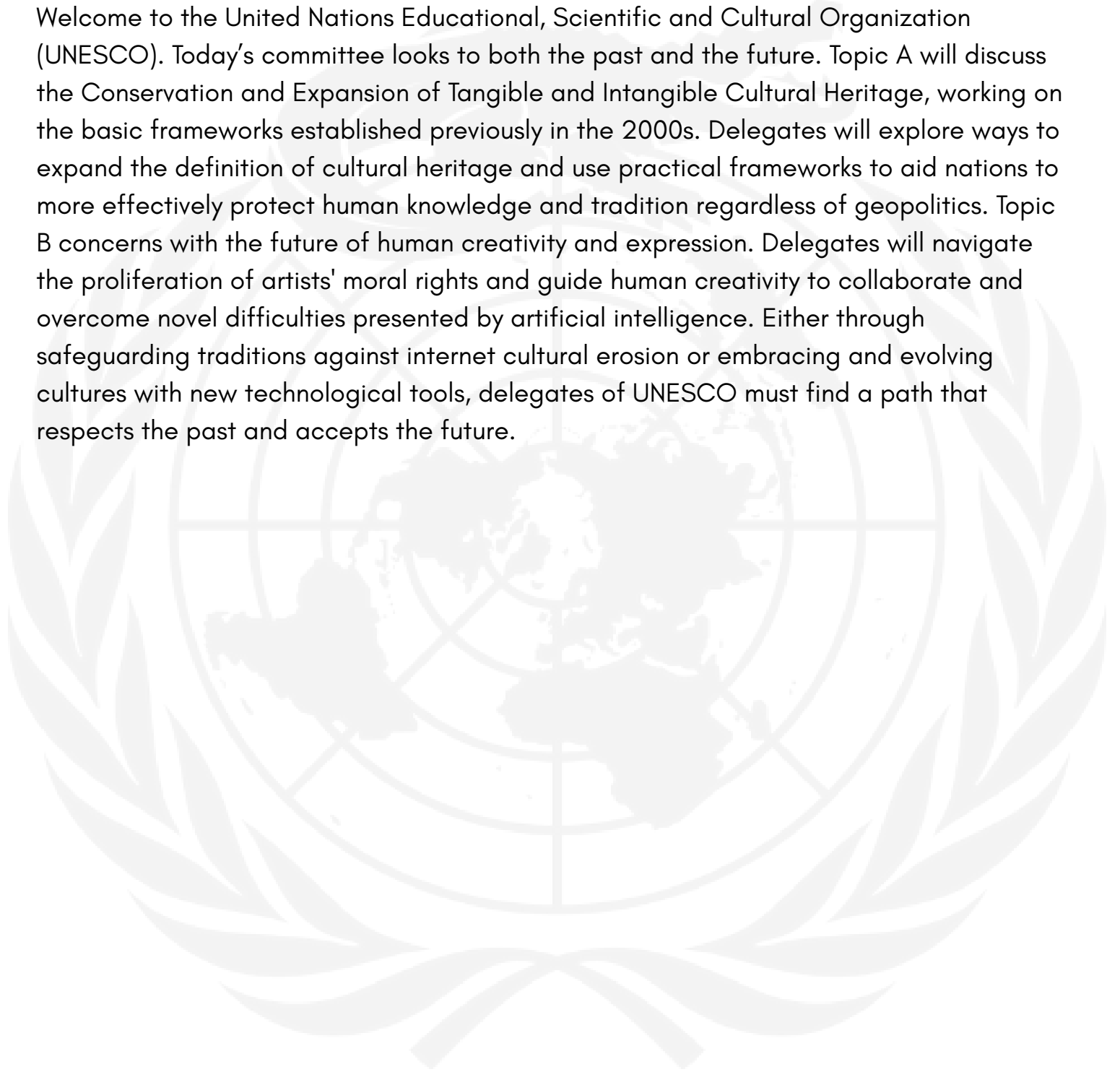
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About the Committee

Welcome to the United Nations Educational, Scientific and Cultural Organization (UNESCO). Today's committee looks to both the past and the future. Topic A will discuss the Conservation and Expansion of Tangible and Intangible Cultural Heritage, working on the basic frameworks established previously in the 2000s. Delegates will explore ways to expand the definition of cultural heritage and use practical frameworks to aid nations to more effectively protect human knowledge and tradition regardless of geopolitics. Topic B concerns with the future of human creativity and expression. Delegates will navigate the proliferation of artists' moral rights and guide human creativity to collaborate and overcome novel difficulties presented by artificial intelligence. Either through safeguarding traditions against internet cultural erosion or embracing and evolving cultures with new technological tools, delegates of UNESCO must find a path that respects the past and accepts the future.



Letter from the Director:

Dearest delegates,

Welcome to UNESCO! My name is Eric Han, and I will be serving as the Chair of the committee. I am a third-year student at UF, studying criminology and political science on the pre-law path. This committee will be my fourth time serving as chair. This year will also be my third doing Model UN, and I currently serve as the GA Director of Member Development for the UF team! Outside of MUN, I love art, karaoke, and getting food and yapping with friends. I'm a master (struggling) juggler of school obligations, MUN, and searching for fun things to do.

I am proud to chair this year's UNESCO on a quest for profound global understanding of the variety of cultures. UNESCO has always been a unique committee in my heart, for it ventures beyond that of the economy, war, conflicts, and interests to find nuanced solutions that acknowledge all of those yet refuse to be trapped in the narrative. UNESCO uses the promotion of education, science, culture, and communication as tools for long term stability and peace. This pursuit of intellectual and moral solidarity is also mirrored in the preamble of its founding charter, stating that "since wars begin in the minds of men, it is in the minds of men that the defences of peace must be constructed." The expectation for delegates, thus, is to advocate for their own perspectives and cultures with utmost passion, yet fundamentally uniting under the collective faith in humanity.

Today's UNESCO looks at both correcting the wrongs of the past and preventing the harms of the future. Topic A will discuss the Conservation and Expansion of Tangible and Intangible Cultural Heritage, working on the basic frameworks established previously in the 2000s. Delegates will explore ways to expand the definition of cultural heritage and use practical frameworks to aid nations to more effectively protect human knowledge and tradition regardless of geopolitics. Topic B concerns with the future of human creativity and expression. Delegates will navigate the proliferation of artists' moral rights and guide human creativity to collaborate and overcome novel difficulties presented by artificial intelligence. Either through safeguarding traditions against internet cultural erosion or embracing and evolving cultures with new technological tools, delegates of UNESCO must find a path that respects the past and accepts the future.

UNESCO will operate under standard UN General Assembly parliamentary procedures. You will choose to discuss one of the two topics during our sessions. In this committee, we will look beyond the second round of the authors' panel. Understanding the increased difficulty in research, we will look extra favorably at delegates' accuracy in representing their position on the subject matter, writing qualities and quantities, facilitation and diplomacy of unmod discussion, creativity during moderated caucuses, respectfulness, and many more qualities that define good diplomacy and a good speaker. Additionally, any demonstration of thorough understanding of cultural heritage and artists' rights within the represented country will be commended.

Letter from the Director:

Given the topics' broadness, uniqueness and creativity of solutions to the problem will be the primary evaluation. The chairs will do our best to evaluate the holistic performance of delegates throughout the duration of the committee.

To prepare for the committee, delegates are strongly encouraged to research responses to the Questions to Consider relevant to their representing member state. The committee's debate is expected to follow those proposed questions as the main guideline for discussion, while leaving room for unique topics to emerge. Delegates are encouraged to research specific and exacting points of discussion and solutions for contributing to the discourse.

While the expectation is accurate representation from delegates, all must conduct their debate in a respectful and thoughtful manner. Debate must respect unique or unconventional cultural heritages that may exist within member states. Any homophobic, xenophobic, or hateful comments will result in the delegate's disqualification.

Now delegates debate away! I cannot wait to see you all at GatorMUN XXIII! Please make this chairing experience a memorable one. If you have any questions or concerns regarding the committee, you can reach me by emailing <gatormun@gmail.com> with the email subject as the committee name to contact.

Eric Han

Rules of Procedure

Quorum

A majority of voting members answering to the roll at each session shall constitute a quorum for that session. This means that half plus one of all voting members are present. Quorum will be assumed consistent unless questioned through a Point of Order. Delegates may request to be noted as "Present" or "Present and Voting."

Motion to Suspend the Rules for the Purpose of a Moderated Caucus

This motion must include three specifications

- Length of the Caucus
- Speaking Time
- Reason for the Caucus

During a moderated caucus, delegates will be called on to speak by the Committee Director. Delegates will raise their placards to be recognized. Delegates must maintain the same degree of decorum throughout a Moderated Caucus as in formal debate. This motion requires a simple majority to pass.

Motion to Suspend the Rules for the Purpose of an Unmoderated Caucus

This motion must include the length of the Caucus. During an unmoderated caucus, delegates may get up from their seats and talk amongst themselves. This motion requires a simple majority to pass. The length of an unmoderated caucus in a Crisis committee should not exceed fifteen minutes.

Motion to Suspend the Meeting

This motion is in order if there is a scheduled break in debate to be observed. (ie. Lunch!) This motion requires a simple majority vote. The Committee Director may refuse to entertain this motion at their discretion.

Motion to Adjourn the Meeting

This motion is in order at the end of the last committee session. It signifies the closing of the committee until next year's conference.

Points of Order

Points of Order will only be recognized for the following items:

- To recognize errors in voting, tabulation, or procedure
- To question relevance of debate to the current Topic
- To question a quorum.

A Point of Order may interrupt a speaker if necessary and it is to be used sparingly.

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Points of Inquiry

When there is no discussion on the floor, a delegate may direct a question to the Committee Director. Any question directed to another delegate may only be asked immediately after the delegate has finished speaking on a substantive matter. A delegate that declines to respond to a question after a formal speech forfeits any further questioning time.

Points of Personal Privilege

Points of personal privilege are used to request information or clarification and conduct all other business of the body except Motions or Points specifically mentioned in the Rules of Procedure. Please note: The Director may refuse to recognize Points of Order, Points of Inquiry or Points of Personal Privilege if the Committee Director believes the decorum and restraint inherent in the exercise has been violated, or if the point is deemed dilatory in nature.

Rights of Reply

At the Committee Director's discretion, any member nation or observer may be granted a Right of Reply to answer serious insults directed at the dignity of the delegate present. The Director has the ABSOLUTE AUTHORITY to accept or reject Rights of Reply, and the decision IS NOT SUBJECT TO APPEAL. Delegates who feel they are being treated unfairly may take their complaint to any member of the Secretariat.

Directives

Directives act as a replacement for Draft Resolutions when in Crisis committees, and are the actions that the body decides to take as a whole. Directives are not required to contain operative or preambulatory clauses. A directive should contain:

- The name(s) of the author(s)
- A title
- A number of signatories/sponsors signatures' necessary to
- introduce, determined by the Director

A simple majority vote is required to introduce a directive, and multiple directives may be introduced at once. Press releases produced on behalf of the body must also be voted on as Directives.

Friendly Amendments

Friendly Amendments are any changes to a formally introduced Directive that all Sponsors agree to in writing. The Committee Director must approve the Friendly Amendment and confirm each Sponsor's agreement both verbally and in writing.

Unfriendly Amendments

Unfriendly Amendments are any substantive changes to a formally introduced Directive that are not agreed to by all of the Sponsors of the Directive. In order to introduce an Unfriendly Amendment, the Unfriendly Amendment must be the number equivalent to 1/3 of Quorum confirmed signatories. The Committee Director has the authority to discern between substantive and non-substantive Unfriendly amendment proposals.

Plagiarism

GatorMUN maintains a zero-tolerance policy in regards to plagiarism. Delegates found to have used the ideas of others without properly citing those individuals, organizations, or documents will have their credentials revoked for the duration of the GatorMUN conference. This is a very serious offense.

Crisis Notes

A crisis note is an action taken by an individual in a Crisis committee. Crisis notes do not need to be introduced or voted on, and should be given to the Crisis Staff by sending the notes to a designated pickup point in each room. A crisis note should both be addressed to crisis and have the delegate's position on both the inside and outside of the note.

Motion to Enter Voting Procedure

Once this motion passes, and the committee enters Voting Procedure, no occupants of the committee room may exit the Committee Room, and no individual may enter the Committee Room from the outside. A member of the Dias will secure all doors.

- No talking, passing notes, or communicating of any kind will be tolerated during voting procedures.
- Each Directive will be read to the body and voted upon in the order which they were introduced. Any Proposed Unfriendly Amendments to each Directive will be read to the body and voted upon before the main body of the Directive as a whole is put to a vote.
- Delegates who requested to be noted as "Present and Voting" are unable to abstain during voting procedure. Abstentions will not be counted in the tallying of a majority. For example, 5 yes votes, 4 no votes, and 7 abstentions means that the Directive passes.
- The Committee will adopt Directives and Unfriendly Amendments to Directives if these documents pass with a simple majority. Specialized committees should refer to their background-guides or Committee Directors for information concerning specific voting procedures.

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Roll Call Voting

A counted placard vote will be considered sufficient unless any delegate to the committee motions for a Roll Call Vote. If a Roll Call Vote is requested, the committee must comply. All delegates must vote: "For," "Against," "Abstain," or "Pass." During a Roll Call vote, any delegate who answers, "Pass," reserves his/her vote until the Committee Director has exhausted the Roll. However, once the Committee Director returns to "Passing" Delegates, they must vote: "For" or "Against."

Accepting by Acclamation

This motion may be stated when the Committee Director asks for points or motions. If a Roll Call Vote is requested, the motion to Accept by Acclamation is voided. If a delegate believes a Directive will pass without opposition, he or she may move to accept the Directive by acclamation. The motion passes unless a single delegate shows opposition. An abstention is not considered opposition. Should the motion fail, the committee will move directly into a Roll Call Vote.

Tech Policy

Technology will not be allowed throughout the course of the committee. Delegates are prohibited from using their technology inside the committee room. However, they are encouraged to do research before and during assigned breaks.

Introduction to Committee

UNESCO, the United Nations Educational, Scientific, and Cultural Organization, is a specialized agency established on November 16, 1945, following the end of World War II, with the mission to promote international peace and security. UNESCO's philosophy fulfills the shortcomings of the six main committees of the United Nations. The UNESCO Constitution states:

"Peace based exclusively upon the political and economic arrangements of governments would not be a peace which could secure the unanimous, lasting and sincere support of the peoples of the world, [...] peace must therefore be founded, if it is not to fail, upon the intellectual and moral solidarity of mankind" Therefore, UNESCO uses the promotion of education, science, culture, and communication as tools for long term stability and peace. This pursuit of intellectual and moral solidarity is also mirrored in the preamble of its founding charter, stating that "since wars begin in the minds of men, it is in the minds of men that the defences of peace must be constructed."

With its distinctive philosophy on peace, UNESCO has always been on the forefront of confronting social injustice and empowering human minds. In 1949, UNESCO combated racism along with leading intellectuals and scientists, becoming the first to declare that there was no scientific basis or justification for racial bias. It created the European Council for Nuclear Research (CERN) in 1950 to promote collaborative scientific research, which is now the frontier of scientific discovery. UNESCO adopted the Universal Copyright Convention in 1952, which supports copyright protection for all. Its Convention on the Illicit Trafficking of Cultural Objects in 1970, led by newly independent countries worldwide, began to give voice and authority to previously colonized nations to seek repatriation of its cultural heritage. The World Heritage Convention in 1972 mobilized for the establishment and conservation of World Heritage Sites, regardless of their locations. The "Education for All" framework in 1990 supplements the Human Rights Act of 1948 to provide primary education for all children, everywhere.

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The Intangible Heritage Convention of 2003 is the first binding instrument aimed at safeguarding ancestral knowledge and traditions of local communities. Most recently, UNESCO adopted the Guidelines for the Governance of Digital Platforms in 2023 to balance the right to free expression while combating misinformation and disinformation online.

In the age of rapid cultural exchange and scientific advancement, UNESCO's role in promoting education and science while preserving invaluable cultural heritage is significant and growing. Delegates must continue to ride the tide of human progress and address unique challenges faced by the 2020s.

UNESCO consists of three bodies: the General Conference, the Secretariat, and the Executive Board. Delegates from all Member States will debate in the General Conference during this weekend to address the topics outlined below.



Topic A: Conservation and Expansion of Tangible and Intangible Cultural Heritage

World Heritage Sites

The most notable and well known portion of the UNESCO mission is the World Heritage List, which currently inscribes 1223 properties, “forming part of the cultural and natural heritage which the World Heritage Committee considers as having outstanding universal value.” Established in the 1972 Convention concerning the Protection of the World Cultural and Natural Heritage, the World Heritage Convention identifies, inscribes, and conserves potential sites through its 5C Strategic Objectives of Credibility, Conservation, Capacity-building, Communication, and Communities (UNESCO, 2009).



An example of a World Heritage Site inscription in Nice, France.

The responsibility of UNESCO is to coordinate the conservation of the World Heritage Sites. World Heritage Sites are nominated by the property's home member state and confirmed by the annual convention meeting to be included in the World Heritage List. Once included, member states are responsible for reporting on the condition of those sites and be evaluated for their conservation needs. World Heritage Site inscriptions are economically influential to the home country. Study indicates that increasing the number of World Heritage Sites directly correlates with an increase in tourism within the country. Tourism, in turn, increases national GDP. The UNESCO heritage list also serves as a catalyst for foreign investment, especially in countries where the protection of cultural heritage is not a top priority (Kutlu et al., 2024). It is not surprising that obtaining UNESCO inscription for cultural heritage sites becomes a priority for all nations in committee proceedings.

This priority can overshadow the UNESCO determination to conservation and preservation of cultural heritage. Challenges faced by World Heritage Sites today include the general inability to coordinate effective and consistent plans to preserve the sites. Research finds that the original UNESCO emphasis on conservation continuously diminishes as the committee shifts to focus on political gain centered on inscribing more sites into the list. Researcher states that during World Heritage Committee meetings, “when it's time to discuss matters of conservation, most countries' delegates don't bother to participate” (Shashkevich, 2018).

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While World Heritage Site inscriptions have significant economic impact, delegates must acknowledge the growing amount of obstacles against conservation of those historical and natural sites. The primary threat against natural heritage sites is climate change. Rising global temperature, sea level rises, and increasing severity and frequency of natural disaster all have devastating effects on natural biodiversity and landscapes. The Great Barrier Reef, for example, is experiencing severe coral bleaching due to changing ocean conditions. The Dead Sea, impacted by the growing temperature, rapidly evaporates and continues to shrink in size gradually. Human actions also play significant roles in heritage destruction. Urban developments, mining, fracking, industrialization, pollution, and overtourism all contribute to gradual degradation of World Heritage Sites, and violent conflicts actively destroy them. Lack of funding or resources for conservation also exposes these sites to both natural and human degradation (Sharma, 2024).

Current Efforts

UNESCO has insufficient mechanisms to address these challenges. Those threatened by natural or human disasters are included in the List of World Heritage in Danger via the World Heritage Committee to develop and adopt conservation programs with its home member state. Inclusion to the List of World Heritage in Danger grants access to the World Heritage Fund, which includes US\$5.8 million during 2024-2025 for the entire global operation. Conservation efforts hence mostly relies on global donations and investments from local governments to operate (UNESCO, 2009).

Investment and coordination between UNESCO and local governments are necessary for conservation moving forward. Investing in recreation and awareness in cultural heritage has been shown to increase national and citizen identities; it also boosts economic benefits that subsequently justifies expenditure in conservation. Venice serves as a successful example of continued dedication to conservation. A historic flood in 1966 in Venice and the gradual sinking of the city prompted UNESCO collaboration with the Italian government. The collaboration over the years involved efforts like the MOSE project to construct mobile flood gates and the recent legislative ban on large ships in the city, all of which sustains the city from further degradation (UNESCO, 2022).

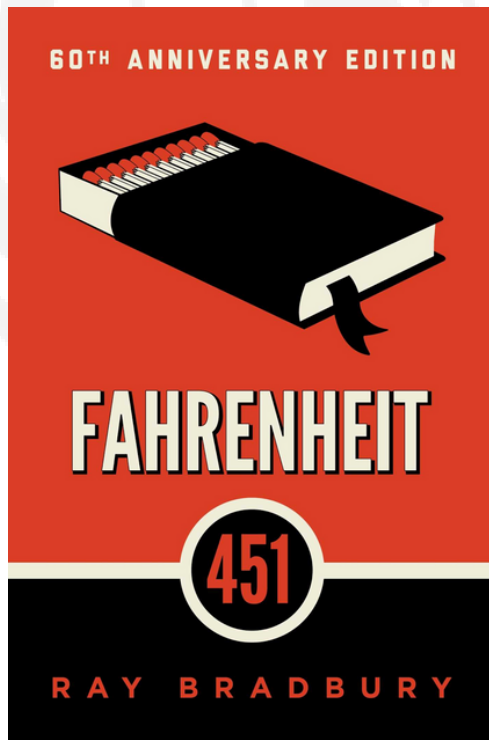
Intangible Cultural Heritage

Intangible cultural heritage, as defined in the Convention for the Safeguarding of the Intangible Cultural Heritage, is “practices, representations, expressions, knowledge, skills ... that communities, groups and, in some cases, individuals recognize as part of their cultural heritage” (UNESCO, 2003). These heritages are categorized into five categories: (a) oral traditions and expressions, (b) performing arts; (c) social practices, rituals and festive events; (d) knowledge and practices concerning nature and the universe; (e) traditional craftsmanship.

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Similar to World Heritage Sites, Intangible Cultural Heritages are inscribed in the Representative List of the Intangible Cultural Heritage of Humanity and the List of Intangible Cultural Heritage in Need of Urgent Safeguarding, both through submission by the home country and approved by this committee. There are currently 788 items inscribed since 2008.

Pursuing long term stability through education and intellectual solidarity, the categories outlined by the convention are quite narrow in its realm of protection. Specifically, while languages are protected “as a vehicle of the intangible cultural heritage” under oral traditions, other vehicles such as literature are not protected as either tangible or intangible cultural heritage. Ranging from ancient texts, religious texts of the past millenniums to testimonials during the Holocaust or American slavery and modern literature illustrating human struggles, literature has served as one of the most long lasting forms of culture continuance. While conservation of the practice of literatures is not considered as necessary due to their widespread and abundant presence, individual literatures face novel threats in the modern day, among book bans present across the globe. China’s long history of censorship in the press now extends to Hong Kong, where anti-CCP and pro-democracy content are now similarly removed from bookshelves. In Türkiye, authorities tighten media control, and literature is increasingly branded as obscene or terrorist propaganda. Book bans are seen across almost half of 50 US states, where thousands of literature “addressing sexual violence, LGBTQ narratives, and race-related themes” are removed from public school district libraries and often labeled obscene (PEN International, 2024).



Possible Solutions

While UNESCO cannot intervene in national politics, in preservation of intellectual and moral solidarity, this committee must find methods to extend protection to cultural vehicles like literature on the international level, through recognition and conservation.

Intangible cultural heritages overall struggle with maintaining an authentic representation under the globalization market. Conservation of intangible cultural heritages relies upon raising global awareness of the practices, which inevitably requires commodification of those heritages. Selling heritage as a product, while productive to a national economy, often leads to distortion of those practices and removal of cultural context.

Fahrenheit 451, a title on a dystopian society that is frequently banned in US public school systems

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These appropriations hardly have a legal international solution, as the currently available form of protection is limited to intellectual property laws that are incompatible to a cross-generational, community-shared product (Farah & Tremolada, 2015). Delegates must navigate options that maintain the profitability and sustainability of cultural heritages while enhancing their authenticity and maintaining cultural context in the sales of these cultural products.

Questions to Consider:

1. How can UNESCO balance the commodification of cultural heritages with conservation efforts?
2. How can UNESCO incentivize local governments to invest in their cultural heritage?
3. How can UNESCO preserve World Heritage Sites in regions with heightened natural and human disasters?
4. What can UNESCO do to extend protection of intangible cultural heritage to cultural vehicles like literature?
5. How can local governments protect the authenticity of their intangible cultural heritage and prevent appropriation?

Key Terms

- Cultural Heritage – defined by UNESCO as “artefacts, monuments, a group of buildings and sites, museums that have a diversity of values including symbolic, historic, artistic, aesthetic, ethnological or anthropological, scientific and social significance. It includes tangible heritage (movable, immobile, and underwater), intangible cultural heritage (ICH) embedded into cultural and natural heritage artefacts, sites, or monuments.”
- World Heritage List – the official inscription of cultural and natural sites with outstanding universal value to humanity
- Conservation – practices and procedures aimed to preserve, protect, and restore cultural heritages to ensure and maintain their integrity and cultural value
- Urban development – urbanization, industrialization, and other expansions that involve replacing rural regions with modernized infrastructure and city planning
- Fracking – technique to release previously inaccessible oil and natural gas from deep rock layers by fracturing them with high-pressure fluid
- Intangible cultural heritage – practices, representations, expressions, knowledge, skills ... that communities, groups and, in some cases, individuals recognize as part of their cultural heritage
- Book bans – prohibition, restriction, or removal of books from schools, libraries, bookstores, or other public spaces, usually because certain groups or authorities consider their content to be inappropriate, offensive, or harmful

Topic B: Protection of Artists' Rights (Copyright and Moral Rights) in the Modern Internet Age

Introduction to Artists' Rights

Intellectual properties are creations of the mind, such as inventions; literary and artistic works; designs; and symbols, names and images used in commerce. They are generally protected by law under four categories: patent, copyright, trademark, and trade secret. These intellectual property protections ensure that the manifestation of the mind belongs to the owners and grant them the sole right to those creations. Intellectual property laws vary from nation to nation, but protections for them are adopted across the world. International intellectual properties are regulated largely through national laws and mediated through treaties as well as the World Intellectual Property Organization (WIPO) under the United Nations (WIPO, 2020). Notably, the Berne Convention of 1886 is the first convention adopted by most international actors and lays the foundation for international discourse. Beyond efforts by nations and IGOs, NGOs also play an important role in copyright. For instance, Creative Commons is an international nonprofit organization that standardized a system to allow creators to grant the public permission to use their works under specified conditions while retaining certain rights.

While WIPO is responsible for the outlines for intellectual property agreements internationally, UNESCO has the role to advocate for policies that promote human creativity and protect cultural diversity. This committee will discuss the challenges artists face regarding both copyright and moral rights in the digital age, especially with the rise of artificial intelligence. Copyrights are legal protections for original works of authorship as soon as an author fixes the work in a tangible form of expression. Unlike patents, copyright does not need to be filed and is granted as soon as the work is created, though registration may be needed in countries to exercise that legal power. Copyright encompasses all expressive works ranging from paintings, photographs, illustrations, musical compositions, sound recordings, computer programs, books, poems, blog posts, movies, architectural works, plays, and more (U.S. Copyright Office, n.d.). Copyright is the legal mechanism that protects the economic monopoly of the author on their works, apart from fair use or fair dealing exceptions in some countries. Moral rights, on the other hand, are a much less adopted measure to protect the artistic integrity of the authors, even after the loss of economic copyright after a sale or transfer of ownership.

Moral rights grants authors limited authority over their artworks after such sale and transfer. In the US, codified under the Visual Artists Rights Act (VARA) are the rights of attribution and integrity. The right of attribution refers to the right to claim or disclaim authorship, and the right of integrity refers to the right to prevent or claim damages for intentional destruction or mutilation of the artist's work (Jones, 2016). However, the perspective and philosophy of artists' moral rights vary greatly among countries. While many common law countries adopted certain elements after ratifying the Berne Convention, they often lack further elements that uniformly protect artists' integrities.

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For example, VARA does not protect a variety of artworks, such as works for hire, posters, maps, technical drawings, models, applied art, audio-visual works, and motion pictures, causing discrepancies between moral rights enforcements globally (Jones, 2016). Additionally, some countries do not recognize resale rights, which allows artists to benefit from the resale of their artworks between non-private art vendors. Moral rights are often not recognized at all in many countries.

Difficulties in Protection

This inconsistent standardization of moral rights is difficult to enforce. For example, the internet age allows global distribution of media, yet the violation of moral rights on the same piece of media would have different legal consequences in different countries, despite the origin of said media. In the 1980s, Turner Entertainment Network colorized black and white film *The Asphalt Jungle* without the permission of the deceased filmmaker's family. The company was then sued and fined in France for violating the artist's right of integrity, yet the same family would have no ground to sue in the US, which neither recognizes moral rights for motion pictures, nor recognize moral rights after the death of the author (Jones, 2016).



Poster for *The Asphalt Jungle*, 1950

The inconsistency also presents significant challenges for legislating protections regarding artificial intelligence. Generative AI engines create arts through their training on immense datasets of images to recognize styles and patterns and regenerate artworks prompted by a user. There are two conventionally used algorithms for generative AI: GANs and VAEs. Generative adversarial networks (GANs) use two neural networks, one that generates and one that interprets the generation to gradually improve on realism. Variational autoencoders (VAEs), on the other hand, use one encoder that codes the dataset and one decoder to reinterpret that data to satisfy the prompt (Adobe, 2025). Needless to say, generative AI revolutionized art by granting everyone the ability to turn imagination into reality. However, that reality may infringe upon the moral rights established across the globe.

Ethical Concerns

Since the technological singularity, teams of scientists have been working on recreating the work of master artists. The team from Oxia Palus recreated a lost artwork by Picasso, *Lonesome Crouching Nude*, that was hidden under another Picasso piece using AI that studied the brushstroke, techniques, and styles of the artist. Another team from Rutgers University also trained AI with Beethoven's music to complete Symphony No. 10, which Beethoven did not finish (Darby, 2021).

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Both of those monumental developments in the artificial intelligence field can be considered a violation to the right of integrity for those pieces, that by completing an incomplete work, it strips the art of their contexts (that Picasso's work was covered due to his financial hardship, and Beethoven died before completing the symphony), as well as forcefully attributing those works onto them. Delegates must debate the ethics of using AI to generate known artists' pieces, dead or alive, and how to balance artists' moral rights with technological advancements.

Generative AI training datasets threaten artists' copyright and moral rights. Various generative AI engines are facing lawsuits over copyright infringement on those artworks sampled in the dataset to train the algorithm. Although those works are not directly referenced by generative AI, the algorithm learns and emulates artists' style, design, and creative ideas to generate images. Tech companies confront those lawsuits using the fair use/fair dealing exceptions found in many countries' copyright laws, by claiming their use of those artworks in their immense datasets are "transformative" (Appel et al., 2023). Regarding the generated art, questions also arise whether or not copyright can be applied and attributed to



Lonesome Crouching Nude recreated by Oxia Palus

whom, which then faces different answers in different parts of the world. While UNESCO has no authority to interpret national or international laws regarding copyright infringements, there must be safeguards in place during the wait for global judicial review and legislative change. Currently, the responsibility of preventing abuse prior to legislative or judicial changes are upon the developers and corporations. Some developers consider creating an opt-out option for artists to remove their work from the dataset, which spurs debate on if the developers or the artists are responsible for protecting copyrights and moral rights (Appel et al., 2023). Some also encourage increased transparency in those datasets by enforcing provenance tracking (origins of an artwork) for AI generated images. Similar to the increasing number of large language model chatbots that reveal sources of their generated answers, provenance tracking can be helpful to accredit referenced authors and subsequently guide users to the original artists. Other measures like watermarking AI generated images can be helpful for internet users to identify the growingly more realistic images. Recommendations of various practical measures are necessary to guide member states in developing effective legislatures to safeguard human creativity.

Current Efforts

To address concerns over AI ethics and their applications in various fields, UNESCO created the Recommendation on the Ethics of Artificial Intelligence in 2021.

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It adopted four core values for artificial intelligence in the globe: Human rights and human dignity, Living in peace, Ensuring diversity and inclusiveness, and Environment and ecosystem flourishing. Following the values, the recommendation contains ten core principles to ensure a human-rights approach to AI ethics: 1. Proportionality and Do No Harm, 2. Safety and Security, 3. Right to Privacy and Data Protection, 4. Multi-stakeholder and Adaptive Governance & Collaboration, 5. Responsibility and Accountability, 6. Transparency and Explainability, 7. Human Oversight and Determination, 8. Sustainability, 9. Awareness & Literacy, 10. Fairness and Non-Discrimination. The recommendation also includes actionable policy areas for national legislatures to consider (UNESCO, 2023). While the 2021 Recommendation kicks off discourse for policy making regarding AI ethics, it must continue to lead the discussion on specific issues and strive for global agreement on policies to protect artists' rights and interests. Delegates must decide whether to address issues of moral rights and copyright through UNESCO, by issuing a policy recommendation for reference, or to reactively compile policies after that of individual member states. In 2021, UNESCO was at the frontline of addressing ethical issues brought forth by this technological singularity. Delegates must continue to keep up with current legal developments and provide guidance for the future.

Questions to Consider

1. Should moral rights and copyrights be standardized globally? If so, how?
2. What elements of moral rights should be extended to protect artists?
3. Is AI-generated art “transformative”?
4. How can AI generated art increase transparency and attribute or recognize referenced artists?
5. How can UNESCO balance the promotion of scientific advancement while protecting the interests of human creativity and culture?

Key Terms

- Intellectual property - creations of the mind that are legally protected as intangible assets. It gives creators and inventors the exclusive economic rights to use, produce, and benefit from their work for a certain period of time
- IGOs - InterGovernmental Organizations
- NGOs - Non-Governmental Organizations
- Copyright - the legal protection which grants authors of creative works in tangible forms exclusive economic rights to their use, reproduction, and commercialization for a period of time
- Moral rights - authors' rights on creative works that remain even after the sale of said creative works, including the rights to claim and disclaim authorship and the right to protect the works' integrity
- Generative AI - Generative AI is a type of artificial intelligence that can create new content by learning patterns from existing data
- AI ethics - ethics surrounding the development and use of artificial intelligence, to ensure guidelines outlined by UNESCO

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