

Harnessing artificial intelligence the African way

Olumide Babalola

*While all eyes are on Western industrial nations, Nigerian human rights lawyer **Olumide Babalola** is concerned about AI regulation in Africa. He fears that some countries will adopt the repressive legislation of their neighbours without developing their own attitude towards artificial intelligence. What is missing is a common vision for Africa's digital future.*

When I received an online link to Christian Djeffal's article "[Harnessing Artificial Intelligence the European Way](#)" a couple of weeks ago, my immediate thoughts touched on when Africa would cross such hi-tech rubicon. But for now, all eyes are on the European Commission (EC) for leading the pack as far as the 25 signatories to the Declaration on Cooperation on Artificial Intelligence are concerned.

While the Declaration is something to be optimistic about, especially concerning the participating member states' consciousness and pro-activity on AI, my focus as a digital rights lawyer, here will only be restricted to its potential policy advancement. As rightly observed by Christian Djeffal in his well-written piece, the Declaration aims to integrate countries' research and development and policy areas but, again, the part that interests me is the policies around AI.

Needless to reiterate Djeffal's unassailable observation that, the Declaration "prima facially" appears unspectacular and if I may add, it is devoid of the characteristic appearance of policy documents and/or legislations. Before I delve into my considered view on the Declaration, permit me to comment on the author's submission that: "According to the theory of functional integration, integration of one policy area spills over

into the next.”

“Copy & paste” approach towards policy patterns

The above brings to mind, the African experience where nations imitate their neighbours’ policy patterns and habits with reckless abandon. While this “copy & paste” attitude may be commendable with respect to constructive and developmental legislations and policies especially in relation to AI, which is still in its teething stage in Africa. On the other hand, it leaves a sour taste in citizens’ mouth when their African governments import draconian and reprehensive anti-digital rights and AI legislations from neighbouring countries thereby “integrating” in the words of Christian Djeflal, the bad policy area which spills into another.

Expectedly, the author did not allude much to the existentialism of robust policies in AI even in Europe which could foster the much-heralded integration in terms of policy. Hence I agree with him that “what makes the Declaration special is that it represents an idea on how to get there i.e. (the many initiatives aiming to guide the development of AI in a sustainable and ethically responsible way)”. Now, coming to what drives my excitement on the Declaration, even as an African, who may or may not enjoy the remotest benefits of the technology in the nearest future; I will briefly highlight the “green light”.

The participating members agree to cooperate on:

“Ensuring an adequate legal and ethical framework, building on EU fundamental rights and values, including privacy and protection of personal data, as well as principles such as transparency and accountability.”

From the foregoing, it is desirable for the participating members to start taking steps towards enacting laws and regulations on AI if they are to be taken serious about

institutionalising AI into the legal consciousness of their respective countries.

Fair enough, the European Commission has set up an expert group to draw up guidelines for the ethics and of worthy mention is also the Joint Declaration on the EU's legislative priorities for 2018–19 which embodies “delivering on EU's commitment to implement a connected digital single market by completing the modernisation of rules for electronic communication sector by setting higher standards of consumer protection for online and distance sale of both digital and physical good and by strengthening cyber security”. One can only hope that the EU's commitment, swiftly crystallises into actual regulations or legislations to further give credence to their commitments as captured in the Declaration.

Global embrace of AI

Conclusively, looking at the execution page of the declaration, one would happily observe that, some participating member states (Sweden, United Kingdom and France) already have designated parastatals specifically dealing with AI or digital affairs in readiness for the coming-of-age of AI in their respective countries. This gives a palpable assurance of the expected growth and global embrace of AI as others' steadily emulate the progressive pattern.

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This article was written in response to Christian Djefal's contribution [“Harnessing Artificial Intelligence the European Way”](#).