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LAWYERS HUB
Tech for Justice

Newsletter

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DATA PROTECTION TRAINING

Data Protection, Data Security and Compliance

📅 4TH & 5TH AUGUST 2022

DURATION:
2 Days

EVENT TYPE:
In-person//
Nairobi, Kenya

Sign up hello@lawyershub.ke or Call +254784840228

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Data Protection Training

The Lawyers Hub and the Africa Digital Policy Institute invites you to attend the Data Protection Compliance Training targeting all persons handling Data, including Officers working in Legal, ICT, Human Resource, Records Management, and Finance Departments. It is crucial for you & your organisation to be well versed and compliant with Data Protection Laws. This 2 day in-person training is sure to get you compliant with the Data Protection Laws. The training will be held on 4th and 5th August 2022 at the Lawyers Hub, in Nairobi, Kenya. To sign up email hello@lawyershub.ke or call **+254784840228**

STARTUP AND E-COMMERCE NEWS

Nigeria's Senate passes the Nigeria Startup Bill

Photo: The Telegraph Nigeria

■ The Nigerian Senate on Wednesday, 20th July 2022 passed the Nigeria Startup Bill (NSB). This news comes almost 4 months after the bill reached the National Assembly in March this year where it was accompanied by a letter from the presidency. The letter explained that the Startup Bill seeks to position the country's startup ecosystem as the leading digital technology centre in Africa. Among other things, the bill seeks to provide for the establishment, development and operation of startups in the country via incentives like tax breaks, government loans, and credit guarantee schemes.

With the Nigerian Senate's passing, the bill now moves onto the House of Representatives (HoR) where it will pass through 3 readings. If the HoR agrees with the contents of the bill, the bill will be sent to the president for his assent, and will thus become law. The bill is one step closer to a presidential assent which means Nigeria's tech ecosystem may see an improved enabling environment in the near future.

Sudanese fintech Bloom nabs $6.5M, backed by Y Combinator, GFC and Visa Bloom

■ Sudan-based fintech that offers a high-yield savings account and adjacent digital banking services, has raised a $6.5 million seed round. This investment is coming after the startup's undisclosed pre-seed round last year. This financing welcomed participation from fintech giant Visa, Y Combinator, U.S.-based VCs Global Founders Capital (GFC) and Goodwater Capital and UAE-based early-stage firm VentureSouq. Other investors include angels Arash Ferdowsi, Dropbox co-founder; Nicolas Kopp, former U.S. CEO of N26; footballers Blaise Matuidi and Kieran Gibbs; and early employees at Revolut and Tide. The investment from Visa came as one of the incentives for Bloom's participation in the global card scheme's Fintech Fast Track Program. A partnership was formed, and as a result, Bloom — the first Sudanese startup to get admitted into the program — switched its cards from Mastercard to Visa.

Liquid Technologies launches Africa's first Cyber Security Fusion Centres in South Africa

Photo: TechFinancials

■Liquid Cyber Security, a Cassava Technologies company, launched the first of its matrix of Cyber Security Fusion Centres on July 20th 2022, in Johannesburg, South Africa. From espionage to critical infrastructure sabotage, combat innovation, and organised crime, Africa faces an increasing array of cyber threats. However, most African countries have yet to develop a national cybersecurity strategy and South Africa is one of 28 countries worldwide with a cybersecurity policy.The company plans to respond to threats using a strategic, tactical, technical, and operational threat intelligence approach, allowing teams to make informed decisions while mitigating the threat for customers. These centres will provide threat intelligence and consolidate the existing Liquid Cloud Operations and Liquid Network Operation Centres, ensuring customers have comprehensive end-to-end security support across cyber security, cloud, and networks.Consequently, businesses and governments in Africa will access Liquid's network of Security Fusion Centres located in key markets.

Photo: Unsplash/Mollie Sivaram

Netflix selects Microsoft for new ad supported subscription plan

■Earlier in April, Netflix announced that it will introduce a lower price plan which was to be ad-supported. Fast forward to July 13th. After considerations on which Big Tech company to partner with on its new service. Netflix announced It will partner with Microsoft for its ad-supported subscription plan. According to Netflix company news, the decision was informed by Microsoft's ability to innovate over time, both in tech and marketing all while considering user privacy.

Safaricom increases phone and sim card prices

Photo: Soracom

■In a decision the telco says is informed by the consideration of regulations on excise tax and import duty, Safaricom announced that it will amend its pricing of Sim Cards to sh50 plus sh50 initial top up airtime to include sh50 excise duty on imported sim cards as per the finance act 2022. This took effect from 15th July 2022. The prices of phones sold at Safaricom shops will increase by at least 10% to include the 10% excise tax and 25% import duty in accordance with the Finance Act 2022 and Common External Tariff charged by the EA community. Safaricom's competitors such as airtel and telkom do not charge for sim replacement and fresh registrations. Bearing in mind the ongoing mandatory sim card registrations as per sim card registration regulations 2015 which is expected to be finalized by 15th October, Safaricom which is currently the largest telco in Kenya garnering 65.88% mobile subscriptions is set for more profits.

DATA PROTECTION NEWS

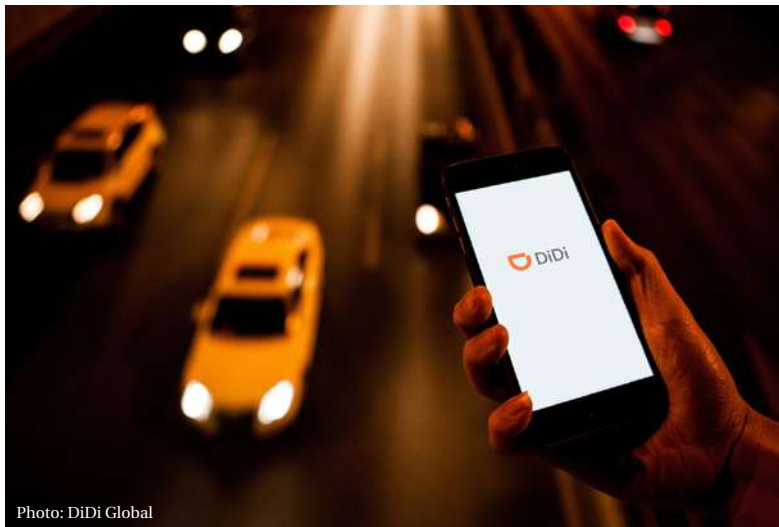## China Fines Didi Global $1.19bn for "Heinous" Data Security Infringements

Photo: DiDi Global

■ China has fined global mobility technology platform Didi Global around $1.2bn (8.026 billion yuan) for violating the country's network security law, data security law and personal information protection law. The Cyberspace Administration of China (CAC), the country's cybersecurity regulator, also fined two Didi executives 1 million yuan each for the infringements. The announcement came a year after the ride-hailing service had its app removed from the web by the Chinese authorities over privacy concerns, when the investigation started. Investigations saw Didi Global Co., Ltd.'s `indicted for violations of the Cybersecurity Law, the Data Security Law and the Personal Information Protection Law. There was no mention of whether the firm, which has around 550 million users across the country, as well as in Australia, Latin America and other Asian countries, could restore its apps to apps stores in the country.

Online platforms challenge personal data protection and Canada's cultural sovereignty

■ Bill C-11, which brings online platforms such as YouTube, Netflix, Apple TV, TikTok, Instagram within the scope of the Broadcasting Act of 1991 – raises important questions about Canada's sovereignty over cultural policy. Further, the dissemination of media content through online platforms in Canada raises broader questions of data governance and control over our own personal data. These issues follow decades of the federal government doing little to ensure that the Broadcasting Act was kept current, while online giants progressively expanded their power. American legal scholar Julie Cohen notes the size of these platforms means they often share the attributes of the most powerful states in terms of population, territory and network capacity as well as in the shaping of news, ideas, preferences, laws and norms. Canada's data sovereignty needs to be reassessed in light of the intensification of the use of personal data of media content viewers. At the infrastructure level, does it serve Canada's broadcasting policy to have the CBC/Radio-Canada use YouTube as a default platform for its online programming? What agreement is in place to ensure the interests of Canadian viewers are protected and in line with Canada's broadcasting law? These concerns have been overlooked in the ongoing debates around Bill C-11.

EDPB & EDPS joint opinion on the proposal for a regulation on the European Health Data Space

■ The European Data Protection Board and European Data Protection Supervisor formulated a comprehensive proposal for a regulation on the European Health Data Space. The proposal tackles the opposing needs for Health Data Protection for individuals versus collection of health data to aid in better research, innovation and consequently healthcare delivery. The proposal was developed by the two governing bodies with the aim to cover as much ground as possible to help realise both public benefit while preserving data subjects interests. Some of the highlights are detailed as follows; Firstly, some of the recommendations will call for the weakening of privacy rights to allow for the exchange of health personal data where use is backed by law. The proposal calls for the EU to create a distinction where laws conflict between the GDPR and member state's laws to enable clarity for health data handling. The description of rights in the proposal slightly differs from those in the GDPR. Moreover, the proposal touches on the exchange of data between wellness apps and electronic health records. It recommends that wellness apps be denied the secondary use of health data considering how invasive data collection by some wellness apps may be, further, the quality of data collected by some of these applications are questionable. For now, and in the foreseeable future, the proposal does not envision a centralised database. This is mainly informed by a need to facilitate efficient health data transfers.

American Data Privacy and Protection Act heads for US House floor

■ Despite facing a time crunch, a flood of stakeholder feedback and unforeseen Congressional opposition, the proposed American Data Privacy and Protection Act keeps on chugging.
The bill's next act will come in the U.S. House floor after the House Committee on Energy and Commerce markup July 20 resulted in a 53-2 vote to advance the bill to full House consideration. The vote to advance marks the first time a comprehensive privacy bill will be made available for a full chamber vote in either the House or the Senate.
The majority of the updates included in the amended bill passed out of committee came via an amendment in the nature of a substitute submitted by Energy & Commerce Committee Chair Rep. Frank Pallone, D-N.J. Important changes made by the AINS included changing the private right of action's effective date from four years to two years post-adoption, expanding categories of sensitive information, enforcement tweaks related to the authority of the U.S. Federal Trade Commission and the California Privacy Protection Agency, updated language on the "actual knowledge" standards around minors' data, and technical changes to the definitions for "covered entity" and "service provider."

LEGAL-TECH NEWS

Wilson Sonsini-Backed SixFifty Launches US Privacy Tool for Complex Landscape

Photo: SixFifty

■ SixFifty, the Utah-based legal tech developer backed by Wilson Sonsini, has launched an automated tool for US data privacy law compliance, in what is a complex collection of different regulatory regimes across America. It will cover California, Colorado, Virginia, Utah, and Connecticut for now, as they have all passed data privacy regulations in the past five years. Several other US states are expected to pass similar laws soon, they added. As to what it will do, the solution 'can create a single set of customised compliance documents that cover the requirements of each individual law. The documents include a company privacy policy and website privacy notice'. It contains four parts: First, companies can take a free automated assessment to determine which data privacy laws they must comply with, Second, companies can generate one set of privacy compliance documents that account for the laws that are applicable to the business, Third, SixFifty's document library allows companies to draft compliance paperwork that are specific to any one data privacy law in the US, and Fourth, SixFifty tracks the law in each state and updates the compliance paperwork accordingly. Companies receive periodic updates about those changes so they are aware of when they need to refresh their documents.

Evisort LegalTech Company Focuses on NLP Training, After 'No Humans in the Loop' Push

■ CLM 2.0 company Evisort, a US based legaltech company, which has long had a strong emphasis on its 'no humans in the loop' Natural Language Processing (NLP) capabilities for contract analysis and data extraction, is launching an Automation Hub to help customers train up the system for less common clause types and unusual wording. As the US-based company explained: 'Automation Hub will enable anyone to easily train Evisort's proprietary, contract-focused AI to recognise clauses unique to their business with just a handful of examples [and] no coding experience is necessary. 'The AI allows users to easily find and report on unique provisions within their company's contract portfolio, leading to improved workflows, accelerated deals, and faster answers to important contract questions.' And they added in relation to ALSPs and law firms: 'With Automation Hub, anyone can turn their contracts into insights without expensive outsourced review to track the provisions their business needs.' This is noteworthy because the fast-growing company, which earlier this year bagged $100m in fresh funding, has often put a strong focus on how it can analyse and extract key clauses and the data within them without needing a 'human in the loop'. This has also been marketed as their 'self-populating dashboard', with the onus on the phrase 'self-populating', i.e. you don't need to intervene to get accurate results.

DIGITAL ID NEWS

Experts suggest EU AI Act could stifle or enable biometrics adoption

■ The European Union's AI Act could dramatically increase the compliance burden on biometrics developers even before their systems reach the product stage, according to a panel of privacy and AI experts convened by the International Association of Privacy Professionals (IAPP). Conversely, it could enable member states to establish frameworks for real-time remote facial recognition use. How exactly the legislation will treat things like algorithm training, or what carve-outs will remain on the real-time remote biometrics ban when it reaches a final vote, however, is still largely undetermined. Many questions remain to be answered for the AI Act, but numerous other regulations, including sector-specific measures, are also in place or being crafted. Aligning these efforts adds a further layer of complexity.

Biometric vaccination cards now available for Cameroonian travellers

■ The head of the Yaounde international vaccination centre, a structure under the Ministry of Public Health of Cameroon, Dr. Ntsobe Njoh Bolo Bolo Yanne Emmanuel, says biometric vaccination and health cards for Cameroonian travellers have been introduced to facilitate the process of checking their vaccine status when they are getting into or out of the country.
The official stated that the move is a novelty intended to keep Cameroon apace with other nations in terms of issuing modern and secure vaccine and digital health passes.
Dubbed 'Pass Vac Santé', the card with five-year validity, comes to complement the analogue ones which must first be presented at the time of obtaining the biometric version. The card, which intends to properly secure vaccination information, has been validated by health experts, and offers the possibility after vaccination, to impute all information concerning the vaccinated person, to the card digitally. With a QR Code scan, one can get all the information needed about the card holder's vaccination status.

Ethiopia using Tech5 biometric engine, digital ID in MOSIP-based scheme pre-launch

■ Ethiopia's National Identity Program (NIDP) is set to use Tech5's T5-ABIS BE (Biometric Engine) and T5-Digital ID solutions in the pre-launch phase of its foundational national ID.
The biometric engine covers face, fingerprint and iris biometrics for identification, de-duplication and enrollment. After quality assessment and deduplication by the biometric engine, the T5-IDencode platform generates a digital ID via an integration with the Modular Open-Source Identification Platform, Ethiopia's chosen ID structure.
T5-Digital ID is for issuing and authenticating the IDs. The IDs can be displayed on a mobile device or printed and work on and offline, meaning the holder does not need a device, simply a hard copy of the complex T5-Cryptograph QR code. The individual has control over how their data is managed and used. Issuance is centralized and verification decentralized.

Photo: Martin Klimek

Google fires software engineer who claims AI chatbot is sentient

■ Google has dismissed a senior software engineer who claimed the company's artificial intelligence chatbot LaMDA was a self-aware person. Google, which placed software engineer Blake Lemoine on leave last month, said he had violated company policies and that it found his claims on LaMDA (language model for dialogue applications) to be "wholly unfounded". Lemoine, an engineer for Google's responsible AI organisation, described the system he has been working on as sentient, with a perception of, and ability to express, thoughts and feelings that was equivalent to a human child. Google and many leading scientists were quick to dismiss Lemoine's views as misguided, saying LaMDA is simply a complex algorithm designed to generate convincing human language.

The Future of Work Looks Bleak for South Africa's Newborns – New Study

Photo: Google

■ Climate change and artificial intelligence-enabled technology development will be key drivers of how work is organised and valued in 2050, but whether it will be a dystopian or progressive future will depend on how far South Africa democratises technology and progresses towards climate neutrality in the present.Pervasive surveillance by government and big business tracking data, income and education earned through credits for community service and "good green behaviour", self-sufficient liberation colonies escaping the surveillance net, de-colonised co-operative communities run on trade and bartering, salaried work only for the elite – these are some of the alternative future scenarios of work and society in 2050 developed in Futures Studies* research at Stellenbosch Business School. Fortunately, Futures research, the systematic study and exploration of possible alternatives, enables "interrogation of the assumptions behind policy" and that consideration of alternative futures could be used for policy decision-making and strategizing in the present.

New Technology Gives AI Human-Like Eyes

■ Researchers at the University of Central Florida (UCF) have built a device for artificial intelligence that replicates the retina of the eye. The research might result in cutting-edge AI that can identify what it sees right away, such as automated descriptions of photos captured with a camera or a phone. The technology could also be used in robots and self-driving vehicles. The technology, which is described in a recent study published in the journal ACS Nano, also performs better than the eye in terms of the range of wavelengths it can perceive, from ultraviolet to visible light and on to the infrared spectrum. The technology expands upon previous work by the research team that created brain-like devices that can enable AI to work in remote regions and space.

Photo: Adobe Stock

BLOCKCHAIN AND DIGITAL CURRENCIES

UN recommendation to developing countries to Tax Crypto Sector

Photo: IndexUniverse Crypto

■A policy brief by the United Nations Conference on Trade and Development made recommendations to developing countries, including Kenya, to regulate the crypto sector in various ways in order to reduce their exposure to the risks of financial instability in the crypto market. In the policy brief, the UN trade body recommended a mandatory registration of crypto exchanges and digital wallets. Moreover, the trade body called for similar transaction taxes to excise duty charged on bank transactions to be used for crypto exchanges. Further, UNC-TAD recommended prohibition of advertisements for crypto exchanges and digital wallets online to lessen their popularity.

India's Central Bank wants to ban Cryptocurrencies

Photo: NextBigWhat

■India's Central Bank has expressed concerns to India's parliament on the "destabilising effect of cryptocurrency on the monetary and fiscal stability of a country." Nirmala Sitharaman, India's minister of Finance recommended the development of a crypto legislation. Since the crypto sector operates beyond borders this would require international collaboration to avoid regulation arbitrage. Coinbase halted operations in India earlier this year stating informal pressure from the Reserve Bank of India. Similarly, local crypto firms have faced a sharp decline in operations.

PRODUCT HUNT

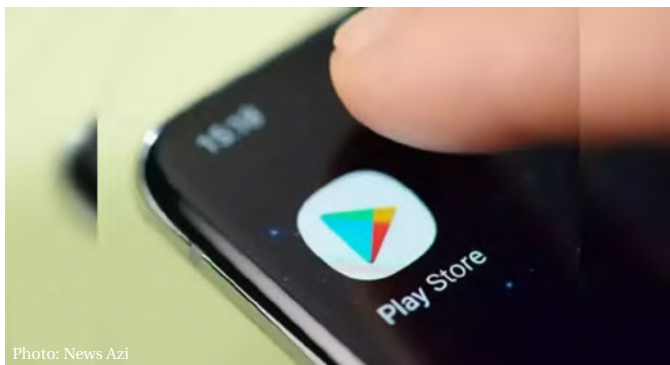## Google's adding the app permissions section back to the Play Store after removing it

Photo: News Azi

■Google says it's rolling back its decision to remove a section from the Play Store that listed which permissions an app uses. The company had more or less replaced that info with its Data Safety section, which is supposed to give you an idea of what data apps are collecting and how that data is used. The problem, as several commentators pointed out, is that the information in the Data Safety section came from developers, whereas the app permissions section was generated by Google. By removing it, Google made it impossible for users to do a quick fact-check by comparing the two sections or to use the info from both to get a more complete picture of what an app is up to and what it has access to. In a Twitter thread on Thursday spotted by Android Police, Google says the app permissions section will return soon and that it made the decision to bring it back because of user feedback. At time of writing, I wasn't able to see it on my device, but when the section returns, it should be available along with the Data Safety section.

YouTube says it will remove 'unsafe' DIY abortion guides

Photo: Olly Curtis

■YouTube says it will begin removing "instructions for unsafe abortion methods" or content that "promotes false claims about abortion safety." The company made the announcement on Twitter, saying it falls under its medical misinformation policy. It's also adding an information panel to related videos that will offer health information about abortion from the National Library of Medicine, similar to what it's done for vaccines and some other topics. Several lawmakers have asked YouTube parent Google to restrict Search and Maps results that direct people seeking abortions to "fake" clinics where doctors attempt to dissuade them. However, today's decision seems more likely to address videos promoting self-managed abortions with herbs like mugwort and pennyroyal, a practice many herbalists have warned is unreliable and can cause serious health problems. (By contrast, abortion via mifepristone or misoprostol pills is widely considered safe and reliable, even when taken outside a doctor's supervision.) The videos have been primarily reported on TikTok — where some have become extremely popular.

POLICY UPDATE

2/3rd gender rule unlikely to be met by 13th government

■ According to the tally of candidates cleared by the electoral agency to vie for seats in the 13th parliament, it's highly unlikely that the 2/3rd gender rule will not be met. Furthermore, IEBC rejected all party nomination lists for failing to attain the 2/3rds gender mark.

National Assembly hiring New clerk to be suspended

■ Activist Okiya Omtata moved to court to stop the Parliamentary Service Commission and the National Assembly of the 12th parliament from appointing and approving the clerk of the 13th National Assembly. This followed after the special sitting by Members of parliament on July 13th 2022 was cancelled after it was revealed that the votes were going to be made in favour of a certain candidate. "The petitioner is aggrieved to the extent that it is opaque and it does not provide for public participation, the impugned recruitment process contravenes express provisions of the Constitution on the rule of law, public participation, and transparency and accountability." read the court papers.

Supreme Court backs impeachment of Mike Sonko

■ The Supreme Court ruled that the impeachment of Mike Sonko in accordance with article 75(3) of the constitution was properly conducted. This then means that Mike Sonko is unsuitable to hold any public office.

Photo: Pulse Kenya

EVENTS

East And Central Africa Privacy Engagement; 5th August 2022

In this era of increasing datafication, privacy and data protection issues are of paramount importance in the private and public sectors. Data privacy and protection matters include a broad range of concerns including, but not limited to, regulation, consent, processes, storage, and third-party access. In response to these concerns, several African countries have enacted data protection laws and created regulatory offices to oversee enforcement. These offices are critical in ensuring that users' digital trails are protected from malicious actors and that the data resulting from digital activities is not exploited. This is especially important in activities with monumental consequences such as elections.

The Catalyst: Civic technology for social change; July 28th

The event will take place from 5pm to 7:30pm at IHUB Gatana-Lenana Road.
The discussions will surround how technologies impact democracy, civic engagement online, political processes and spread of critical information and news. This conversation is more so crucial now even as we near our general elections. Register here.

E-commerce Summit by KENCTAD Conference; July 30th

The second eCommerce Summit will provide a unique forum for discussing the development implications of African e-commerce and the African digital economy. Delegates will learn about good data and digitization practices from regional partners and stakeholders, initiate collaboration, and explore solutions and partnerships to leverage digital tools for development. The event will take place in Signature Auditorium, Nairobi. Buy tickets here.

The Privacy Symposium Africa: 2nd -4th November 2022

This is a Pan African Privacy and Data Protection platform established in 2019 by Unwanted Witness to attract, present, and discuss original research results and the latest technological developments related to personal data protection and privacy.