

CONTENTS

| | |
|--|----|
| <i>Acknowledgements</i> | v |
| Introduction | 1 |
| PART I. HUMAN RIGHTS ONLINE | |
| Chapter 1. The Internet and Human Rights: A Tale of Two Systems | 9 |
| 1. Introduction | 9 |
| 2. How does the Internet Work? | 9 |
| 3. How do International Human Rights Work? | 16 |
| 4. Discussion | 22 |
| 4.1. Early Human Rights Implications of the Internet | 22 |
| 4.2. The Emergence of Internet Governance | 25 |
| Chapter 2. The Emergence of Human Rights Online | 29 |
| 1. Introduction | 29 |
| 2. The Promise of the Internet | 29 |
| 3. Case Studies | 30 |
| 3.1. Email Surveillance | 31 |
| 3.2. Signal Jamming | 32 |
| 3.3. Entrapment and Informants | 34 |
| 3.4. Information Filtering and Content Blocking | 34 |
| 3.5. Criminalising Online Behaviour | 36 |
| 3.6. Internet Shutdowns | 38 |
| 4. Discussion | 42 |
| Chapter 3. Human Rights Violations | 47 |
| 1. The Conceptual Challenges | 47 |
| 2. What is a Human Rights Violation? | 48 |

| | |
|--|------------|
| 4. The Internet Governance Response | 118 |
| 5. The Emergence of Human Rights in the Digital Age..... | 122 |
| | |
| Chapter 7. Human Rights and the Internet in a Time of Covid-19..... | 125 |
| 1. Introduction | 125 |
| 2. Covid-19..... | 125 |
| 3. The Importance of the Internet..... | 127 |
| 4. Digital Proximity Contact Tracing..... | 129 |
| 4.1. Geolocation..... | 130 |
| 4.2. Bluetooth..... | 131 |
| 4.3. QR Codes | 132 |
| 4.4. Discussion..... | 132 |
| 5. Regulatory Approaches | 137 |
| 5.1. Public Health Legislation | 137 |
| 5.2. Specific Digital Contact Tracing Laws..... | 138 |
| 6. Implications..... | 140 |
| | |
| Chapter 8. Human Rights and Artificial Intelligence..... | 143 |
| 1. Introduction | 143 |
| 2. What is 'Artificial Intelligence'?..... | 143 |
| 3. AI Tools and Human Rights | 146 |
| 3.1. Algorithmic Bias and Discrimination..... | 146 |
| 3.2. Transparency and Due Process | 150 |
| 3.3. Privacy and Data Protection..... | 152 |
| 4. Regulatory Approaches | 153 |
| 5. Ethics and AI..... | 158 |
| 6. AI and Online Content: The Christchurch Call | 161 |
| | |
| Conclusion | 167 |
| 1. Introduction | 167 |
| 2. Summary | 167 |
| 3. Implications..... | 173 |
| 4. Outlook | 175 |
| | |
| <i>Index.....</i> | 179 |

| | | |
|---|--|------------|
| 2.1. | Case Studies | 51 |
| 2.1.1. | Enforcement of ‘Real Name’ Policies | 51 |
| 2.1.2. | The So-Called ‘Right to be Forgotten’ | 53 |
| 2.1.3. | Discussion | 56 |
| 2.2. | Definitions of Harm Online | 56 |
| 2.3. | A Legal Remedy | 59 |
| 3. | Implications for Accountability | 63 |
| Chapter 4. Accountability for Human Rights Violations Online | | 67 |
| 1. | Introduction | 67 |
| 2. | Advocacy Strategies | 67 |
| 2.1. | Advocating for ‘Communication Rights’ | 68 |
| 2.2. | Advocating for Charters of Internet Rights and Principles | 70 |
| 2.3. | Advocating for a Rights-Based Approach to Human Rights and the Internet | 74 |
| 2.4. | Advocacy Strategies and National Human Rights Institutions | 75 |
| 3. | Regulatory Approaches | 76 |
| 4. | From Communication Rights to Internet Rights | 79 |
| 5. | An Advocacy Strategy for the HRC | 83 |
| Chapter 5. Accountability in the United Nations Human Rights Council | | 87 |
| 1. | Introduction | 87 |
| 2. | Making the Conceptual Link: Freedom of Expression and the Internet | 87 |
| 3. | The Expert Panel on Freedom of Expression and the Internet | 92 |
| 4. | The Universal Periodic Review | 96 |
| 5. | The Resolution on Human Rights and the Internet | 100 |
| 6. | Connecting Human Rights and Internet Governance | 102 |
| PART II. NEW CHALLENGES IN THE DIGITAL ERA | | |
| Chapter 6. Human Rights in the Digital Age | | 109 |
| 1. | Introduction | 109 |
| 2. | Surveillance and the Right to Privacy | 109 |
| 3. | Responding to the Conceptual Challenges | 111 |