# Human Rights in the era of Information and Communication Technology

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Cesare Bartolini, Gabriele Lenzini

**Interdisciplinary Centre for Security, Reliability and Trust (SnT), University of Luxembourg**

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LUXEMBOURG

# Outline

❶ Human rights

❷ Human rights here and now

❸ Impact of new technologies

# Outline

**1** Human rights

**2** Human rights here and now

**3** Impact of new technologies

# What are human rights?

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Nobody knows.

# Some examples

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- ▶ Religious freedom

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- ▶ Carrying a weapon

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- ▶ 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?

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In the laws.

# Sources

- ▶ Declaration of the Rights of Man and of the Citizen (France, 1789)
- ▶ Bill of Rights (USA, 1789)
- ▶ Geneva Convensions (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)
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# Outline

# 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

# Inderogable 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 extradiction
- 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

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### Example: fair trial

I cannot renounce the right to own property, but I can forfeit a specific property.

# Outline

# Right to a fair trial

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

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- Trial must not be overly lengthy
- IT management of courts
- Easier judicial searches
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## 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
  - Tasers. . .
- 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

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- Massive data collection
- Profiling
- Advertising
- Drones

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- Profiling
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- Ubiquitous computing
- Social networks
- Instant diffusion
- Security breaches

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- ▶ Ubiquitous computing
- ▶ Social networks
- ▶ Instant diffusion
- ▶ Security breaches

## 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

# 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"

# 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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- ▶ Medical assistance on the spot
- ▶ 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

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## Drawbacks

- ▶ Major economic interests
- ▶ Non-homogeneous legislation
- ▶ Impossible to track everything
- ▶ Hard to implement effective measures

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  - ▶ 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

- 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

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## Drawbacks

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

# Property

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

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- ► 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)

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

## Drawbacks

- ▶ Not-so-efficient
- ▶ Easier to hack databases or alter votes
- ▶ Strength of the message > content

# Freedom of movement and residence

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

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### Drawbacks

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