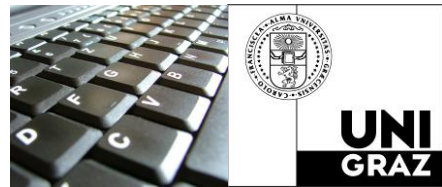


INSTITUTE OF INTERNATIONAL LAW AND INTERNATIONAL RELATIONS

Focal Point on Internet Governance and Human Rights



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Focal Point on Internet Governance and Human Rights

Background | Team | Activities | Publications

As technologies change, so must law. The digital revolution caused by the evolution of information and communication technologies (ICTs) has given birth to a new field of law: the law of the information society. The Internet, as a network of networks that ICTs have dynamized, is regulated through a process of Internet Governance. In both the law of the information society and that of Internet Governance, human rights play a central role.

The Institute of International Law and International Relations of the University of Graz, Austria, has a strong tradition of innovative research and teaching and a convincing track record of covering emerging issues of international law. Since 2001, the Institute has committed resources specifically to the international normative instruments regulating the evolving international information order.

While other institutes of the Law Faculty of the University of Graz focus on subjects as European legal development and ICTs, civil law and ICTs, intellectual property and ICT and cybercrime, the Institute of International Law and International Relations broaches more fundamental issues: How can (and how should) the Internet be ruled in a way that is both effective and sensitive to human rights?

Research on this far-reaching question has been conducted by Professor Wolfgang Benedek, head of the Institute of International Law and International Relations, and a team of young researchers in the framework of three projects funded by the Austrian Science Fund. The projects have led to five workshops, numerous publications, including two books, and have enabled the researchers from Graz to reach an established position in the international research community, namely with regard to human rights in the information society.

Wolfgang Benedek and the members of the Focal Point have been present and active during the most important moments of the evolution of the information society in the last seven years: from the WSIS process and selected ICANN International Public Meetings to all Internet Governance Forums held until today.

Members of the Focal Point are further active in several Dynamic Coalitions, including those committed to furthering human rights, and the freedom of expression, on the Internet. Focal point members Professor Wolfgang Benedek and Matthias C. Kettemann are also members of the Global Internet Governance Academic Network

(GigaNet) and contributors to its workshops. Both publish widely on Internet Governance and human rights, both offline and online.

I. The team of the focal point

Presently, a team of two scholars is actively involved in research on the legal dimensions of the information society:



Professor Dr. Wolfgang Benedek

head of the Institute of International Law and International Relations, University of Graz; director of the European Training and Research Centre for Human Rights and Democracy (ETC) of the University of Graz; member of the Global Internet Governance Academic Network, the Internet Rights and Principles Coalition and the Civil Society Internet Governance Caucus

Dr. Matthias C. Kettemann, LL.M. (Harvard)

research fellow and lecturer, Institute of International Law and International Relations, University of Graz; Co-Chair of the Internet Rights and Principles Coalition; blogs on international law and the Internet at <http://internationallawandtheinternet.blogspot.co.at>; writes regularly on Internet and human rights for online and offline audiences; reviewer for contributions related to the information society for *Political Communication*, *First Monday*, *Masaryk Journal of Law and Technology* and *Global Information Society*; member of the Global Internet Governance Academic Network, the Dynamic Working Coalition on Internet Governance Mapping, the Internet Rights and Principles Coalition and the Civil Society Internet Governance Caucus



II. Projects and key activities on Internet Governance law

2012

- Wolfgang Benedek selected as expert for the Council of Europe Committee of Experts on Rights of Internet Users (MC-DUI)
- Council of Europe charges Wolfgang Benedek, Matthias C. Kettemann and Paul Gragl with providing a human rights assessment of new gTLDs
- Matthias C. Kettemann named thematic lead of the 5th initiative on human rights and the Internet of the Internet&Society Co:llaboratory
- Wolfgang Benedek named co-rapporteur by the Asia Europe Foundation for the 2012 Annual Informal EU/ASEAN Human Rights Workshop

2011

- Together with a team of scholars, Wolfgang Benedek developed the Charter on Internet Rights and Principles for the Internet Rights and Principles Coalition
- Matthias C. Kettemann named Co-Chair of the Internet Rights and Principles Coalition

2010

- Council of Europe contracts Wolfgang Benedek and Matthias C. Kettemann with writing a book on freedom of expression on the Internet

2005-2008

- We, the Information Society? The Role of Multi-Stakeholder-Participation for the Implementation of Human Rights Approaches (project leader: *Wolfgang Benedek*; research fellows: *Matthias C. Kettemann* (2006-2008)/*Veronika Bauer* (2006-2007)/*Catrin Pekari* (2005-2006))

2003-2005

- Human Rights in the Information Society (Project leader: *Wolfgang Benedek*; research fellow: *Catrin Pekari*)

2001-2003

- ICANN, OECD and WTO in the evolving international regulatory regime of the Internet (Project leader: *Wolfgang Benedek*; research fellow: *Catrin Pekari*)

III. Teaching and training activities

- Units on human rights and the Internet at the annual Internet Governance Summer School in Meißen (*Wolfgang Benedek*)
- Austria's first seminar on International Law and the Internet (*Matthias C. Kettemann*)
- Co-teaching a course on human rights aspects of IT for students of all faculties (*Matthias C. Kettemann*)
- Brown Bag Lunches on human rights and Internet law for students and the public (*Matthias C. Kettemann*)
- Unit on the law of the information society in the general course on international law (*Wolfgang Benedek*)

- Units on human rights aspects of the information society in the “Human Rights Debate Club” (*Wolfgang Benedek/Matthias C. Kettemann*)
- “Debate Club on Legal Questions of the Information Society” (*Wolfgang Benedek/Matthias C. Kettemann*)
- Workshops for teachers on the dangers and opportunities for children on the Internet
- Regular lectures for high school students on the right to privacy on the Internet

IV. Publications

Books

- *Kettemann*, The Future of Individuals in International Law. Lessons from International Internet Law, Utrecht 2012 [in preparation].
- *Benedek/Kettemann*, Freedom of Expression on the Internet, Council of Europe, Strasbourg 2012 [in preparation].
- *Gahren/Haselbeck/Kettemann/Klug/Senges* (eds.), Menschenrechte und Internet. Zugang, Freiheit, Kontrolle [Human Rights and the Internet. Access, Freedom, Control]. Final Report of the 5th Initiative of the Internet&Society Co:laboratory (Berlin: Internet&Society Co:laboratory, 2012).
- *Benedek*, Wolfgang/Bauer, Veronika and *Kettemann*, Matthias C. (eds.), Internet Governance and the Information Society. Global Perspectives and European Dimensions (Utrecht: Eleven Publishing, 2008).
- *Benedek*, Wolfgang/Pekari, Catrin (eds.), Menschenrechte in der Informationsgesellschaft [Human Rights in the Information Society] (Hannover: Boorberg, 2007).

Recent Articles

2012

- *Kettemann*, Grotius goes Google: Der Einfluss der Internet Governance auf das Völkergewohnheitsrecht [Grotius goes Google: The Influence of Internet Governance on Customary International Law], in Christoph Vedder (ed.), Tagungsband 37. Österreichischer Völkerrechtstag 2012 [Collected Contributions to the 37th Annual Austrian Conference on International Law 2012], Vienna 2013 [in print].
- *Kettemann*, Internet Governance, in Elisabeth Staudegger (ed.), Informatikrecht [Law of Informatics], Springer Wien/New York 2012 [in print].
- *Kettemann*, Das Internet als internationales Schutzgut: Ließ der Arabische Frühling das Internetvölkerrecht erblühen? [The Arab Spring and International Internet Law: Does the Internet Enjoy International Protection?], ZaöRV, 3 (2012) [in print].

- *Kettemann*, Are Internet Governance Principles the New Pathway to Human Security and Human Rights Online?, Human Security Perspectives 1/2012 [in print].
- *Kettemann*, Menschenrechte als Maßstab für die Zukunft des Internet [Human Rights as the Normative Standard for the Future of the Internet], Springer Recht.at Expertenforum, http://www.jusportal.at/menschenrechte-als-masstab-fur-die-zukunft-des-internet_matthias-c-kettemann (2012).
- *Kettemann*, Wo soll Vint Cerf sein Pferd unterstellen? Zur Debatte um das Recht auf Internet-Zugang [Where should Vint Cerf put his horse? On the debate on the right to Internet access], *juridikum* (2012), 2, 13-15.
- *Kettemann*, Internet und Menschenrechte. Eine Ansage [Internet and Human Rights. A Call to Action], in Gahren/Haselbeck/Kettemann/Klug/Senges (eds.), Human Rights and the Internet. Access, Freedom, Control. Final Report of the 5th Initiative of the Internet&Society Co:llaboratory (Berlin: Internet&Society Co:llaboratory, 2012), http://cobase.collaboratory.de/w/Abschlussbericht_Menschenrechte_und_Internet, 21-25.
- *Kettemann*, Gibt es Schutzlücken im Internet? [Are there Human Rights Gaps on the Internet?] in Gahren/Haselbeck/Kettemann/Klug/Senges (eds.), Human Rights and the Internet. Access, Freedom, Control. Final Report of the 5th Initiative of the Internet&Society Co:llaboratory (Berlin: Internet&Society Co:llaboratory, 2012), http://cobase.collaboratory.de/w/Abschlussbericht_Menschenrechte_und_Internet, 26-34.
- *Kettemann*, The Power of Principles: Reassessing the Internet Governance Principle Hype, in: Erich Schweighofer/Franz Kummer/Walter Hötendorfer (eds.), Transformation juristischer Sprachen [Transformation of Legal Languages]. Tagungsband des 15. Internationalen Rechtsinformatik Symposions IRIS 2012 [Proceedings of the 15th International Legal Informatics Symposium], Vienna 2011, 445-448 (also published as: *Kettemann*, The Power of Principles: Reassessing the Internet Governance Principle Hype: Jusletter IT, 29.2.2012, www.jusletter-it.eu).
- *Kettemann*, Endlich bestätigt: Menschenrechte gelten online wie offline [Finally Resolved: Human Rights are Binding Offline Just as Online], *jusPortal.at* (Verlag Österreich), 24 July 2012, http://www.jusportal.at/endlich-bestatigt-menschenrechte-gelten-online-wie-offline_matthias-c-kettemann.
- *Kettemann*, UN Human Rights Council Confirms that Human Rights Apply to the Internet, *EJIL Talk*, 23 July 2012, <http://www.ejiltalk.org/un-human-rights-council-confirms-that-human-rights-apply-to-the-internet/#more-5207>.
- *Kettemann*, Die Stellschrauben des internationalen Rechts zur Durchsetzung der Internetfreiheit [The Adjustable Screws of International Law to Ensure Internet Freedom], Comment on Rolf H. Weber, Gibt es Grenzen für staatliche Beschränkungen der Internetfreiheit? [Are there Limits to State Policies Limiting Internet Freedom], *MIND* (Multistakeholder Internet Dialogue) # 3, Co:llaboratory Discussion Paper Series No. 1, May 2012, 72-77, http://dl.collaboratory.de/mind/mind_03.pdf.

- *Kettemann*, Ensuring Global Development through Internet Freedom, In Focus, Digital Rights Watch, 24 April 2012, <http://digitalrightswatch.org/?p=105250>.

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- *Benedek*, Wolfgang, Multistakeholder Governance als politisch-rechtliche Innovation, in: MIND – Multistakeholder Internet Dialog, Co:llaboratory Discussion Paper Series No. 1, Wolfgang Kleinwächter (Hg.), Berlin, Mai 2011, 21-22.
- *Benedek*, Wolfgang, The Relevance of the Multi-Stakeholder Approach and Multi-Track Diplomacy for Human Rights Diplomacy, in: Michael O’Flaherty/Zdzislaw Kedzia/Amrei Müller/George Ulrich, Human Rights Diplomacy: Contemporary Perspectives, Martinus Nijhoff Publishers, Leiden/Boston, 2011, 251-261.
- *Kettemann*, Nationale Sicherheit und Informationsfreiheit [National Security and Freedom of Information], in Kirsten Schmalenbach (ed.), Tagungsband Österreichischer Völkerrechtstag 2011 [Collected Contributions to the 36th Annual Austrian Conference on International Law 2011], Vienna 2012 [in print].
- *Kettemann*, Building the Legal Framework of the Information Society: Lessons from Combating Hate Speech, in: Erich Schweighofer/Frank Kummer (eds.), Europäische Projektkultur als Beitrag zur Rationalisierung des Rechts. Tagungsband des 14. Internationalen Rechtsinformatik Symposiums IRIS 2011 [European Project Culture as a Contribution to the Rationalization of Law. Contributions to the 14th International Symposium on Legal Informatics] , ÖCG, Vienna 2011, 179-182 (also published as *Kettemann*, Building the Legal Framework of the Information Society: Lessons from Combating Hate Speech, in: Jusletter IT, 24 February 2011, www.jusletter-it.eu).
- *Kettemann*, Wider die Cyberutopie in der Weltpolitik. Twitter und Facebook machen noch keine Revolution [A Critique of Cyber Utopism in Global Politics. Revolutions Need More than Twitter and Facebook], *juridikum* (2011), 2, 155-158.
- *Kettemann*, Recht und Macht im Internet. Onlinehegemonien und ihre Durchbrechungen [Law and Power in the Internet: Online Hegemonies and their Transcendence], *juridikum* 4/2011, 457-459 (and coordination of the thematic focus on the *juridikum* on law and power on the Internet).
- *Kettemann*, Ensuring Human Rights Online: An Appraisal of Selected Council of Europe Initiatives in the Information Society Sector in 2010, in W. Benedek et al. (eds.), European Yearbook on Human Rights 2011, Vienna 2011, 461-482.

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- *Benedek/Kettemann*, The Council of Europe and the Information Society, in Renate Kicker (ed.), The Council of Europe: Pioneer and Guarantor for Human Rights and Democracy, Strasbourg 2010, 88-93.
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- *Kettemann*, Reform statt Revolution: ICANNs neues Accountability-Regime im Lichte europäischer Kritik [Reform, Not Revolution: The Accountability Regime of ICANN in Light of European Critique], *jusIT* (2009) 6, 215-220.
- *Kettemann*, Der Europarat und die Informationsgesellschaft [The Council of Europe and Information Society], *politicum* (2009) 108, 103-108 (with Wolfgang Benedek).
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- *Bauer, Veronika/Kettemann, Matthias C.*, Internet Governance, Quo Vadis? Meeting the Challenges of Internet Governance in a Multi-Stakeholder Environment, in Benedek, Wolfgang/Bauer, Veronika/Kettemann, Matthias C. (eds.), Internet Governance and the Information Society. Global Perspectives and European Dimensions (Utrecht: Eleven Publishing, 2008), 163-171.
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- *Bauer, Veronika/Kettemann, Matthias C.*, Menschenrechtliche Implikationen der Informationsgesellschaft und österreichische Regulierungsansätze [Human Rights Implications of the Information Society and Austrian Regulatory

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