The Second International Conference of the Faculty of Law at The British University in Egypt

On "Climate Justice, Human Trafficking, and Social Media & AI Regulation"

Held in Cairo and Online on July 28th, 2022

A side event for the 31st version of Christof Heyns African Human Rights Moot Court Competition

In Collaboration with

Centre for Human Rights, University of Pretoria, South Africa

Sponsored by

Raoul Wallenberg Institute for Human Rights and Humanitarian Law, Sweden

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Professor Hassan Abdelhamid - Faculty of Law Dean

Conference Rapporteur

Mr Ibrahim Sabra - Assistant Lecturer of Law

Conference Assistant Rapporteur

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Conference Organisers

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Introduction

The Faculty of Law at the British University in Egypt organised its second annual international scientific conference on contemporary human rights themes, namely Human Trafficking, Social Media & AI Regulation and Climate Justice, which was held in collaboration with the Centre for Human Rights at the University of Pretoria, and with the sponsorship of Raoul Wallenberg Institute for Human Rights and Humanitarian Law, Sweden.

The Conference was held simultaneously at Renaissance Mirage City Hotel in Cairo and virtually through video-conferencing platforms. The Conference was held in the occasion of the Faculty of Law at the British University in Egypt's hosting of the 31st version of the Christof Heyns African Human Rights Moot Court Competition, as the first time the competition was hosted by an Egyptian law faculty.

The Conference was presided by Professor Hassan Abdelhamid, Dean of the Faculty of Law at the British University in Egypt while the Rapporteur was Mr Ibrahim Sabra, along with Mr Ahmed Abdelgawad as the Assistant Rapporteur, both Assistant Lecturers at the Faculty of Law at the British University in Egypt.

The Conference was attended by a number of legal practitioners and academics, judges, and technical experts from Egypt, Africa, the United States, and Europe, alongside student participants of the African Moot.

The organisation of the Conference came in line with Egypt's hosting of one of the most important international events, which is the United Nations Climate Change Conference COP27, which was held in November 2022 in Sharm El-Sheikh, and in line with the vision of the Egyptian State and its historical role as well as the foundational goals behind the establishment of

the British University in Egypt at the hands of its late founder Mohamed Farid Khamis, may God have mercy on him, aiming at regional expansion and pluralism, and strengthening the soft power of the Egyptian State regionally in its Arab and African surroundings.

Throughout its five sessions, and through its research and the scientific and legal discussions that took place around it, the Conference focused on highlighting issues of climate justice, human trafficking, legal regulation of social media and artificial intelligence technologies, the impact of these issues on human rights, and an attempt to establish the necessary legal guidelines to control and frame them, through a perspective that achieves the protection of human rights.

Conference Aims

The Conference aimed at shedding light on contemporary cross-cutting themes. It focused on three important topics pertaining to the world, and the African region specifically, and creating numerous legal challenges, being climate justice, human trafficking, and social media & artificial intelligence regulation and the human rights touched and affected by these three topics, and their interplay.

In delving into these issues, the Conference focused on the different legal questions these issues raise, which require collaborative effort and constructive discussions to devise a comprehensive regulatory framework that would capture these issues and pave the way for collective African steps toward addressing them in order to preserve the rights and interests of the African continent on all levels.

Conference Keynote Speakers and Participants

The second international scientific conference was attended by a number of Egyptian, African, and international legal figures, including academics, diplomats, lawyers, judges, and experts from different specialisations and backgrounds. Led by Professor Michael Gerrard, founder and director of the Sabin Center for Climate Change Law at Columbia Law School, USA, Dr Abeer Haddad, Strategic Advisor to the United Nations on Climate Change and Director of the Institute for Legal Transformation in Germany, Counsellor Mohamed Fouda, Judge of the Appeal Chamber of the Cairo Economic Court, and the Anti-Terrorism Section of the United Nations Office on Drugs and Crime, Ambassador Dr Namira Negm, Director of the African Migration Observatory at the African Union, Dr Anne Kobe, Associate Professor at the Faculty of Historical and Contemporary Studies at Sodertorn University in Sweden, Mr Mohamed El Nawawy, Lawyer and former CEO of Telecom Egypt.

Followed by Mr John Adams, Director of the Legal Department of Privacy and Artificial Intelligence at LinkedIn, Dr Thompson Chengeta, Associate Professor at Liverpool John Moores University, UK, Dr Matthew Hall, Associate Professor, Department of Psychology, Faculty of Arts, British University in Egypt, Professor Andreas Pester, School of Informatics & Computer Science, British University in Egypt, and Dr Alex Atanasov, Lecturer at the Faculty of Law at the British University in Egypt, Dr Nomalanga Mashinini, a Lecturer at the Faculty of Law at the University of the Witwatersrand in South Africa, and Judge Sameh Orabi, Vice President of

the Egyptian Court of Cassation. The Conference sessions were enriched with the contributions of such renowned calibres through their ideas, discussions, research and interventions on the themes and topics of the conference.

Conference Pillars

The three pillars of the Conference were tackled from a human rights perspective, as follows:

The first pillar focused on the topic of climate justice, and was moderated by Mr Lloyd Kuveya, Deputy Director of the Centre for Human Rights at the University of Pretoria, South Africa, and included a presentation of three papers, namely, "Communication: Taking Public Knowledge into Account in Adaptation Policies to the Fight Against Climate Change", and "Climate Refugees: A Comprehensive and Legal Analysis to Understanding Climate Change-Induced Migration and Displacement", and "The Interplay of AI, Human Rights, and Climate Change Through Nature Rights, World Building, and Design Thinking Approaches".

Followed by the second pillar, which discussed the problem of human trafficking, and was chaired by Professor Hassan Abdel Hamid, Dean of the Faculty of Law at the British University in Egypt. It included two papers, the first on "Religious Beliefs and Practices in Trafficking and Bondage of

Women and Girls in Africa" and the second titled "Using Emerging African Cooperation to Promote Tax Transparency and Curb Illicit Financial Flows with the Aim of Ending Human Trafficking".

The third and final pillar was concerned with the issue of regulating social media and artificial intelligence, where the session was moderated by Mr Ibrahim Sabra, Assistant Lecturer at the Faculty of Law at the British University in Egypt, in which four research papers were presented that dealt with several topics such as "Criminal Responsibility for Violating Information Privacy through Social Networking Sites: A Comparative Study in the Egyptian and French Laws", "Artificial Intelligence Threats to Women's Rights: Implications and Legislations", "A Discussion on Data Colonialism that Precedes the Development of AI Content-Moderators and Permeates their Use", and "The Gap Between Self-Regulation and Content Regulation: A Case of Image Rights Violation on Social Media".

Recommendations of the Conference

The work of the Conference culminated in the following recommendations:

First – regarding human trafficking:

• The importance of concerted efforts to find effective and binding solutions to regulate human trafficking crimes, such as crimes of sexual exploitation, whether of women or children, because this type of crime is characterized by being transnational, and is carried out in various ways, especially through social media.

- The need to find mechanisms for effective international cooperation in confronting the human organs trade, the exploitation of children and women, and the development of binding legal frameworks to reduce them.

- The need to confront the different cultural traditions that contribute to human trafficking in Africa. Some include a history of exploitation during colonial times, the training of children in trades, street vending, child marriage, dowry payments, male domination, and country-specific traditions, such as forcing young girls into ritual servitude or trokosi (slavery to the gods) practiced in Ghana, and (Ukuthwala), which means kidnapping girls for marriage in South Africa, female circumcision, and belief in witchcraft.

- The need to review national laws and practices to ensure they are fully consistent with the Palermo Protocol in terms of the broader definition of human trafficking and/or in relation to articles related to prevention, victim protection and cooperation, as most African countries are parties to the Palermo Protocol and its amendments.

Second- regarding Social media and AI regulation

- The importance of legislative amendment to the Egyptian Data Protection Law No. 151 of 2020, which requires the inclusion of non-automated processing of personal data within its protection system, whether it is for the purpose of preparing it for electronic circulation on social networking sites, or otherwise.

- The importance of legislative amendment to Article 2 of Law No. 175 of 2018 regarding combating information technology crimes, by adding a report of the criminal responsibility of hosting providers if he has certain knowledge of the illegal nature of the content published by the electronic publisher, and despite that he refrained from notifying the authorities or

acting immediately to remove it or make it impossible to access. As well as determining his criminal responsibility for violating the obligation imposed on him to secure the data and information kept with them.

- The need to familiarise workers in the areas of information gathering, control and investigation of information privacy violations with the basic aspects of criminal liability - in its various forms - for operators of social networking sites.

- The importance of finding an international mechanism that works to subject social networking sites, while processing the personal data of their users, to a set of common technical and legal rules that guarantee the right to information privacy for users.

- The need to spread public awareness of the need to preserve the privacy of social media users, by taking the necessary measures to narrow the audience's follow-up to personal account items by controlling privacy settings.

- The need to strengthen the legislative frameworks for confronting the crimes of deep fake pornography by using artificial intelligence systems, which pose a grave threat, especially to women's rights, and result in huge damages, and to fill the legislative vacuum in some aspects of confronting such cross-border crimes.

- The need to confront disturbing repercussions of artificial intelligence technologies on the basic rights of individuals, as many companies, such as Google and Meta, have invested in artificial intelligence to control the virtual world, including monitoring social media, facial recognition, and identifying ways and means for people to access, share and interact with information; This is in addition to monitoring the content published by users, as this represents a global challenge that requires States, companies, and civil society to work to ensure that artificial intelligence technologies

promote and respect human rights rather than undermining and endangering them with the increase of serious threats AI poses, such as the rise of hateful content online, unfair automated decisions, and entrenched bias, particularly due to the lack of transparency, accountability, and safeguards.

• The need for a comprehensive regulatory framework that addresses the serious human rights implications of AI given the widespread global use of AI applications.

• The importance of reviewing the artificial intelligence-powered content monitoring tools spread on social media platforms that negatively affect the human rights enjoyed by people outside the Internet, such as freedom of opinion and expression, privacy, the right to reputation, and protection from sexual exploitation and abuse, as content censorship tools suffer from vague rules that often lack reference to human rights, and is developed by private parties subject to their direct interests.

Third- Regarding Climate Justice

• On climate change-induced migration and displacement, it is recommended that there should be financial responses to migration caused by climate change, which means that all public, private and not-for-profit sectors should support the United Nations Central Emergency Response Fund and the Green Climate Fund in alliance with countries accepting climate refugees to help rehabilitation and resettlement.

• There is a clear need to broaden the definition of "refugee", as there is a need for an international legal framework to accommodate the protection of climate refugees. Furthermore, it is necessary to adopt the idea of environmental rule of law.

• National laws should take into account environmental stress as one of the criteria in governance to analyse and overcome the rapid pace of climate

change, which will increase the number of climate refugees in the near future.

- Governments, regional bodies, and international organisations must implement their obligations with regard to environmental protection and sustainable development, and work at all levels to contain the phenomenon of global warming that affects humanity.

- Conference contributors proposed several interventions including replacing fossil fuels with renewable energy, reducing greenhouse emissions, strengthening early warning systems; greater commitments by countries in addressing the climate crisis, and more responsibility by commercial companies in the mining, automotive and manufacturing sectors in reduction of gas emissions and adaptation strategies to deal with the effects of climate change.

- Contributors stressed the need to address the challenges posed by climate change, such as the lack of accountability and financing, weak leadership, weak institutional frameworks, and high levels of poverty and inequality. They also stressed the need for the world to unite and face these challenges to overcome the harmful effects of climate change. Rich countries must also honour their commitments to climate finance, and recipient countries must be responsible and transparent in how they use grants and loans for adaptation actions.