



Expert Roundtable

**Trading Emerging Technologies:
Security and Human Rights Perspectives**

Tuesday 15 September 2020, 13.00-17.00

Online Session

Hosted by Utrecht University & Asser Institute

THEME

On Tuesday 15 September 2020, the Asser Institute and the Utrecht University are jointly organising an online expert round table on the topic of ‘Trading Emerging Technologies: Security and Human Rights Perspectives’.

Demand for digital technology in both public and private sectors has created a thriving global market. While digital technology trade brings economic and social benefits, the trading practice has also intensified tensions among states which regard it as increasing security vulnerabilities. Digital technology has been at the front of the US-China trade war. The tensions have in part led the US government to initiate the export control of emerging technologies, including, not only advanced information technology, but also robotics, brain-computer interfaces, and additive manufacturing such as 3D printing.

Regulatory narratives

Against this background, this expert round table aims at understanding and comparing the underlying narrative and justification used by the US, EU, and European states in regulating (or attempting to regulate) the trade of advanced digital technology and other emerging technologies. The focus will be directed at the comparison and synergy of security versus human rights narratives. On the one hand, the US government has employed broad “national security” narrative in order to take proactive steps in regulating the trade practices. On the other hand, the EU has taken certain initiatives – at least until 2018 – to foster human rights perspectives in regulating the export of digital surveillance technology. While EU member states remain divided, the Dutch government notably advocated the EU’s proactive role in promoting the regulation of digital technology exports on the basis of their human rights risks (see: Kamerbrief inzake Betreft Stand van zaken herziening dual use-verordening binnen de EU, 29 August 2018).

Human rights narratives have also been recently advocated at the UN’s level. In his May 2019 report, Special Rapporteur David Kaye expressed serious concerns about the status of ‘surveillance exports’. In view of the growing digital surveillance market at the expense of human rights protection, he foremost recommended that states ‘impose an immediate moratorium’ on the ‘export, sale, transfer, use or serving of privately developed surveillance tools’—until ‘a human rights-complaint safeguards regime’ is in place (Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, ‘Surveillance and Human Rights’ UN Doc. A/HRC/41/35, 28 May 2019).



The round table will address the mixed narrative of security and human rights underlying trade restrictions imposed (or to be imposed) on information technology and other emerging technologies. What are the fundamental differences among the key industrial players in imposing trade restrictions on advanced information technology and other emerging technologies? What role should and could the EU play in reforming the regulatory frameworks?

Given the sensitivity of the discussions, the event takes place under Chatham House Rules.

The event is jointly organised by the Asser Institute, the Utrecht Centre for Global Challenges' project on 'Disrupting Technological Innovation? Towards an Ethical and Legal Framework', and Utrecht Centre for Regulation and Enforcement in Europe (RENFORCE).

PARTICIPATION & REGISTRATION

To participate, please register via <https://www.asser.nl/education-events/events/?id=3127>.

The registered participants will receive a website link before the event.

PROGRAMME

13.00-13.10	<u>Machiko Kanetake</u> (Utrecht University) & <u>Berenice Boutin</u> (Asser Institute) - Opening
13.10-14.00	<u>Brigitte Dekker</u> and <u>Maaïke Okano-Heijmans</u> (Clingendael) US-China technology conflict and the need for new approaches to export control of emerging technologies <i>Commentator:</i> <u>Valentin Weber</u> (University of Oxford)
14.00-14.50	<u>Merel Koning</u> (Amnesty International) Cyber-surveillance technology and human rights protection in export regulation in the EU <i>Commentator:</i> <u>Ben Wagner</u> (Vienna University of Economics and Business)
14.50-15.20	Break
15.20-16.10	<u>Stéphane Chardon</u> (European Commission) Export control, emerging technologies, security and human rights: squaring the circle <i>Commentator:</i> <u>Paul Diegel</u> (European Parliament)
16.10-16.55	<u>Tim van Essen</u> and <u>Casper Volger</u> (Ministry of Foreign Affairs, the Netherlands) The Dutch Approaches to the Export Control of Emerging Technologies <i>Commentator:</i> <u>Machiko Kanetake</u>
16.55-17.00	Concluding remarks by: <u>Berenice Boutin</u>