



Catalyzing Growth and Development: Harnessing Synthetic Media while Managing Risks



Dr. Oghomwen Rita Ohiro

University of Benin

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OPPORTUNITIES



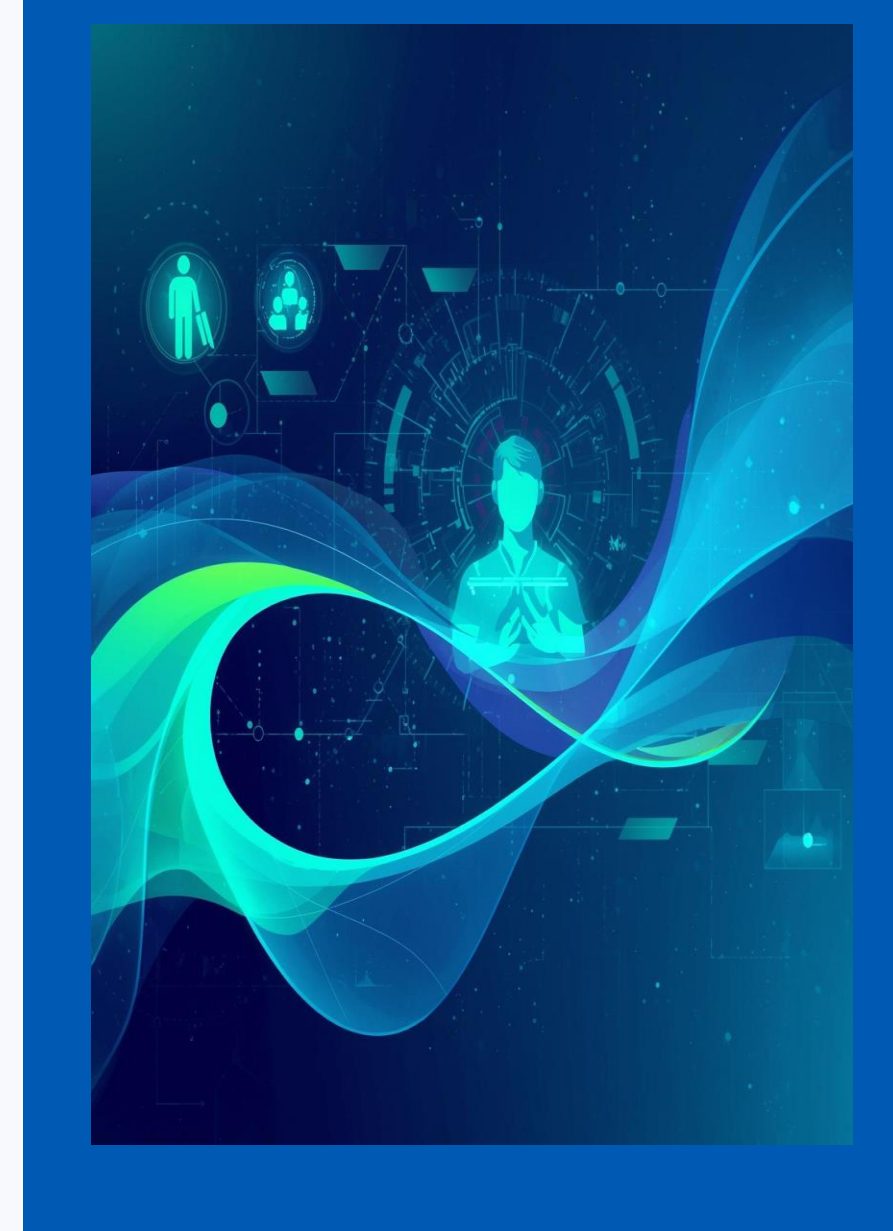
1. Education

- **Localization & Access:** This democratizes access to high-quality learning across vast, diverse populations (e.g., Nigeria, India).
- **Policy Focus (India NEP 2020):** Deploying synthetic media for three goals: Personalization, Efficiency and Inclusivity.
- **Proactive Governance:** Kazakhstan is modeling responsible use by embedding mandatory IP and ethical standards into its national AI education framework from day one.

OPPORTUNITIES

2. Medicine

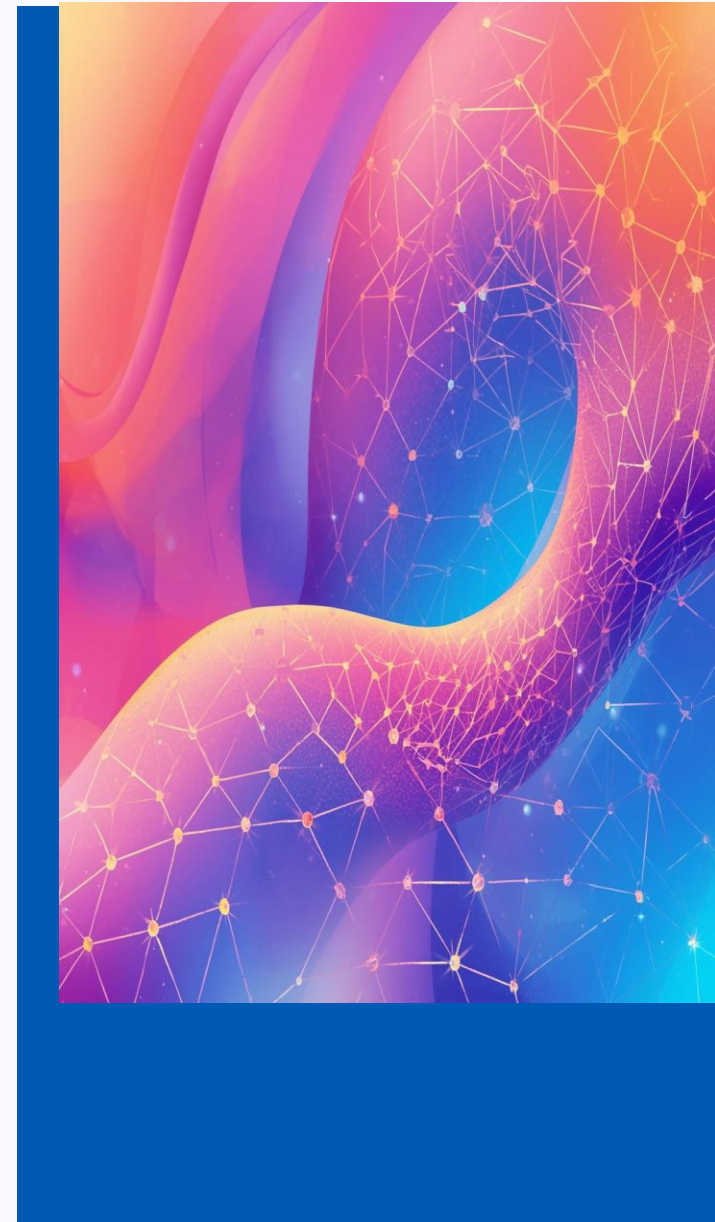
- Virtual Surgical Training.
- Zero-Risk Practice: Allows medical students to practice complex procedures without expensive physical equipment or risk to human patients.
- Privacy-First Diagnostics: Generate massive, anonymous synthetic patient data to train AI diagnostic models securely, protecting 100% of patient privacy.
- Case Example : India): Accelerating simulation-based training for health workers in remote areas at a fraction of the cost.



OPPORTUNITIES

3. Innovation in Creation

- Democratized Content Creation: Engine of local innovation by fundamentally lowering the bar for professional-quality content.
- Startup Empowerment: Small businesses and entrepreneurs can create high-quality animated product demos and marketing campaigns using simple prompts.
- Global Competitiveness: Reduced production costs and local entrepreneurs can compete effectively on the global stage (e.g., Kazakhstan's AI export focus).



RISKS



1. MISINFORMATION AND POLITICAL INSTABILITY

- **The Immediate Threat:** The line between truth and fabrication is rapidly blurring.
- **Political Destabilization:** Fake media can rapidly shape public perception and destabilize governments (identified as an urgent global threat by the WEF).

Case Study: Gabon (2018)

- **The Core Danger:** In developing nations, the possibility of a deepfake is just as damaging as the reality, eroding trust in democratic processes.
- **The Paradoxical Solution:** AI detection and blockchain tools are being explored, but they require immediate, strong governance support to be effective.

RISK II: PRIVACY BREACHES AND IDENTITY THEFT

- **The Direct Threat: Digital Likeness (faces, voices, gestures) can be cloned without consent and used for deception.**
- **Consequences (Two-Fold Harm)**
- **Emotional and Reputational: Psychological distress and severe reputational damage from non-consensual deepfakes.**
- **Financial and Fraudulent: Used to authorise fund transfers and commit large scale theft.**
- **Striking Case (2024): Deepfake video call tricked a firm's employee into transferring \$25 Million to criminals. The Legal Gap**

RISK III: Regulatory Gaps and Governance Failures

- Problem: The Systemic Problem: Most frameworks are reactive.
- The Regulatory Patchwork: Legal responses in dynamic economies like India and Nigeria are fragmented.
- Corporate Influence: Political lobbying actively weakens oversight (e.g., Brazil's AI Bill).
- Ineffective Measures
- The Imperative.

IP CHALLENGES

1 . Authorship and Ownership and Personality Rights

- The Problem: Most global IP systems (including WIPO members) still insist on human authorship for copyright protection.
- Global Divergence
 - US: Requires human authorship, consistently rejects works created by autonomous AI (THALER CASE).
 - UK: Assigns authorship to the person who undertakes the necessary arrangements for creation.
 - CHINA (LI V LIU): Takes a pragmatic approach.
- **Personality Rights**: Cloning of face/voice without consent; misuse of identity and reputation.
- Collective Heritage: Scraping cultural expressions (Nollywood, Afrobeats) without compensation.

2. Training Data and Cultural Extraction

- **Massive Scraping:** Generative AI is trained on copyrighted works (books, music, films) without permission or compensation.
- **Legal Divide:** Courts are deeply divided over whether this constitutes Fair Use or Infringement.
- **The Legal Vacuum:** Absence of clear statutory TDM exceptions (Brazil, Nigeria) creates uncertainty.
- **Economic Threat:** Local content is scraped for global models, resulting in cultural extraction and loss of remuneration.
- **The Gridlock:** Currently, no binding international instrument specifically addressing these IP implications.

Case Studies

The Spectrum of Progress: Legal frameworks for synthetic media are incomplete and inconsistent across jurisdictions.

Emerging Economies (Uncertainty & Gaps):

- India: Absence of clear training data rules.
- Nigeria: Strong privacy laws (NDPA) but cultural IP is vulnerable.
- Brazil: Remuneration principle exists, but implementation is lacking.
- Kazakhstan kz: Drafting new AI laws but facing foreign lobbying pressure.

Established Economies (Exclusion & Pragmatism)

- US/EU: Exclude AI-only works, maintaining the human creativity requirement.
- China: Grants protection pragmatically for AI-assisted works.

The Development Trap: Converting IP Gaps into Economic Cost

The Problem: Inconsistent legal frameworks transform synthetic media into a tool of exploitation and uncertainty, rather than a growth catalyst.

Symptoms of the Trap (The Economic Liabilities):

Innovation Stalls: Investors avoid the market due to high legal ambiguity and litigation risk.

Creator Drain: Local talent loses incentive when work is scraped for free (Cultural Extraction).

Erosion of Sovereignty: Unique national assets are used without fair return, with economic benefits flowing outward.

Escaping the Trap: The Common Framework:

Priority 1: Transparency (TDM): Mandatory disclosure of training data sources.

Priority 2: Fair Remuneration: Compensation for creators' economic and moral rights.

Regulatory Gaps: Blocking National Development

COUNTRY	Legal Gap (Failure to Mitigate Risk)	Hinderance to Development (Failure to Leverage Benefit)
INDIA	Lack of clear law on Training Data (TDM).	Stifles Tech Transfer: Deters responsible global investment due to the high risk of major copyright lawsuits.
BRAZIL	Unclear Enforcement/Payment Systems for creator royalties.	Undermines Creator Economy: Destroys local talent's incentive to create, making synthetic media a tool for cultural extraction.
NIGERIA	Data Act's narrow focus, fails to protect Original Copyrighted Works.	Loss of Cultural Sovereignty: Local films, music, and art are scraped for free, but the economic benefits flow to foreign models.
Kazakhstan	Lack of settled precedent and high risk of undue influence in new law design.	Crushes Local Innovators: New laws may favor large foreign tech firms.

STRATEGIC ROADMAP

PHASE I: Legal Certainty (Securing the Law)

The Problem: Global IP Gridlock due to the lack of a binding international instrument on synthetic media.

Action 1 (TDM): Implement Collective Licensing Frameworks for Text and Data Mining (TDM) to ensure AI companies pay to use national data.

Action 2 (Liability): Codify clear Authorship and Liability Rules so creators know where they stand.

PHASE II: Direct the Technology

Goal: Use the power of localization to close public service deficits.

Service Delivery: Instantly translate medical or educational guides into every indigenous language (e.g., India's AI Tutors, Brazil's Education Strategy).

Cultural Protection: Establish National Cultural Data Trusts.

PHASE III: Global Cooperation (International Alignment)

- WIPO's Role: Develop the necessary international alignment to prevent a regulatory race to the bottom.
- Harmonization
- Capacity Building: (e.g., Kazakhstan's compulsory AI training).

Stability: Create a Global Misinformation Response Network

CONCLUSION

Secure the law, direct the technology, and collaborate globally. That is how we escape the development trap and ensure synthetic media becomes not a tool of exploitation, but a catalyst for development.

THANK YOU FOR YOUR ATTENTION

Email

oghomwen.igbinedion@uniben.edu