

Digital Rights and Freedom of Expression in The Wake of Artificial Intelligence in Angola.

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Summary

We present in this article a linear approach to the basic principles of digital rights and freedom of expression, with a greater focus on the perspectives of the issues that generate debates, and among them opinions on artificial intelligence. On the one hand, we present a description of the orientation of each subject, where we seek to emphasize the main positions of various understandings on the subject and, on the other hand, a more technical framework, perhaps even legal or documentary, aiming at greater perceptible involvement on the subject.

Introduction

The current democratic situation emphasizes the principles in the plurality of thoughts, ideas and visions, versed in the continuous assistance of the fundamental rights to guarantee the dignity of humans. To speak of constitutionally provided rights is to look at their schematization within the parameters of implementation in the life of a certain group of people known for their peculiarities, cultures, languages, and customs, looking at a developing prism, legally offering people an environment of laws capable of subverting the need to search for sustainable and safe conditions outside doors.

Recognizing the evolutionary identity of technical means aimed at creating an environment of scientific inclusion, especially digitalization, computing, and information, it is nothing more than the need for democratization and expressiveness of independence, communicative and productive freedom. For Angola, the time to recognize and rethink the issue of rights and digital inclusion is this and more than a priority, because, in the country, there is a very positive need for people to seek and consume everything that has the seal of the development of science and that guarantees as little dignity as possible and acceptable. For people of vertical personality, the environment is clearly repressive due to the exaggerated need to cover negative situations that have to do with politics and legal and socio-economic situations that compromise or discredit state institutions.

It is known in advance that in Angola technology is not accessible even to the people of a more remote reality, where information arrives in an alternative way and through conventional means of communication.

It is notable that access to information and technology is precarious, for the interior of the Municipalities and Provinces in general, in the notable case of Lunda Sul, in Saurimo more specifically, for example, only within a radius of five kilometres from the city center, one can use the mobile phone network without many difficulties and restrictions, as well as acquire technological means available on the market. However, there is a need for more activities that aim to promote the effective stabilization of rights and freedoms aimed at communication, initiatives of technological and digital vision and freedom of expression and the press, which for the Angolan reality is to build a compact structure capable of supporting and giving meaning to what is legally, constitutionally, and internationally recognized.

“The contemporary world brings different forms of simultaneous application of actions that aim to offer efficient tendencies of transforming agents and active behaviours, a fact that ends up being a new prism of social coexistence that can give more meaning to a whole conjuncture in the ability to emphasize issues related to human dignity and morality, as ways of establishing in society a peripheral and decentralized view of the evolution of the capacity and intellectuality of those who can be the intervener”.

We describe the sentence above, exactly to get an idea that globalization is a very present reality and, there are those who say that “not accepting to evolve with time, especially nowadays, is the same as waiting for someone to send you a handwritten letter

in the mail, which can happen, but you have to be aware of how long you are going to wait and how much time you can lose". So, life is evolving, it is undeniable, and the mutations that this evolution offers us are very visible, the biggest proof of all this is that every human being will never be the same after the first second of his life has passed.

It can still be seen that in a world with more than two hundred countries, there is in each of them a vast diversity of cultures, languages, peoples, and customs, where each one wants to feel valued and above all wants to be a priority within what is measurable. Upon arriving at the largest organization in the world the United Nations (UN), the question that can be asked is: who is the most important person among all human beings on earth? This same one, without much to define (as many would do), would just look for the magna letter of the Universal Declaration of Human Rights, where it would be necessary to recite only the essential: "All human beings are born free and equal in dignity and rights, endowed with of reason and conscience"

To develop a more open understanding of this subject, it is necessary to seek an extensive view based on what the available bibliographies can offer. So, let's first define, perhaps in a simplified way, what we intend to bring here as a subject.

We begin by first defining what Rights are:

The digital dictionary says that rights are fundamental freedoms guaranteed by law and that varies from society to society, they are opposed to duties, and obligations that are not subject to individual freedom. The term rights derive as a plural of the word right, from the Latin "directus, a,um" in this sense it refers to the act of following certain rules.

According to the same *website*, human rights are understood as precepts and norms that are universal, that is, common to all human beings, regardless of the place of birth, ethnicity, race, gender, sexual orientation, or religion, they guarantee and safeguard human dignity.

The most extensive understanding that can be made of the term is that standardized and prescribed precepts as legally accepted are what can be considered legal rights.

The "Digital Rights" offer specificity of what is intended as the moral and legally established, it is related to the presence of individuals, in the use and consumption of digital or technologically produced content and articles and is closely linked to the fundamental rights of freedom of expression and access to information. Once there are people present in the digital world who promote the culture of using digital content, there is a great need to look at the previous form of consumption of the same, having the necessary possibility of legal regulation of practices recognized as the use of digital.

After all, what are digital rights?

According to Iberdrola, cyber rights recognize the right of people to access, use, create and publish digital media, as well as the right of access to computers, electronic devices and telecommunications networks necessary to exercise them.

Digital Rights form a set of visible options on the regulation present in the daily life of those who use the current tools of the world of technological information. As can be seen in terms of the total guarantee of fundamental rights in any part of the world, there are cases of atrocities and violations of basic or fundamental rights, which automatically presupposes the violation of internationally recognized legal diplomas. And in light of new and emerging technologies, digital rights continue to be challenged.

In this specific case, Angola is one of the countries that show a certain lethargy in cyber-technological evolution, since from the point of view of infrastructure and institutions, only now has it been marking steps that other geographies have already taken many years ago, a great example of this is the construction of a satellite specifically operated by Angola, another is the dynamization of structures for accelerating technological *startups*. Now, in all these cases, the most worrying thing turns out to be the lack of technology industries, involved in all aspects inherent to the subject. For example, there are no national brands in Angola for manufacturing high-tech products, from *smartphones*, *laptops*, digital cameras, digital product boards, and audiovisual products, among others. Another issue has to do with the teaching content and consumption material for the elevation of intellectuality, which few are produced in the country.

Programming as part of computer science is also marking its first steps, a synthetic evaluation made in most of the hosting of websites, applications and blogs, it appears that a large part are allocated on servers of foreign companies.

However, when certain rights are constitutionally guaranteed and the State has the responsibility to create and provide the necessary conditions for these rights to be assisted without restrictions, but do not translate into concrete actions, it is admitted for the sake of the truth that there are violations that go unnoticed, which, from a legal point of view, ends up not finding support for those who individually seek to develop their activities alongside institutional supervision.

There is still a lot to be done so that digital rights are continuously supported, which will demand more from all institutions, collectivities, and individuals, but little progress will be made without constitutional rights being present to all those who intervene in equal issues, as well as freedom of expression, information and communication.

To complement this approach, it must be understood that there is a fine line between Digital Rights and Freedom of Expression, as the latter is the main support of the other. Let's say that freedom of expression has been the reason for many conversations of protests from those who want to see their thoughts expressed. According to the Brazilian *website* Fia, the extent of what can be understood as freedom of expression is part of the Universal Declaration of Human Rights. Let's take a look at the referenced text below:

“Freedom of expression is a concept that provides the opportunity for one or more people to express their ideas without fear of coercion or reprisals”. The term refers to the free expression of different voices, regardless of whether they agree, disagree

on some points or disagree with each other, regarding any topic or individual. This is one of the reasons why freedom of expression is a prerequisite for any democratic government today.

Obviously, having the freedom to show, publish or disseminate thoughts does not mean that this can be done without observing some limits. To live well in society, it is essential to be aware of statements that may, for example, offend the preferences, origins and lifestyle of other individuals.

Given its relevance, freedom of expression has a place in the Universal Declaration of Human Rights of the United Nations (UN) – a document that guides the guarantee of fundamental rights and freedoms for all. In Article 19, the text states: “Everyone has the right to freedom of opinion and expression, which implies the right not to be disturbed by their opinions and the right to seek, receive and disseminate, regardless of frontiers, information and ideas by any means of expression”.

The Constitution of the Republic of Angola has something to say on the matter, when it presents the total openness linked to information, in its **Article 40 on Freedom of expression and information**. It is all good to describe here the points contained in this article:

Everyone has the right to freely express, disseminate and share their thoughts, ideas and opinions, by word, image or any other means, as well as the right and freedom to inform, to be informed and to be informed, without impediments. nor discrimination.

The exercise of the rights and freedoms mentioned in the previous number cannot be impeded or limited by any type or form of censorship.

Freedom of expression and freedom of information are limited by the rights of everyone to a good name, honour and reputation, the image and privacy of private and family life, the protection of children and youth, the secrecy of State, judicial secrecy, professional secrecy, and other guarantees of those rights, under the terms regulated by law.

Infractions committed in the exercise of freedom of expression and information make the perpetrator liable for disciplinary, civil and criminal liability, under the terms of the law.

All persons, whether natural or legal, are guaranteed, under the terms of the law and under conditions of equality and effectiveness, the right of reply and rectification, as well as the right to compensation for the damage suffered.

Freedom of expression is one of the most frantic issues to date since in Angola it is difficult to live with different opinions, for domestic politics the struggle of opposites is still about accepting different thoughts, which for the democracy that is intended to see consolidated is a real setback.

Above we saw the violation of fundamental rights announced in the Universal Declaration of Human Rights so that institutions could play a fundamental role in the consolidation of democracy.

The main understanding of this subject extends to many other areas of the population's life and it is essential to seek meaning in similar subjects, which leads us to emphasize freedom of the press, which is the ability of an individual to publish and have access to information, through various means of communication, without interference, censorship or fear of repression.

According to the Aurum platform, freedom of the press is at the heart of a free and democratic society. Through independent and uncensored journalistic information, people can correctly assess the events of public life. For this to happen, however, it is necessary to respect the previously established limitations.

Freedom of the press is the basis for every democratic state. Through it, the people exercise their right to be informed and participate in citizenship with awareness of the public reality. On the other hand, as fundamental as it is, freedom of information must respect its internal and external limits, particularly respect for rights of equal normative hierarchy.

Within the Constitution of the Republic of Angola, there is a contribution to press freedom in Article 44 on Freedom of the press, which can be described in more detail below:

1. Freedom of the press is guaranteed, and it cannot be subject to any prior censorship, namely of a political, ideological, or artistic nature.
2. The State guarantees pluralism of expression and guarantees the difference in ownership and editorial diversity of the media.
3. The State ensures the existence and independent and qualitatively competitive functioning of a public radio and television service.
4. The law establishes the forms of exercising freedom of the press.

The constitutional concern with freedom of the press is not superfluous. On the contrary, the people recognized that it is necessary for the construction of a free and fair society, capable of facing with conscience the violations of the constituted powers.

Although all fundamental rights are aimed at limiting the power of authority, freedom of the press plays a leading role in this function. Only when we have access to the events of the world can we exercise judgment on them. Only when we have at hand, from reliable sources, certainty about errors and abuse of political or social power, can we rise up against it.

It is understood that it is necessary to make a general framework on the legal bases of rights and digital inclusion as well as freedom of expression. All the above is a clear legal support that everyone can have access to and that everyone is effectively entitled to.

According to number 4. Of Article 44 of the Constitution of the Republic of Angola, there are legal diplomas that govern freedom of the press, which point out journalists as people indicated for the dissemination of true and impartial information. However, the political context is controversial to this reality, because democratically Angola is only in its embryonic phase since the journalistic class that does not align itself with political forces has faced many difficulties in the exercise of its functions, and the sources of information are limited and the means of dissemination often end up being compromised, suffering sanctions and reprisals from institutions and entities whose identities are known, but which, for the good of their careers, prefer to keep them anonymous.

This class in Angola is faced with many situations in which they can act based on the law, but there are complaints that even judicial institutions are compromised and discredited for playing roles that seriously violate the Constitution and Law, which ends up leaving all those who decide to exercise their profession neutrally and impartially adrift.

And in speaking about Artificial Intelligence (AI), technology is part of our daily lives and shapes, how individuals and groups interact with devices, and this can open them up to be tracked and identified, and critically influences what kinds of information can be inferred from their personal data. AI involves the collection of large amounts of data, and this can be used to profile and predict future behaviours of individuals and groups. In addition, AI has the potential to harm human rights such as freedom of expression which is an essential foundation for open and democratic societies.

Increasingly, social media platforms, websites and search engines use AI systems to control information that users interface with online to make suggestions of their preferences for example during online shopping, music selection, etc.

AI has the power to impact freedom of expression through self-censorship and content moderation. Self-censorship happenings when individuals or groups suspect that they are under surveillance while AI systems that are not trained in the languages of minority groups or related slang can censor legitimate speech. While very little is known about AI systems and development in Angola, there is no legal framework for Artificial Intelligence in the country. On 21 December 2021, the Angolan Executive approved the Regulation on the Law on Video Surveillance (No. 318/21) was approved and regulates video surveillance otherwise known as 'CCTV', in addition, other laws that regulate technology in Angola include the Law of Electronic Communications and Information Services (Law no. 23/11), Law of Network and IT Systems Protection (Law no. 7/17 , General Electronic Communications Regulation (Presidential Decree no. 108/16); Regulation on Information Technologies and Services (Presidential Decree no. 202/11) and Mobile Identification or Location and Electronic Surveillance (Law no. 11/20).

But, today, the expansion and diversification of the types, means and options of making and receiving information is a positive reality for everyone who legally decides to disclose their content. Social networks offer a great opportunity for transformation and digital

inclusion, which for many is valuable to retain the attention of the audience of people who have a strong presence on social networks, especially youth, who on rare occasions use conventional means to stay in the loop. of current information.

Social networks are very important these days, because there has been a growing number of channels and pages that end up gaining more credibility in relation to the information channels of conventional media. Its revolution is of great notoriety, it is difficult to measure or quantify the benefits and advantages in the lives of its users, due to connectivity and fast data processing.

It is worth noting here that social networks are not accessible to all people, nor do physical means of communication exist and we say again that certain regions, people, groups, and villages have seen their rights violated by the state, compared with the most advanced cities, rural areas lack network infrastructures capable of connecting or facilitating access to information for anyone and everyone. Now let's see: precarious education does not allow certain contents, bibliographies or writings to be at their disposal; even if people from the aforementioned and specific circumscriptions have access to education, it is the most basic and literacy, which does not guarantee stable support for the resident people; because they have an almost non-existent education, they should never be informed about the rights and duties of the human person; and even if they know or have an idea about their rights, there are no juridical institutions that receive their concerns; where potable water, electricity and communication routes are often lacking in conditions of safe accessibility; where governments rarely arrive to solve basic problems; these areas lack telephone, television and broadcasting networks, all because the state would have the responsibility, through its public bodies, to deliver the telecommunications network infrastructures; there, nobody is heard because access is deficient; purchasing power is precarious, often having a radio or a flashlight is a luxury; so it is almost impossible for companies to set up their branches in rural areas for obvious reasons; unfortunately there is no connectivity for them to reach the rest of the world like other locations or city centers in metropolises.

The expression of the human will translate into the improvement of their living conditions, where in all aspects they manage to seek a point of evolution, all this is motivated by the notorious growth of social, political and economic conditions, which will since then create a certain opportunity of giving space and opening for evolution. People know their strengths when they find means at their disposal that allow them to develop their capacities, and this is obviously motivated by the presence of a government that knows its obligations and that, consequently, will guarantee that everyone is treated equally and that they are first guaranteed human dignity. What is undeniable is how AI affects our interaction with technology, shapes how the civic space organizes and assembles and may affect media pluralism.

It is imperative that policymakers, regulators, civil society and telcos understand the implications, risks and potential of AI on freedom of expression.

Digital inclusion is the final product of a set of assumptions, which include the assistance of fundamental rights, safeguarded by the letter of the Universal Declaration of Human Rights and the Constitution of the Republic of Angola, where the rights of freedom of the press and freedom of expression, that unfortunately for the Angolan reality it is necessary that the common will be the starting point for the effective resolution of the problem of the violation of these rights.

Conclusion

We end our approach with the “parentheses” open, in the perspective of regularly seeking the replacement of legality on what the diplomas of law offer us as being primordial in what is known inside and outside the country. It is very important to emphasize that digital rights and freedom of expression suffer abuses and violations and that the democratic environment to exercise them is still not properly compacted, with a specific need for their consolidation, guaranteeing a visible and positive effect on people’s lives.

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