



Conferences and seminars Reports

**The Third International Conference of the Faculty of Law at
The British University in Egypt On “Legal Aspects of Digital
Transformation: Opportunities and Challenges”
Cairo, June 17-18, 2023 The British University of Egypt**



**Annual Conference
3rd Edition**

**Legal Aspects
of Digital Transformation**
“Opportunities and Challenges”

Cairo,
17 - 19
June, 2023

**Under the auspices of
Mrs. Farida Khamis**

Chairman of the Board of Trustees of the British University in Egypt

Professor Mohamed Loufi

President and Vice-Chancellor of the British University in Egypt

Chairman of the Conference

Professor Hassan Abdel Hamid

Dean of the Faculty of Law at the British University in Egypt

Conference rapporteur

Professor Tamer Al-Domiaty (Professor of Civil Law)

Assistant rapporteur

Dr. Marwa Zein (Lecturer of Private International Law)

Conference Organizing Committee

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(Teaching Assistants at the Faculty of Law)

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(Administrative Team at the Faculty of Law)

Report prepared by:

Laila Tawfique - Assistant Lecturer at the Faculty of Law

Introduction:

In recognition of its pivotal role in academia and society, and driven by its commitment as a scientific institution dedicated to fostering positive societal change, the Faculty of Law at the British University in Egypt witnessed, under the patronage of Mrs. Farida Khamis, Chairman of the Board of Trustees, and Professor Mohamed Lotfy, President of the British University, and headed by Professor Hassan Abdel Hamid, Dean of the Faculty Law, organizing the third international scientific conference under the title “Legal Aspects of Digital Transformation: Opportunities and Challenges” on Saturday and Sunday, June 17 and 18, 2023.

The conference was organized in cooperation with the Information and Decision Support Centre in the Egyptian Council of Ministers, the Legal Portal for Egyptian Legislation, and the law offices: Matouk Bassiouny & Hennawy, Sharkawy & Sarhan, and Khodeir & Partners. In addition to the Marketing and Advanced Research Centre at the British University in Egypt.

The conference brought together a diverse gathering of experts, scholars, and students, including prominent Egyptian university professors, esteemed members of the Egyptian judiciary, legal partners from renowned law firms, and technical experts specializing in technology and related fields.

The conference discussed the multifaceted dimensions and legal intricacies of digital transformation within the framework of Egypt’s Vision 2030, and shed light on the role of the Egyptian state in achieving digital transformation in all sectors, including the digitization of government services, the business community’s increasing use of modern and advanced technology, and the emergence of a number of business models that rely fundamentally on modern technologies. This conference was to discuss the legal questions about these

applications and the resulting legal problems related to rights and obligations in their new concept and other legal consequences of digital transformation.

Central to the discussions were profound legal inquiries concerning these applications and the resulting complexities related to rights, obligations, and the broader legal ramifications of digital transformation.

The conference also discussed, through its four pillars, the impact of technological development and digital transformation on various sectors, in addition to the impact of these changes on the general theory of law. In the various sessions, researchers raised a number of legal and technical challenges facing digital transformation not only in Egypt, but also on the global level. One of the conference's goals was to try to establish legal guidelines to regulate and exploit them in a more effective way to serve the countries' technological infrastructure, in addition to combating cybercrimes that may violate the confidentiality and security of data and ensuring international judicial cooperation to confront them.

Conference participants:

The conference witnessed the distinguished participation of a select group of prominent statesmen and academic figures from various disciplines and backgrounds. Leading this esteemed assembly were Counsellor Abdulwahab Abdelrazeq, Chairman of the Senate and President of the Future of the Nation Party, Counsellor Mohamed Abdelmohsen, President of the Judges Club of Egypt, Counsellor Tarek Ali Kamel, Assistant Minister of Justice for Technical Development and Judicial Information Centre, Dr. Mohamed Salem, former Minister of Communications and Information Technology, Dr. Sayed Abdelkhalek, former Minister of Higher Education, Deputy Ahmed Badawi, Chairman of the Communications Committee in the House of

Representatives, Dr. Guy Daly, Vice President of the University for Academic Affairs, Dr. Yahya Bahi El-Din, Vice President of the University for Research and Projects, Dr. Wael Qurtam, Director of the Marketing and Advanced Research Center at the British University in Egypt, along with a distinguished group of judges and faculty members. Additionally, a significant number of researchers and students interested in the various topics addressed by the conference were in attendance.

Conference’s Pillars:

Given the intertwining of digital transformation across various sectors and institutions, this was reflected in the pillars that addressed legal issues and future challenges through scientific papers presented and discussed by participants from diverse fields and backgrounds in both Arabic and English languages.

The first pillar focused on the legal aspects of digital transformation in the public sector, moderated by Professor Mohamed Mohamed Abdel Latif, Professor of Public Law at the Faculty of Law, Mansoura University. Researchers presented their papers covering topics such as “Digital Public Assets: A New Category of Public Assets,” “The Law and the Duty of Application to Cloud Computing,” “Foundations of Tax Treatment for Virtual Asset Companies - A Comparative Study According to Egyptian, Emirati, and Comparative Legislation,” “The Role of Electronic Administrative Regulation in Confronting the Dark Web and Deep Web: A Comparative Study,” and “The Cooperative Economy’s Interaction with Global Economic Systems (New Economy, New World, New Problems).”

In the second pillar, the focus was on procedural justice in the era of artificial intelligence and digital transformation, led by Judge Professor Fehr Abdel

Azim, Chief of Court of Appeals at the Economic Courts, with commentary by Professor Mohamed El Gendy, Digital Transformation Expert at the Public Prosecution and the United Nations. Researchers in this session presented various topics, including «Artificial Intelligence Techniques and their Impact on Judicial Procedures in Civil Courts,» «The Use of Artificial Intelligence in the Criminal Justice System: Opportunities and Challenges,» «Digital Transformation and Procedural Justice in Alternative Dispute Resolution: Balancing Act and Fear of Impossibility,» and «Procedural Justice and the Use of Technology and Artificial Intelligence in Remote Proceedings and Online Procedures.»

The third pillar discussed the legal regulation of civil transaction rights in the era of technology, moderated by Professor Hassan Abdel Hamid, Professor of Legal Philosophy and Comparative Law, and Dean of the Faculty of Law at the British University. Participants presented a range of topics, including «Towards Recognizing the Legal Personality of AI-equipped Robots,» «International Protection of Human Rights in the Digital Age and its Reflection on International Responsibility,» «The Special Nature of Certain Entities as Data Controllers during their Digital Transformation - A Comparative and Conceptual Study,» «Medical Technology and its Impact on the Human Body: Between Ban and Enhancement - An Applied Study on Perspective Industrial Parties and Improvement Implants,» and «Recognition of the Legal Personality of Artificial Intelligence Systems.»

As for the fourth and final pillar, it addressed the challenges of law enforcement in the era of artificial intelligence and the metaverse, moderated by Judge Professor Mohamed Mahmoud Shoukry, President of the International Association for Combating Cybercrime in Paris, with commentary by Professor Mohamed El Gendy, Digital Transformation Expert at the Public Prosecution and the United Nations. The session discussed several research

papers, including «Challenges of International Law Enforcement in the Metaverse,» «Fair Competition Controls and Consumer Protection in Digital Markets and Cross-border Transactions,» «Cryptocurrencies and Crime,» «Using the Concept of Open Banking to Strengthen Control and Regulate Digital Payments in Arab Countries,» «Applications of Artificial Intelligence in the Criminal Justice System: The Logical Next Step or Violation of Human Rights,» and «Challenges of Using Digital Evidence in the Era of Deepfake Crimes.»

Conference Recommendations:

The third international scientific conference culminated a series of insightful conclusions and recommendations, which are outlined as follows:

First: While digital transformation has significantly enhanced judicial, administrative, and economic processes across various spheres of life, it also poses inherent risks and negative consequence. Addressing these challenges necessitates a paradigm shift in legislative, academic, and societal thinking, ensuring alignment with human rights principles.

Second: Though it is legally inherent that there are two types of personalities; natural and legal personalities, yet, the legislature, due to the advent of digital transformation and artificial intelligence, is facing a third type of personalities: electronic or digital personality. Thus, requiring the establishment of a unified legal framework for this personality which would facilitate realistic applications in determining civil and criminal liability and combating cybercrimes effectively.

Third: The lack of a legislative reference framework that keeps pace with the various applied aspects of digital transformation globally. This requires urgently establishing an international organization for artificial intelligence

and digital transformation under the umbrella of the United Nations, which involves AI system manufacturers, in order to ensure that digitization and automation are practiced within a framework of ethics and human rights in consistent with international laws and norms.

Fourth: As we are facing a revolution in artificial intelligence, we are also facing digital illiteracy among a wide segment of users of modern technology applications, which has voluntarily contributed to the increase and diversification of cybercrimes, electronic blackmail, and violation of the privacy of personal data. Such issue requires civil society organizations, such as schools, universities, clubs, and the media, to work on the eradication of this digital illiteracy and the spread of awareness on the dangers of digital transformation.

Fifth: Artificial intelligence applications also represent an imminent danger to the education and scientific research system - which potentially impede human cognitive functions from studying, thinking, analyzing and weighing. We find that artificial intelligence provides a distorted alternative to canned ideas, fabricated research, and preconceived results, which requires the educational and research institution a strict confrontation by updating the regulations and laws to accommodate the aspects of digital transformation and artificial intelligence in the field of education and scientific research.

Sixth: It is also objective to acknowledge one of the challenges, namely, many law schools are still trapped in the traditional view of academic curricula, teaching strategies, practical training, and qualification. This necessitates the need to change this traditional view to keep pace with technological development by investing in legal knowledge educationally, economically, and socially. This can be achieved by developing curricula in law schools that include applications of artificial intelligence in various life affairs and developing training and practical programmes to qualify future lawyers and

judges, who will be able to adeptly navigate smart technological systems, whether in legal practices, judicial procedures, or necessary legislation.

Seventh: There are challenges that hinder the realization of ideal concept of complete justice from being achieved in practice. Foremost among these is the failure to digitize the notice as a basic procedure in the litigation process. In addition to the concern of many that artificial intelligence, digitization, and automation will replace the human judge and lawyer, which requires maximizing the role of the Ministry of Justice in implementing training programmes for all stakeholders of the judicial system. Learning from successful global implementations, such as the United States of America’s experience, can enhance the application of artificial intelligence in the judicial domain.

Eight: The concept of cybercrimes poses jurisdictional challenges, both domestically and internationally. This requires that all cybercrimes be considered of an international nature, which places them under global jurisdiction, even if they are committed locally or internally. There is also a legislative deficiency at the international level regarding cross-border cybercrimes, hacking crimes, and misuse of technology. In order for the perpetrators of this type of crimes to not escape legal accountability, and to overcome the legislative shortcomings of some countries, it has become necessary to establish international agreements that oblige the signatory countries to normalize a unified international law to confront cross-border cybercrimes.

Ninth: We also recommend the need to strengthen the infrastructure and technology to accommodate digital transformation. This will ensure the confidentiality, security and circulation of data between ministries, relevant bodies and the private sector, with the need to find a legal mechanism to make

personal data available to its recipients within a framework of regulations and laws that guarantee the protection of data privacy from violation and misuse.

Tenth: Finally, we recommend activating the role of the National Council for Artificial Intelligence, which was established in Egypt in 2019 and is affiliated with the Council of Ministers. This council is specialized in researching and activating the proposed strategies for artificial intelligence applications and digital transformation, while calling for the development of ethical guidelines for emerging technologies, which includes the foundations, the general and governing rules for the work of these applications.