

# LA ABOGADA



## FEMICIDE MARCH



**SAVE the DATE**

**FIDACON24** 



## FRANCE'S NEW HAIR STANCE



When we think on the first quarter of the year we make new years resolutions, set goals and aims for the future and begin setting things on motion to achieve those goals. For me it is an opportunity to consider “from whence we came.” The first few months in the year are riddled with historical nuances; the first day of the New Calander Year is usually when people remember the past years achievements and failures and focus on how or what the change going forward. February is Black History month in America and March is noticed world-wide as a testament to the strength and courage of women who have fought and paved the way for us.

As you read the pages in this quarters issue of La Abogada I invite you to consider the strides that lawmakers have made and the trajectory for the future. Take advantage of any opportunities that can further your career and let us continue to support our colleagues.

It is with great pride that this publication is issued and it is with fervent hope that you will enjoy your reading.

Until next time

*Shatelia*

Editor-In-Chief, La Abogada

Email: [shateliahall@hotmail.com](mailto:shateliahall@hotmail.com)

Tel: +1(649)432-2404

**Kenyan Women’s march  
against Femicide  
01**

**Taiwan's prospective AI Law  
through the Lens of the EU AI  
Act 02**

**FIDA Conference 2024 details  
04**

**Transitioning from Public  
practice (A break-up)  
05**

**France’s New Hair Law  
06**

**American Bar Assiciation  
Updates  
07**

**FIDA Grand Bahama  
Installation  
08**

**Gambia considers repealing  
ban on Female Genital  
Mutilation 11**

**Taiwan Revises Laws to  
Combat Digital Gender-based  
Violence 12**





# KENYAN WOMEN'S MARCH SIGNALS A NEED FOR WIDER ACTION AGAINST FEMICIDE IN AFRICA.

SYLVIE NAMWASE,  
EDITOR, UGANDA.

On 27th January this year, thousands of Women and men in Kenya took to the streets of Nairobi and across ten other counties, to protest the high rates of murder targeting women in Kenya. In a march dubbed the 'Feminists March Against Femicide', crowds chanted names of many victims lost to femicide and demanded more action from the Kenyan government to protect women. According to Africa Data Hub, a local network of data collecting organisations in Africa, an estimated 500 women have been killed in Kenya since 2016. Another local Kenyan organisation called Femicide Count estimates that there were over 152 femicides in Kenya in 2023 alone. A few days into the month of January in 2024, Kenya had already registered over 16 reported cases of femicide.

These figures are alarming and even more daunting when considered within the wider African context. South Africa has more than five times the average global femicide rate and in 2022 alone, it was estimated that about 9 women were murdered each day in the country. In Uganda, a 2022 Annual Police crime report indicated an increase in domestic violence cases including sex related crimes and femicide. The atrocity is so pervasive in Africa with the continent registering the highest family and intimate partner related killings of women worldwide, according to some studies. Given this context, the women's march was significant not just for Kenyans, but for the whole of Africa, as a call to action to end the scourge of femicide.

According to some observations made in the wake of the women's march, one of the ways femicides in Kenya are invisibilised is through the failure by Kenyan police to apply gender disaggregation of data when recording homicides. This means that patterns in the systematic targeting of women may be missed and their killings recorded as isolated murders. More resources should be allocated for research, gender based training and data management within criminal justice systems in order to effectively capture and address patterns of femicide.

Another critical factor associated with the rise in femicide is the weakness and ineffectiveness of judicial systems. Respondents interviewed within the context of the Kenyan women's march pointed to the lack of enough judges and magistrates to decide cases expeditiously and the lack of resources to investigate and successfully prosecute suspects, as factors which were emboldening perpetrators to carry on with femicides.

One respondent put the shortage of judges in Kenya at one hundred and magistrates at two hundred, and called for urgent reform of the justice system as one way to curb the vice.[1]

A key emerging feature to note in Kenya's context is the role of technology. Some of the country's femicide victims were targeted by extortionist gangs of kidnappers through dating sites, while social media sites were cited as a hotbed of sexist and misogynist ideologies which promote harm against women. This underscores the need to more closely study and monitor the role of technology and new media in propagating gender based violence in Africa and to find ways to address it.

It is worth noting that Kenya, like many other African countries has laws which criminalise violence against women. However, the rising cases of femicide indicate that the enforcement of these laws is solely lacking and the infrastructure which is meant to support their implementation has been neglected by states. This needs to change.

Most importantly, the pervasive cases of femicide despite the numerous laws aimed at protecting women, point to a deeper problem of the embeddedness of patriarchy and its associated harmful practices in Africa. For this, more work needs to be done around changing social norms, if a paradigm shift is to be realised for the safety of African women.

UN Women, 'Femicide cases in Kenya fuel urgent calls for action to end violence against women', 9 February 2024. <https://www.unwomen.org/en/news-stories/feature-story/2024/02/femicide-cases-in-kenya-fuel-urgent-calls-for-action-to-end-violence-against-women#:~:text=On%2027%20January%2C%20thousands%20of,and%20E%80%9CStop%20Killing%20Us!%E2%80%9D>  
DW, 'Kenyan women march against femicide', 27 January 2024. <https://www.dw.com/en/kenyan-women-march-against-femicide/a-68104363>  
IDN-In Depth News, 'Kenyan Women rally against Gender Based Violence', 22 February 2024. <https://indepthnews.net/kenyan-women-rally-against-gender-based-violence/>  
Relief Web, 'The Global Femicide Epidemic', 18 January 2024. <https://reliefweb.int/report/world/global-femicide-epidemic#:~:text=South%20Africa%27s%20femicide%20rate%20is,there%20every%20day%20in%202022>  
The New Vision, 'Domestic violence cases increased slightly in 2022-report', 25 February, 2023. [https://www.newvision.co.ug/category/family/domestic-violence-cases-increased-slightly-in-NV\\_154631](https://www.newvision.co.ug/category/family/domestic-violence-cases-increased-slightly-in-NV_154631)  
The East African, 'Women, feminists across Kenya hold march against femicide', 27 January 2024. <https://www.theeastafrican.co.ke/tea/news/east-africa/women-across-kenya-hold-march-against-femicide-4505148>

IDN-In Depth News, supra note 3.  
[1] Ibid.  
[1] DW, supra note 2.





## EXAMINING LEGISLATIVE PROSPECTS FOR TAIWAN'S AI BASIC LAW THROUGH THE LENS OF THE EU AI ACT

VICKY WU

FIDA Editorial Board of the Aboragodas, specializing in AI regulation research as a PhD student at the Law School of the University of Washington, USA. Holds LL.M. degrees from UC Berkeley in the US and National Yang Ming Chiao Tung University in Taiwan. Previously served as a prosecutor and judge in Taiwan for nearly two decades before pursuing studies in the US.

### EU AI Act Tailors Regulation Strength via Risk-Based Approach

Development of Artificial Intelligence (AI) has been prevalent worldwide since 2023, marking one of the most significant technological advancements globally. In January 2024, the European Parliament officially announced the adoption of the AI Act (hereinafter as "AIA"), pioneering the world's first legislation specifically targeting AI. This act provides regulatory frameworks for large-scale, powerful AI models, serving as a reference for future legislative efforts globally. The legislative purpose of the AIA is to ensure that AI does not pose systemic risks to the European Union, prevent misuse by public authorities, respect fundamental rights, safety, ethics, and European values, and provide robust protection for civil society and democratic countries. Simultaneously, it strengthens Europe's technological competitiveness and leadership position, creating a platform for European startups and researchers to lead the global AI race, shaping a significant milestone in Europe's AI development and global influence.

The AIA categorizes AI systems based on risk levels and imposes varying degrees of legal obligations. It divides AI systems into four categories[i]: (1) Unacceptable-risk AI: It should be prohibited, referring to AI systems that violate fundamental rights. This includes real-time remote biometric recognition systems used by law enforcement in public spaces (with few exceptions permitted); biometric identification systems used for demographically classified purposes based on race, political affiliation, membership identify, religion, or sexual orientation etc.; social scoring systems; technology that controls human subconsciousness; predictive policing systems targeting individuals; workplace recruitment systems; and emotional recognition systems in educational institutions. (2) High-risk AI: Posing threats to health, safety, fundamental rights, the environment, democracy, and the rule of law, necessitating specific obligations, including mandatory fundamental rights impact assessments and granting European citizens the right to lodge complaints and obtain explanations of decisions affecting their rights when harmed[ii]. (3) Minimal-risk AI: Refers to AI systems, other than those mentioned above, that can be developed and used in accordance with existing legislation without bearing additional legal obligations. The majority of AI systems in the European Union fall into this category, such as spam filters. Providers of such systems may voluntarily choose to apply trust-worthy artificial intelligence and adhere to voluntary codes of conduct. (4) Specific transparency-risk AI: Imposing transparency requirements on AI systems with specific risks, such as obvious manipulation risks.

The AIA aims to balance risks and benefits, providing a clear path for stakeholders, including individuals, industries, NGOs, research institutions, and legislative bodies in European countries, to formulate or follow standards and types of regulations[i].

However, for companies, startups, or countries eager to actively develop AI, the essence of General Purpose Artificial Intelligence (GPAI)[iii] should be neutral. That is, it should not inherently possess any specific purposes or risks. Even though it may lead to various functionalities in subsequent application designs, this does not necessarily imply that GPAI itself carries high risks[iii]. In typical scenarios, providers of GPAI software (i.e., AI system developers) are unlikely to predict fully the AI solutions built upon their systems by downstream application users or deployers. Only when GPAI is applied in "high-risk" scenarios (typically when downstream companies use GPAI to develop applications) may it become risky[iv]. Consequently, proponents of this view argue that responsibility for GPAI systems should be allocated to downstream users with high-risk applications rather than being borne entirely or predominantly by the developers of the AI systems themselves.

The AI Act's attempt to categorize risks based on use cases might pose the greatest challenge in regulating GPAI. Because the development of Large Language Models (LLM, the foundation of GPAI) lacks predefined use cases, it is impossible to determine specific risks at this level, which is a significant characteristic inherent in the operation of AI.

The argument against excessive regulation of AI has garnered strong support from France, Germany, Italy, and various industrial sectors within the European Union, who oppose strict regulation of fundamental models. They fear that such regulation may stifle innovation, weaken Europe's international competitiveness, and contradict the original intention of the AIA to achieve global leadership in AI technology. Additionally, there are concerns that it could potentially force domestic AI digital industries to relocate outside of Europe. After extensive and intense negotiations among EU member states and compromises reached among the European Commission, the European Council, and the European Parliament, the final compromise of the AIA restricts strict binding obligations only to "very powerful" or "high-impact" GPAI models that may pose systemic risks[i]. These obligations include model assessments, adversarial testing, evaluation, and mitigation of systemic risks, reporting of significant incidents to the committee, ensuring cybersecurity, and reporting on energy efficiency[ii]. The drafting of new obligations will be jointly practiced through codes of conduct with stakeholders from industry, academia, civil society, and other stakeholders, together with the European Commission[iii]. The definition of AI models that may constitute systemic risks or high impact, such as those measured by Floating Point Operations (FLOP) greater than  $10^{25}$ [iv], currently only applies to OpenAI's GPT-4[v]. This exemption provides temporary relief for AI unicorns such as Mistral AI, endorsed by French President Macron, aiming to develop effective small-scale AI models[vi]. These developments underscore the importance of listening to stakeholders, including industry, to avoid stifling burgeoning domestic AI startups, a challenging and lengthy process essential for European experiences.

### Prospects for AI Development in Taiwan

Since 2018, the Taiwan government has been promoting the "Taiwan AI Action Plan,"[i] aiming to cultivate AI talents, reform public and private sectors with AI, and make Taiwan one of the world's leading smart countries. In 2023, the plan advanced to "Taiwan AI Action Plan 2.0,"[ii] extending to 2026. It not only increased government funding but also trained more AI-related professionals. Over 48.7% of enterprises have deployed AI solutions[iii]. The plan actively encourages and assists startups, universities, research institutions, etc., to develop various AI use cases and applications, promoting industry transformation, enhancing the AI industry chain and startup ecosystem, and facilitating international cooperation. With the backing of Taiwan's leading semiconductor companies such as TSMC[iv] and MediaTek[v], it is expected to boost the software and hardware production value by over NT\$250 billion (US\$8.16 billion) and showcase Taiwan's world-leading AI chip technology internationally[vi].

With strong government support, AI applications in Taiwan have become increasingly widespread. In the medical field, numerous leading tech companies collaborate with major medical institutions to conduct AI research projects, promote smart hospitals, cloud-based intelligent care, AI wound care management, physiological health measurement systems, etc., exploring feasible solutions for AI-accelerated intelligent healthcare[i]. Efforts are also directed towards developing innovative medical materials, integrating equipment IoT, developing big data AI precision analysis, and focusing on innovative medical hardware and software integration solutions, achieving remarkable results[ii]. In transportation, the Legislative Yuan of Taiwan established the "Unmanned Vehicle Technology Innovation Experiment Act" in November 2018, allowing self-driving vehicles to operate legally on actual roads and open fields for technical testing, greatly benefiting the development of self-driving vehicles in technology, operations, and future commercialization[iii]. As of February 10, 2022, 11 innovative experiments have been approved for entry into the sandbox[iv]. With the right operational and service models, the future development of unmanned self-driving vehicles will have endless business opportunities.



# EXAMINING LEGISLATIVE PROSPECTS FOR TAIWAN'S AI BASIC LAW THROUGH THE LENS OF THE EU AI ACT

## Prospects of Taiwan's AI Basic Law - Hasten or Deliberate?

Given the significant impact of AI on Taiwan's economy and society, the government views the rapid development of AI technology as a crucial component of national policy[i]. Consequently, there has been active consideration of whether it is necessary to formulate laws and regulations related to AI. This has led to the commissioning of administrative departments to study and convene inter-agency meetings to discuss regulations on generative AI content and related ethical standards, contemplating the legislative need for an AI Basic Law[ii].

However, Taiwan has not fostered a conducive environment for startups, and the pace and intensity of existing industry involvement in the AI sectors are not as robust as in other countries actively deploying AI industries[iii]. Additionally, Taiwan's small market size makes it difficult to support large-scale AI startups, leading to conservative attitudes among venture capitalists[iv]. Furthermore, AI applications often require individual customization, posing challenges for enterprises in resource integration and departmental collaborations[v]. On the other hand, AI startups often find themselves overwhelmed by the various complex issues arising from customer applications, exhausting their energy and hindering simplification of operations and mass sales, making it difficult to achieve economies of scale[vi]. Moreover, many companies have long relied on government subsidies for industrial upgrades, lacking the initiative to actively undergo industrial transformation, exacerbating the difficulties of survival and growth for AI startups[vii]. However, digital transformation coupled with AI is a global trend and an excellent opportunity for Taiwan to fundamentally change its industrial structure. Therefore, industrial AI is crucial. However, without comprehensive strong support from top to bottom and adequate preparation in terms of resources, technology, and culture, achieving these goals is almost impossible[viii].

Referring to the legislative process of the European AIA, it is notable for its considerable length. The European Union's awareness of the importance of AI development and the urgency of competition among global leaders led to the establishment of the European AI Alliance in March 2018[i]. This alliance was specifically created to gather expert opinions and solicit input from various stakeholders[ii]. It underwent a series of meticulously planned stages, with the European Commission presenting the Coordinated Plan on AI in December 2018 as a blueprint[iii]. In April 2019, the High-Level Expert Group on AI introduced the "Ethics Guidelines for Trustworthy AI," outlining lawful, ethical, and robust AI principles[iv]. Subsequently, in February 2020, the "White paper on AI" advocated for "a European Approach to Excellence and Trust." [v] It wasn't until April 2021 that the "Proposal for a Regulation Laying Down Harmonised Rules on AI" was put forward as the initial draft of the AIA[vi]. Finally, in January 2024, the AIA was formally announced after significant contention among the European Commission, the European Parliament, and the European Council over differing national interests.

Challenges such as lobbying by tech giants from non-EU countries, joint declarations or oppositions by European internal enterprises and startups, and continuous protests by human rights groups prolonged the process, spanning six years until the preliminary legislation was completed. Despite multiple rounds of political negotiations, the law ultimately aimed to alleviate regulatory burden for domestic AI startups in countries such as France and Germany, aiming to mitigate excessive regulation on AI.

Drawing insights from the European AIA experience and Taiwan's current AI industry landscape, it's crucial to assess whether Taiwan, amidst global AI momentum, is ready to promptly propose comprehensive AI legislation. Will such regulation foster AI technology advancement or impede startup growth? These questions were addressed by Taiwan's NSTC Minister in February 2024. Emphasizing the swift evolution of AI, the Minister highlighted[1] the need for legislation to address risks, ethics, and industry progress. Rushing into lawmaking may not be advantageous for Taiwan. Instead, it's advisable to monitor global legislative processes and interpret relevant drafts judiciously. Additionally, Taiwan should actively nurture its AI technology and startup ecosystem. As the industry matures, regulations can better serve their intended purpose.

[1] 2021/0106 (COD), Council of E Fils, Jan. 26, 2024, <https://data.consilium.europa.eu/doc/document/ST-5652-2024-INIT/en/pdf>  
[1] Artificial Intelligence - Questions and Answers, European Commission, Dec. 12, 2023, [https://ec.europa.eu/commission/presscorner/detail/en/QANDA\\_21\\_1883](https://ec.europa.eu/commission/presscorner/detail/en/QANDA_21_1883)  
[1] See Shaping Europe's Digital Future, AI Act, European Commission Policies, Mar. 6, 2024 (updated), <https://digital-strategy.ec.europa.eu/en/policies/regulatory-framework-ai>; also see Will the EU's new AI act enable or stifle innovation? Wartsila, Dec. 22, 2023, <https://www.wartsila.com/insights/article/will-the-ens-new-ai-act-enable-or-stifle-innovation>  
[1] COM (2018) 795 final, European Commission, Jul. 12, 2018, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52018DC0795>  
[1] See supra note 2.  
[1] See supra note 1.  
[1] See supra note 3, Shaping Europe's Digital Future, AI Act.  
[1] See General Purpose AI and the AI Act, FFI, May 2022, <https://artificialintelligenceact.eu/wp-content/uploads/2022/05/General-Purpose-AI-and-the-AI-Act.pdf>  
[1] See Bill Perrigo, Big Tech Is Already Lobbying to Water Down Europe's AI Rules, Time, Apr. 21, 2023, <https://time.com/6273694-ai-regulation-europe/>  
[1] See id.; also see Natasha Lomas, France's Mistral Dials Up Call for EU AI Act to Fix Rules for Apps, Not Model Makers, TechCrunch, Nov. 16, 2023, <https://tinyurl.com/5v824j5>  
[1] See BSA Recommendations on The EU Artificial Intelligence Act, The Software Alliance, Aug. 6, 2021, [https://www.bsa.org/files/policy\\_files/08062021aiaireccpospaper.pdf](https://www.bsa.org/files/policy_files/08062021aiaireccpospaper.pdf)  
[1] See Helen Toner & Timothy Fist, Regulation the AI Frontier: Design Choices and Constraints, CSET, Oct. 26, 2023, <https://cset.georgetown.edu/article/regulating-the-ai-frontier-design-choices-and-constraints/>  
[1] See id.  
[1] Kelvin Chan, Europe's World-Leading Artificial Intelligence Rules Are Facing a Do-Or-Die Moment, APN News, Dec. 3, 2023, <https://apnews.com/article/ai-act-artificial-intelligence-regulation-europe-06ab334ca9777870f574d904447>  
[1] See joint statement: Let's give AI in Europe a fighting chance, Digital Europe, Nov. 23, 2023, <https://www.digitaleurope.eu/news/joint-statement-lets-give-ai-in-europe-a-fighting-chance/>; also see Charlotte Trueman, Digital Advocacy Group Criticizes Current Scope of the EU AI Act, Computerworld, Nov. 24, 2023, <https://www.computerworld.com/article/3711381/digital-advocacy-group-criticizes-current-scope-of-the-eu-ai-act.html>  
[1] See Lennart van Neeven, AI Act at Risk? - The Regulation of Foundation Models And General-Purpose AI, TaylorWessing, Nov. 27, 2023, <https://www.taylorwessing.com/en/insights-and-events/insights/2023/11/ai-act-at-risk>  
[1] See supra note 15, Joint statement; also see Charlotte Trueman, Digital advocacy group criticizes current scope of the EU AI Act, Computerworld, Nov. 24, 2023, <https://www.computerworld.com/article/3711381/digital-advocacy-group-criticizes-current-scope-of-the-eu-ai-act.html>  
[1] See Gian Volpicelli, EU Countries Strike Deal on Landmark AI Rulebook, Politico, Feb. 2, 2024, <https://www.politico.eu/article/eu-countries-strike-deal-at-law-act-technology/>; also see David Meyer, Europe's Quest to Lead in AI Regulation Is in Serious Doubt, Fortune, Nov. 27, 2023, <https://fortune.com/2023/11/27/eu-ai-act-technology-model-disagreement-alpha-mistral/>  
[1] See Artificial Intelligence Act: Deal on Comprehensive Rules for Trustworthy AI, European Parliament Press Release, Dec. 9, 2023, <https://www.europarl.europa.eu/news/en/press-room/2023/12061PR15699/artificial-intelligence-act-deal-on-comprehensive-rules-for-trustworthy-ai>  
[1] See Commission Welcomes Political Agreement on AI Act, European Commission Press Release, Dec. 9, 2023, [https://ec.europa.eu/commission/presscorner/detail/en/ip\\_23\\_6473](https://ec.europa.eu/commission/presscorner/detail/en/ip_23_6473)  
[1] A GPAI model is presumed to have high impact capabilities if the amount of computational power, measured in floating point operations (FLOPs), is greater than 10<sup>25</sup> (Art. 52a (2) EU AIA).  
[1] See Derek Robertson, France's Mistral Takes a Victory Lap, Politico, Dec. 13, 2023, <https://www.politico.com/newsletters/digital-future-daily/2023/12/13/frances-mistral-takes-a-victory-lap-00131624>  
[1] See Philipp Hacker, What's Missing from the EU AI Act, Verfassungsblog, Dec. 13, 2023, <https://verfassungsblog.de/whats-missing-from-the-eu-ai-act/>  
[1] Taiwan AI Action Plan (2018-2021), Executive Yuan, Jun. 2018, <https://digi.nstc.gov.tw/File/4C622B6A10053DAD>  
[1] Taiwan AI Action Plan 2.0 (2023-2026), Executive Yuan, Feb. 2023, <https://digi.nstc.gov.tw/File/7C7162993702E2D99>  
[1] Taiwan AI-Readiness Assessment Report, National Science and Technology Council (NSTC), 2022, <https://tinyurl.com/5n6cszax>  
[1] See Yu-Yuan Chen, Self-Developed AI Chips Combat Supply Chain Challenges, Huge Order to TSMC Illuminates Industry, Digitimes, Nov. 17, 2023, [https://www.digitimes.com.tw/tech/dn/shwnews.asp?id=000678852\\_NFB7Y60D6HR16IC3RXB7](https://www.digitimes.com.tw/tech/dn/shwnews.asp?id=000678852_NFB7Y60D6HR16IC3RXB7)  
[1] See Su-Jia Wei, MediaTek Ships AI Chips in Millions; Analysts Optimistic about Return to Growth in Operations, Economic Daily News, Jan. 22, 2024, <https://money.udn.com/money/story/561072437>  
[1] See Taiwan Government Approves Taiwan AI Action Plan 2.0, Aims for Production Value Increase of NT\$250 Billion, Liberty Times Net, Jun. 4, 2023, <https://ec.ln.com.tw/article/paper/1586601>  
[1] Chang-Han Chang, Big Tech Companies Preempt New Frontier of AI Medicine, UDN News, Nov. 26, 2023, <https://udn.com/news/story/72387598951>  
[1] See id.  
[1] See Su-Wen Bin, Two-Year Results of Taiwan's Unmanned Vehicle Sandbox Experiment: Domestic Self-Driving Cars Enter Diverse Open Environments for Testing, iThome, Nov. 29, 2021, <https://www.ithome.com.tw/news/148071>  
[1] See Ke-Ming Chang, Taiwan's First Technology Sandbox Project: '11 Cases in 3 Years', Unmanned Bus Routes Across Taiwan, Etoday, Feb. 10, 2022, <https://esp.ETtoday.net/news/2185983>  
[1] See id.  
[1] See supra note 29.  
[1] See Hsiao-Hsiu Yan, To Safeguard Human Survival: Taiwan to Introduce AI Basic Law, How Will it be Regulated? CW Magazine, Dec. 12, 2023, <https://www.cw.com.tw/article/5128521>  
[1] See Challenges of Industrial AI Adoption in Taiwan #12, Taiwan AI Academy, <https://iaacademy.tw/alumni/pai-the-power-of-the-whole-country-to-fight-ai/>  
[1] See id.  
[1] See id.  
[1] See id.  
[1] See id.  
[1] COM (2018) 795 final, Dec. 7, 2018, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52018DC0795>  
[1] See id.  
[1] Coordinated Plan on Artificial Intelligence, European Commission Policies, <https://digital-strategy.ec.europa.eu/en/policies/plan-ai>  
[1] Ethics Guidelines for Trustworthy AI, European Commission Report, Apr. 8, 2019, <https://digital-strategy.ec.europa.eu/en/library/ethics-guidelines-trustworthy-ai>  
[1] COM(2020) 65 final, European Commission White Paper on AI, Feb. 19, 2020, [https://commission.europa.eu/document/download/02ec4039-c5be-422a-81ef-09e4e79825b\\_en?filename=commission-white-paper-artificial-intelligence-0602020\\_en.pdf](https://commission.europa.eu/document/download/02ec4039-c5be-422a-81ef-09e4e79825b_en?filename=commission-white-paper-artificial-intelligence-0602020_en.pdf)  
[1] Proposal for a Regulation Laying Down Harmonised Rules on Artificial Intelligence, European Commission Policy & Legislation, Apr. 21, 2021, <https://digital-strategy.ec.europa.eu/en/library/proposal-regulation-laying-down-harmonised-rules-artificial-intelligence>  
[1] Ai Chang, NSTC Holds off on AI Basic Law Draft in New Legislative Session, Continues to Monitor Global Developments, Founmedia, Feb. 23, 2024, <https://www.founmedia.io/article/209989>





**THE INTERNATIONAL FEDERATION OF WOMEN LAWYERS (FIDA)  
CORDIALLY INVITES YOU TO OUR 38TH INTERNATIONAL TRIENNIAL  
CONVENTION IN CALI, COLOMBIA.**

**SCHEDULED FOR NOVEMBER 4TH – 8TH, 2024.**

**SIGN UP FOR THE #FIDACON24 NEWSLETTER [HTTPS://WWW.FIDACON24.COM/](https://www.fidacon24.com/) TO RECEIVE  
EXCLUSIVE INFORMATION THAT WILL KEEP YOU INFORMED ABOUT THE EVENT.**

**SECURE YOUR PLACE AT FIDACON24.**

**THE REGISTRATION DEADLINE IS OCTOBER 14, 2024. DON'T MISS THIS OPPORTUNITY TO  
CONNECT WITH PIONEER COLLEAGUES, SHARE IDEAS AND BE PART OF A MOVEMENT THAT  
HAS BEEN SHAPING THE FUTURE OF WOMEN'S LAW AND EQUALITY AROUND THE WORLD  
SINCE 1944.**

## **ATTENTION EARLY SUBSCRIBERS**

**SECURE YOU PLACE AT FIDACON24 WITH AN EXCLUSIVE AS A FIRST STAGE EARLY  
SUBSCRIBER. YOU HAVE A UNIQUE CHANCE TO GRAB A SPECIAL DISCOUNT ON YOUR  
REGISTRATION FEE**

**US\$325**

**US\$400**

**UNTIL 30 JUN**

**UNTIL 20 SEP**

# MOVING FROM PUBLIC TO PRIVATE PRACTICE- A BREAKUP

Submitted by Latisha Williams-Bruce

Latisha Williams-Bruce is a qualified attorney in the Turks and Caicos Islands and partner at Williams and Belliard Attorneys at Law

This love story begins July 2009, I started my legal career in the role as a Crown Counsel within the Criminal Division of the Attorney General's Chambers. It was my dream come true, I went to law school, completed my legal practice course, and got my Masters and now it was time to put in work. My expectations were concise, practise law, make a difference and be successful. The law expected me to protect our community at large, and maintain a standard of excellence. I accepted the terms without hesitation. I met with victims and witnesses, pushed for justice, and worked toward the greater good. I became the voice for the victim, the Police, and members of the Community.

Through the years the relationship blossomed, I developed advocacy skills, increased my knowledge base with case law, I got promoted and I gained various certifications. I started to feel as though it was more work than passion, and for someone that was in love with law as I was this was a hard pill to swallow. I realized my schedule was not my own, my case load was not managed by me, my success rate was determined by successful convictions and the offences were becoming repetitive.

I did not want to completely break-up with law, but I felt that my relationship with the law had to change. I wanted intellectual challenge, I wanted to chart the trajectory of my career, but most of all I wanted to be impactful. I began my transition out of public service in June 2021.

Did you find it challenging making the switch from a prosecutor to a defence attorney? The Breakup

Prosecution was my life, but I believed that my break-up with prosecutions fixed my vision and approach as I started my new relationship. As with anything new I was nervous, it was scary because I was now embarking on a new venture.

I opened my own law firm. I became my own boss. My experience at this stage was predominately criminal advocacy, my new relationship required me to be diverse. I quickly sought out training from law firms that would assist with other aspects of the law. I leaned on my senior colleagues who has years of practice to guide in areas that were new to me at the time. Overall, I did a lot of reading and research to be an effective independent advocate and a partner in a law firm.

My perspective changed; my clientele was now different. I realized I was dealing with somebody's life. I have a business relationship with this person, so now I get to learn about them, and I understood that, just with the victims in prosecution, this individual is relying on me, to be their voice. I find this to be of utmost importance but also challenging. Having someone rely on you like that is a lot of responsibility. This is part of what I like about it because it means that what I am doing is very important to this specific client. It makes me fight for them to get the best outcome possible.

My interactions are now also different because most of what I do occurs outside of the courtroom. The accused too requires assistance, some need someone to look at the circumstances the entire picture to determine how we got to that stage. I consider their need for rehabilitation, counselling, or probation. I must consider how their livelihood and family life will be affected after conviction or acquittal. This propelled me into a new way of thinking.

When I made the move over from Prosecutor to Defence Attorney my biggest surprise – The Aftermath

My schedule is now in my hands and the freedom and liberties of the client is now at the forefront of any brief that I accept. I get to diversify my skill-set I am not only practising criminal law, but I also get to practise probate, civil advocacy, contract drafting and real estate among other disciplines.

My clientele are of my own choosing, I have established a staff that offers the support that advances the objective of the firm and more importantly I still get to be in a relationship with law. While I am grateful for the lessons that my first love has taught me, this new love I have found is built to last.



# FRANCE MOVES TO BAN HAIR DISCRIMINATION

On Thursday 28th March 2024 lawmaker Oliver Serva from the French territory of Guadeloupe placed a bill before the France's lower Parliament House to outlaw discrimination against hairstyle. If approved by the Senate France would be the first country in the world to adopt nationwide legislation aimed strictly at hair discrimination.

The introduction of the bill seeks to recognize and penalize discrimination against hairstyle in the workplace and in public and includes dreadlocks, braids, afros, color, haircut, texture or length. During presentation of the bill, the most recent case concerning Air France and male flight attendant Aboubakar Traore` was used to support the need for France to introduce the legislation.

The Air France manual outlines for male 'Hair should be styled extremely cleanly. Limited in volume, hairstyles must keep a natural and homogeneous look. The length is limited at the nape of the neck at the top edge of the shirt.' Women are able to wear their hair in braid as long as it was in a bun. On this premise Aboubakar wore his hair in braids tied in a bun, he was later reprimanded and dismissed for unsuitability without the possibility of re-hire. France's Cour de cassation concluded that the airlines actions was discriminatory based on sex.



Research arising from the Dove and LinkedIn 2013 hair campaign sited that 66% of black women in the United States alter their hairstyle for job interviews and that black women's hair are two times more likely to be considered unprofessional. A 2009 study out of Great Britain showed that one in three blonde women dyed their hair in order to increase their professional chances and look more intelligent in a professional environment.

This bill was met with some opposition; Les Republicans Fabien Di Filippo stated "should we expect a bill on discrimination against bald people which are underrepresented in shampoo ads?" French National Assembly Deputy Philippe Schreck addressed the house citing that there should be focus on more important issues like the country's public debt rather than hair discrimination.

If approved the bill will be added to France's current antidiscrimination law which forbids discrimination because of political/trade union association, philosophical or religious opinions, origin, sexual orientation, gender identity, age, surname, family/pregnancy status, state of health, physical appearance, disability or ethnicity. Fifty-seven out of five hundred and seventy-seven lawmakers were present at the presentation of the bill with four abstention and a forty-four to two majority vote the legislation will move to the Senate for approval to become law.

Editor-in-Chief



# American Bar Association Updates

We invite you to take note of the below conferences and other opportunities

## **ABA ILS Annual Conference: The Power & Progress of International Law**

May 7-10, 2024 | Washington, DC

Early registration discount deadline: March 25, 2024

The ABA International Law Section's 2024 Annual Conference will be held in Washington, D.C., from May 7 to 10, 2024, at the Grand Hyatt Washington Hotel. The conference will feature 80+ CLE sessions, networking receptions, a reception at the French Embassy, and keynotes by Ambassador Beth Van Schaack on May 8 and Roger Martella, GE's Chief Sustainability Officer on May 9. For more information and to register: <https://ambar.org/ILSAnnual24>

## **ABA Antitrust Law Section: 15th International Cartel Workshop**

June 24-26, 2024 | Barcelona, Spain

The ABA Antitrust Law Section is delighted to invite you to the 15th International Cartel Workshop, which will be held in Barcelona in collaboration with the International Bar Association. Recognized globally as the premier international cartel conference, the 2024 Workshop will mark its 27th year. Welcome - 2024 International Cartel Workshop ([cvent.com](http://cvent.com))

## **World Bank: Law, Justice, and Development Week 2023**

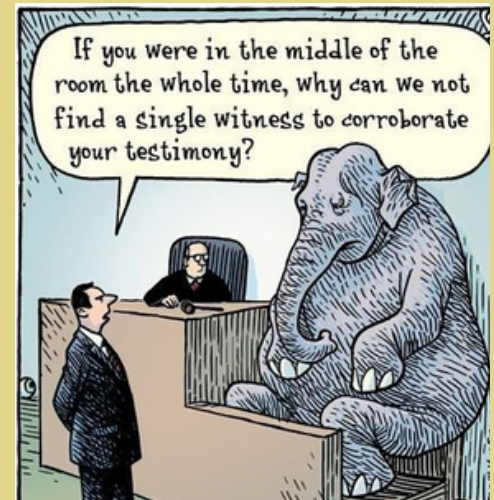
The annual LJD Week took place November 23-25, 2023 at the World Bank in Washington, DC. Watch replays of sessions with the World Bank President Ajay Banga, Senior Vice President and General Counsel Chris Stephens, and other senior WB officials. Event | Law, Justice and Development Week 2023 | [World Bank Live](http://World Bank Live)

## **Call for Papers: European Law Institute 2024 ELI Young Lawyers Award**

The ELI Young Lawyers Award was established in 2016 with the goal of giving the young European legal community a means of making valuable suggestions for the development of European law while fulfilling ELI's core mission of improving the quality of law in Europe. Interested young lawyers are invited to submit their papers by April 30, 2024. Call for Papers for the 2024 ELI Young Lawyers Award ([europeanlawinstitute.eu](http://europeanlawinstitute.eu))

## **Call for Pro Bono Legal Consultants (foreign language proficiency)**

The ABA Center for Human Rights seeks experienced pro bono legal consultants on a recurring basis. Pro bono consultants contribute to the work of the Center by (i) observing trials that have garnered local, regional, or international attention and providing detailed analysis of those trials; (ii) drafting letters to U.N. Special Rapporteurs pertaining to attacks against human rights defenders and rule of law around the world; and (iii) assisting with the preparation of reports and conducting libel review. Interested candidates should fill out the pro bono volunteer form and submit a recent resume/CV. Candidates with foreign language proficiency are encouraged to apply. For more information, visit the CHR website.



When an attorney gets married, they don't say, "I do." They say, "I accept the terms and conditions."



# FIDA Grand Bahama installs new executive



The esteemed members of the International Federation of Women Lawyers (FIDA) Grand Bahama Chapter gathered for an Installation Dinner on Saturday, 3rd February, 2024 at the exquisite Coral Reef Room at the Pelican Bay Resort on the beautiful Island of Grand Bahama. The event was a celebration of new beginnings and the swearing-in of the 2024-2025 Executive Board of the Chapter.

Officially chartered in 1992 in New Providence and then in 1993 on the island of Grand Bahama, FIDA Bahamas continues to be an active member of the community through its professional seminars and other educational endeavors. Since 2004, the GB Chapter through its University of The Bahamas (UB) Scholarship programme has awarded eighteen (18) 2-Year Scholarships and thirty-eight (38) book grants to Bahamian students attending UB. The organization, continuing in its commitment to children, also supports the Grand Bahama Children's Home.

The Guest Speaker for the Installation Dinner was the Honourable Madam Justice Mabel Agyemang, Chief Justice of The Turks and Caicos Islands. She was appointed Chief Justice of The Turks and Caicos Islands on 1 April, 2020. Her Ladyship is a Ghanaian-trained judge with over three decades of judicial experience in various levels of the Judiciary in four Commonwealth Jurisdictions. She joined the Ghanaian Bench in 1991 as a Magistrate until her appointment as a Circuit Court Judge in 1995, and a High Court Judge in 2002. Her Ladyship was appointed an expert High Court Judge on assignment for the Commonwealth Fund for Technical Cooperation (CFTC) for The Gambia from 2004 until 2008. She was then appointed an expert High Court Judge to provide technical assistance to the Kingdom of Eswatini (Swaziland) from 2008-2010.

She was then appointed an expert High Court Judge to provide technical assistance to the Kingdom of Eswatini (Swaziland) from 2008-2010. She returned to the Gambia on yet another assignment for CFTC as Justice of Appeal in 2010 and was appointed Chief Justice of the Gambia in 2013. In 2015 Her Ladyship was appointed Justice of Appeal in Ghana.

Upon landing on the Island of Grand Bahama on Thursday, 1st February, Chief Justice Agyemang was greeted by Officers and Directors of FIDA together with The Honourable Justice Mr. K. Neville Adderley President (Atg) of the Court of Appeal of The Turks and Caicos Islands and The Honourable Madam Justice Petra Hanna-Adderley, Justice of the Supreme Court of The Commonwealth of The Bahamas.

The celebrations commenced with Chief Justice Agyemang receiving a warm welcome from FIDA members and other distinguished guests. Justice K. Neville Adderley and Justice Petra Adderley hosted a welcome reception in honor of Chief Justice Agyemang. The event offered a platform for legal professionals to connect and foster camaraderie, especially among the incoming board members of FIDA Grand Bahama.



Chief Justice Agyemang's arrival at Freeport International Airport



Upon landing on the Island of Grand Bahama on Thursday, 1st February, Chief Justice Agyemang was greeted by Officers and Directors of FIDA together with The Honourable Justice Mr. K. Neville Adderley President (Atg) of the Court of Appeal of The Turks and Caicos Islands and The Honourable Madam Justice Petra Hanna-Adderley, Justice of the Supreme Court of The Commonwealth of The Bahamas.

The celebrations commenced with Chief Justice Agyemang receiving a warm welcome from FIDA members and other distinguished guests. Justice K. Neville Adderley and Justice Petra Adderley hosted a welcome reception in honor of Chief Justice Agyemang. The event offered a platform for legal professionals to connect and foster camaraderie, especially among the incoming board members of FIDA Grand Bahama.



Welcome Reception for Chief Justice Agyemang

Following the warm welcome reception, courtesy calls were made on Friday, the 2nd February to the Minister for Grand Bahama, the Honourable Ginger Moxey, and the Vice Chairman of the Grand Bahama Port Authority, Ms. Sarah St. George. Both meetings involved discussions on the future direction of Grand Bahama, fostering an exchange of ideas and conversations on the way forward for the region. A true highlight of Chief Justice Agyemang's visit was a tour of the beautiful island of Grand Bahama, showcasing the natural wonders and vibrant culture of The Bahamas.

The newly installed Executive Board includes a cadre of talented attorneys ready to lead FIDA GB Chapter to new heights. President Rosanne Sweeting of the Office of the Judiciary will spearhead the Executive Board, supported by Vice-President Tanisha Tynes-Cambridge of Tynes & Tynes.



Top: Chief Justice Agyemang's Visit with the Minister for Grand Bahama, Hon. Ginger Moxey  
 Bottom: Chief Justice Agyemang's Visit with Sarah St. George, Vice Chairman of the Grand Bahama Port Authority, Limited

Attorney Brenford V. A. Christie expertly guided the evening as Master of Ceremony, while retired Justice Estelle Gray Evans conducted the Installation of the new Executive Board. Outgoing President Jethlyn Burrows, who served from 2021 to 2023, passed the torch to the incoming President under the theme "Expanding Community through Genuine and Lasting Connections"

The highlight of the evening was the presence of The Honourable Madam Justice Mabel Agyemang. With her powerful words and insightful reflections, Chief Justice Agyemang set the tone for a tenure of growth, connection, and community engagement. She discussed the importance of the practice of law and its role in society.

The speech addressed challenges in the legal profession such as lack of professionalism, competence, and contrived delays that have marred the image of the profession and calls for necessary reforms. Overall, the speech advocates for a recommitment to ethical practice and professionalism in legal matters to restore the dignity and effectiveness of the legal profession in serving the needs of society.

Chief Justice Agyemang commended FIDA for its advocacy and stated that "Advocacy to influence legislation and the forward-looking hands-on strategy of actually aiding in the enforcement of the rights of women, children and other vulnerable groups remains the greatest weapon of groups of practitioners, such as FIDA". She charged Fidans "to actively pursue the vindication of rights under threat in court as well as to seek the prompt implementation of beneficial interventions in relevant areas."

The Installation Dinner of the FIDA Grand Bahama Chapter was a resounding success, marking the beginning of a new phase for the organization under the leadership of a dynamic Executive Board dedicated to serving the community with excellence and integrity.

The following Executive Board members were installed:

**Officers**

President Rosanne Sweeting of the Office of the Judiciary

Vice President Tanisha Tynes-Cambridge of Tynes & Tynes

Secretary Zia Lewis-Adams of Graham Thompson

Asst Secretary Karen Brown of Higgs & Johnson

Treasurer Karin Sanchez of Management & Service Co. Ltd.

Asst Treasurer Hadassah Swain of The Grand Bahama Port Authority, Limited

**Directors**

Charisse Brown of The Grand Bahama Development Co. Ltd

Constance McDonald, KC of McDonald & Co

Jethlyn A. Burrows of Musgrove Burrows Law Chambers

Rengin Johnson of Ayse Rengin Dengizer Johnson & Co

Vivienne Gouthro of Higgs & Johnson.

The weekend concluded with Chief Justice Agyemang's departure on Sunday morning, leaving behind a legacy of inspiration and collaboration among the legal community.



Seated: Karin Sanchez, Treasurer; Zia Lewis-Adams, Secretary; The Hon. Mabel Agyemang, Chief Justice of The Turks & Caicos Islands; Rosanne Sweeting, President; Estelle Evans, Installing Officer; and, Tanisha Tynes-Cambridge, Vice President  
Standing: Hadassah Swain, Assistant Treasurer; Karen Brown, Assistant Secretary; Vivienne Gouthro, Director; Jethlyn A. Burrows, Immediate Past President and Director; Brenford V. A. Christie, Master of Ceremonies; Rengin Johnson, Director; Constance McDonald, KC; and, Charisse Brown, Director





Different views expressed outside of parliament as they debate repealing the ban on FGM

## GAMBIA

### DEBATES REPEALING FEMALE GENITAL MUTILATION LAW

Early in March 2024 Gambian law maker Almamah Gibba presented a bill before the Gambian Parliament to repeal the ban on Female Genital Mutilation (FGM). There are numerous persons who believe that FGM is a requirement of Islam.

The United Nations Children’s Fund reported in 2024 more than 12,000 girls a day are at risk of FGM and that over 230 million girls and women today have undergone FGM. The majority of cases being discovered in Africa at 144 million followed by Asia at 80 million than the Middle East at 6 million.

There are 4 types of FGM;

Type I – Clitoridectomy – removal of clitoral hood with or without removal of all or part of the clitoris.

Type II – Excision – removal of the clitoris and part or all of the labia minora (inner lips) and part or all labia majora (outer lips).

Type III – Infibulation – removal of part or all external genitalia and stitching or narrowing of the vaginal opening leaving a small opening for urine or menstrual blood.

Type IV – Other – all other harmful procedures to female genitalia for non-medical purposes including pricking, piercing, incising, scraping and cauterizing genital area.

In 2015 the then president of Gambia, Yahya Jemmeh, introduced the Women’s Amendment Act 2015. This included an amendment to the Women’s Act 2010 and included fines and imprisonment for those found participating, assisting with, and failing to report acts of FGM. Section 32A(1) of the Women’s Amendment Act 2015 bans the practice of FGM in Gambia and incurs a 3 year imprisonment sentence or 0 D50,000.00 (Dalasi) fine or both which is outlined in Section 32A (2). Section 32B(1) holds any accomplice to FGM accountable and carries the same sentence as outlined above. The Act also adds that a person who without cause fails to report about an act or potential act of FGM will be punished by a fine of D10,000.00. In instances where death results due to the practice of FGM the individual practicing the act will be liable to life imprisonment (*Sankandi v the Inspector General of Police (IGP)*).

On the 18th March 2024 lawmakers voted 42-4 to send the bill to repeal FGM to a parliamentary committee for review. This committee can make amendments to the bill and send it back to parliament for a vote and final decision. Protesters gathered outside the court showing support for the repeal of the bill as well as expressing their views against the bill. If the bill is passed Gambia would be the first country to reverse Female Genital Mutilation ban. The risk that would associate with repealing the ban could affect the country’s relationship with the United Nations and can also introduce great debate between culture and women’s rights.



# Taiwan Revises Laws to Combat Digital Gender-based Violence

Ms. Lin, Yin-Tzu

Deputy Director, Department of Legal Affairs, Ministry of Justice, Taiwan

Taiwan government, dedicating to public security, is committed to promoting gender equality, and human rights, and protecting people from digital gender-based violence.

To combat and reduce digital gender-based violence, Taiwan recently amended four key acts, including the Criminal Code, the Crime Victim Protection Act, the Child and Youth Sexual Exploitation Prevention Act, and the Sexual Assault Crime Prevention Act this year. The new laws aim to build a more comprehensive protective network against digital gender-based violence, preventing its occurrence and reoccurrence by increasing criminal liability, imposing heavier penalties on perpetrators, and providing appropriate treatments, especially for the protection of victims.

Additionally, the new laws include an article dedicated to a new form of crime using artificial intelligence, namely 'deep fakes,' which involve inserting a person's likeness into an existing sexual image or video. This type of crime is particularly challenging to predict, prevent, and investigate due to its rapid execution on a global platform.

In response to legal loopholes and insufficient justice for victims, the Taiwan government amended the Criminal Code to combat deepfaked sexual image crimes . Perpetrators intending to distribute, broadcast, deliver, or display publicly, or use other means to allow others to view the victims' synthetic sexual images generated using computer synthesis or other technological methods, will be punished. It's an advanced provision and was legislated soon.

In addition, in Taiwan's judicial proceedings, our prosecutors severely punish crimes and use warm and empathetic measures to protect victims. For instance, victims are interviewed individually and separately from the suspects. Victims in criminal interview and interrogation process, unless there are exceptional reasons, have the right to have their family member, doctor, social worker, or trusted person to be present. The accompanying person can provide the emotional support needed so that the victims feel less isolated and helpless. Prosecutors also make adjustments to the criminal process that can alleviate the victim's burden including necessary measures to avoid repeated questioning.

In investigation proceedings, security and privacy protection are carefully considered by prosecutors.



The victim's personal information is confidential and would not be released to the public. The interview and interrogation would take place in a Counseling Room with comfortable settings which establishes the proper atmosphere. It helps the victim to feel comfortable and safe.

To reduce secondary victimization, prosecutors will assist in deleting or confiscating harmful images. The new provisions of the Sexual Assault Crime Prevention Act increase obligations to internet platform providers, internet application service providers, and internet access service providers, whenever learn of any circumstances suspected to be any Sexual Assault Crime from any Internet content protection agencies, competent authorities, police agencies, or other agencies, they shall spontaneously restrict the browsing of, or remove, webpage materials related to any such crimes. The crime-related webpage materials referred to in the preceding Paragraph, as well as the personal data and Internet usage records of any suspect, shall be kept for 180 days and shall be provided to judicial and police agencies for investigations.

Protective orders are also regulated for crime victims in the Crime Victim Protection Act amendment. The court may order the defendant to comply with not jeopardize the crime victims or their family members, not reproduce, distribute, broadcast, deliver, publicly display, or use other methods to allow any other persons to view the victim's sexual images, present or submit sexual images of the victims, remove or apply to the providers of Internet platforms, Internet application services, or Internet access services to delete the uploaded sexual images of the victims. A protective order for crime victims imposes an obligation on the defendant to ensure that the victim's intimate images are not disseminated.

Taiwan expends significant effort to protect victims' rights and punish criminal behavior to ensure public security. However, more international cooperation to strengthen the prevention of digital gender-based violence is also anticipated.

