Human Rights in the era of Information and Communication Technology

May 31, 2017

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Outline

1. Human rights
2. Human rights here and now
3. Impact of new technologies
Outline

1. Human rights
2. Human rights here and now
3. Impact of new technologies
What are human rights?
What are human rights?

Nobody knows.
Some examples
Some examples

- Religious freedom
Some examples

- Religious freedom
- Carrying a weapon
Some examples

- Religious freedom
- Carrying a weapon
- PATRIOT Act
Right to life

- What is the meaning of life?
- When does it start?
- When does it end?
- Can it be terminated?
- Can other rights balance it?
Where do I find human rights?

In the laws.

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Where do I find human rights?

In the laws.
Sources

- Declaration of the Rights of Man and of the Citizen (France, 1789)
- Bill of Rights (USA, 1789)
- Geneva Conventions (apply times of war—we ignore these)
- European Convention on Human Rights (Council of Europe, 1950)
- Charter of Fundamental Rights of the European Union (EU, 2009)
Sources

- Declaration of the Rights of Man and of the Citizen (France, 1789)
- Bill of Rights (USA, 1789)
- Geneva Conventions (apply times of war—we ignore these)
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1. Human rights
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Human rights in the ECHR

- Life (*but death penalty is accepted*)
- No torture
- No slavery
- No forced labour
- Liberty and security (*not much emphasis on security*)
- Fair trial
- Presumption of innocence (*might contain a mistake*)
- Principle of legality
Human rights in the ECHR (cont’d)

- Privacy and family life
- Freedom of thought and conscience
- Freedom of religion
- Freedom of expression
- Freedom of assembly and association
- Marriage
- Effective remedies
- Non-discrimination
Inerogable rights

- Life
- No torture
- No slavery
- Principle of legality
Extra rights in the Charter

- Human dignity
- No death penalty
- Physical and mental integrity *(informed consent, no eugenics, no clonation)*
- Protection of personal data
- Freedom of information
- Freedom of arts
- Freedom of scientific research
Extra rights in the Charter (cont’d)

- Education (*free compulsory education*)
- Seek work and conduct a business
- Property
- Asylum
- Protection in case of expulsion or extradition
- Equality (before law, gender, disabilities)
- Fair working conditions
Extra rights in the Charter (cont’d a bit more)

- Health care
- Environmental protection
- Consumer protection
- Vote and be voted
- Good administration
- Freedom of movement and residence
- Proportionality and *ne bis in idem*
Other rights in the USA

- Weapons (USA)
- No search
- Trial by jury (USA)
Difference from contractual rights

- Strictly personal
- Duties of States
- Not subject to contractual regulation
- Cannot be renounced abstractly
- Can be renounced concretely

Example: fair trial

I cannot renounce the right to own property, but I can forfeit a specific property.
Difference from contractual rights

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3. Impact of new technologies
Right to a fair trial

- Trial must not be overly lengthy
- IT management of courts
- Easier judicial searches
- ODR
Right to a fair trial

- Trial must not be overly lengthy
- IT management of courts
- Easier judicial searches
- ODR

Drawbacks

- New technologies are not implemented efficiently
- Drastic increase of litigation actually increases length
Right to security

- New means to ensure security
- Security with less victims
  - Tasers...
- Security without risking human lives
  - Dallas shooting
- AI and threat detection
Right to security

- New means to ensure security
- Security with less victims
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- Security without risking human lives
  - Dallas shooting
- AI and threat detection

Drawbacks

- Leaving security to AI is very uncertain
- Technologies can fall into the wrong hands
Right to privacy

Not affected by new technologies.
Ok, seriously

- Massive data collection
- Profiling
- Advertising
- Drones
Ok, seriously

- Massive data collection
- Profiling
- Advertising
- Drones
- Ubiquitous computing
- Social networks
- Instant diffusion
- Security breaches
Ok, seriously

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**Drawbacks**

- Severe consequences in case of violation of privacy
- Profiling is extremely dangerous
- Advertising is annoying and can’t be stopped (for now)
Freedom of thought/expression

- Communication technologies
  - Mass media, Twitter-like tools
- Easy diffusion of messages
- Political messages

Drawbacks
- Easier to influence people and form “belief groups”
- Censorship

“The web never forgets”

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- "The web never forgets"
Freedom of assembly/association

- Technology helps a lot in communicating or organizing activities
- Easier political activity
Freedom of assembly/association

- Technology helps a lot in communicating or organizing activities
- Easier political activity

**Drawbacks**

- Extreme political messages
- Terrorism
- Fake news
Human dignity

- Social networks
- Notice and take down (E-Commerce Directive)
- Not very efficient
Human dignity

- Social networks
- Notice and take down (E-Commerce Directive)
- Not very efficient

**Drawbacks**
- Slander
Health

- New medical technologies
- Replication of human tissues
- Medical assistance on the spot
- Remote surgeries
- AI-aided diagnoses (e.g., Deep Patient)
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- Remote surgeries
- AI-aided diagnoses (e.g., Deep Patient)

Drawbacks

- Hard to identify the reasons in Deep Learning
- Social consequences
Protection of personal data

- Recent right, born because of computers
- *Not* privacy
- Plenty of data collections, both voluntary and unrequested
- Avoiding abuse
Protection of personal data

- Recent right, born because of computers
- *Not* privacy
- Plenty of data collections, both voluntary and unrequested
- Avoiding abuse

### Drawbacks

- Major economic interests
- Non-homogeneous legislation
- Impossible to track everything
- Hard to implement effective measures
Freedom of information

- Very easy access to information
  - Newspapers, blogs, independent sources
- Generally information is free of charge
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**Drawbacks**

- Hard to sort relevant information (informative flood)
- Fake news
- Mass media control
Freedom of scientific research

- Access to documents
- Powerful problem-solving tools (four colors)
- Easy dissemination
- Mobility
Freedom of scientific research

- Access to documents
- Powerful problem-solving tools (four colors)
- Easy dissemination
- Mobility

**Drawbacks**

- Junk conferences ($$$)
- Junk research
- Eduroam doesn’t work
Education

- New educational tools
Education

- New educational tools

**Drawbacks**

- Impact is unclear yet
Work and business

- Automation
- Efficiency
- Safety
  - Better measures
  - Dangerous activities done by robots
- General life improvements
Work and business

- Automation
- Efficiency
- Safety
  - Better measures
  - Dangerous activities done by robots
- General life improvements

**Drawbacks**

- Many jobs are being replaced (EU)
- Welfare problems
- Security risks
Property

- Financial technologies
- Faster transactions
- Online stores
- IP
- Real estate
- Automation (Amazon)
Property

- Financial technologies
- Faster transactions
- Online stores
- IP
- Real estate
- Automation (Amazon)

Drawbacks

- Security risks
- IP violations
- Frauds
- Need for consumer protection
Environmental protection

- "Green" technologies
- Energetic efficiency
Environmental protection

- "Green" technologies
- Energetic efficiency

Drawbacks

- Global warming
- Weak protection by major industrial countries
Politics and administration

- Interaction between PAs
- Efficient administrative policies (Luxembourg and OTP)
- Cheaper elections
- Easier visibility (Trump + Twitter)

Drawbacks
- Not-so-efficient
- Easier to hack databases or alter votes
- Strength of the message > content
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- Interaction between PAs
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- Not-so-efficient
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Freedom of movement and residence

- Better transportation means
- Cheap travel
- Efficient tracking means (e.g., identifying citizens after disaster)
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- Cheap travel
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**Drawbacks**

- Safety issues (e.g., airports)
- Administrative difficulties