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GDHRNet Quarterly

The Global Digital Human Rights Network announces its first Quarterly Newsletter, with highlights from our works, events and growing network.

*Our research agenda
and outcomes*

From our desks

The GDHRNet has launched **three studies**, based on country reports, of which one has been released in late November and two are soon to be released.



GLOBAL DIGITAL HUMAN RIGHTS NETWORK

The **first study**, coordinated by Matthias C. Kettemann, and Martin Fertmann *Viral information*, explores the spread of disinformation relating to the Covid-19 pandemic on the internet, dubbed by some as the pandemic's accompanying "infodemic," and the societal reactions to this development across different countries and platforms. The study's focus is on the role of states and platforms in combatting online disinformation. It involved more than 20 countries from within and beyond EU borders.

The **second study**, coordinated by Tiina Pajuste and Mart Susi *Comparative study of Covid-19 vaccine "passport" discourses*, gathers and systematically analyses countries' position concerning the proposal of the so called "vaccine passport", based on blockchain or other comparable technologies. Such passports record, probably with no possibility to delete the "traces" of one's choices and medical history, whether the bearer of the passport is "safe" for international travel. The study explores public discussion, normative dimension and the compatibility of such an instrument with fundamental human rights principles. The outcome

will be recommendations to the national authorities and policy-makers, also at the EU level, to consider our findings when making these difficult choices.

The **third study**, coordinated by Matthias C. Kettemann and Martin Fertmann *Private Regulation of Public Actors*, tackles the issue of content moderation and political discourse. From January 6, Internet companies like Twitter, Facebook, Instagram, YouTube, TikTok and Telegram removed the accounts and channels of Donald Trump and his supporters. So, we all faced a reality: platforms can moderate (and remove content and users) very effectively if they want to. Important questions then raised and are addressed by this study: Are platforms allowed to remove politicians from (their) public arena? And what about political parties? Facebook's Oversight Board is currently considering such a case, and the study will shed light on this question against the background of GDRHNet member countries.

*More on what's going
on in the Action*

Publications of interest

Paolo Cavaliere & Graziella Romeo, *From poison to antidotes: algorithms as democracy boosters?*, HALGOLAW Project (Paris HEC), Conference Proceeding, forthcoming 2021.

Alexandre L. Dias Pereira, *A copyright 'human-centred approach' to AI?*, Journal of European and International IP Law, 13 March 2021.

Matthias Kettemann, *The Normative Order of the Internet. A Theory of Rule and Regulation Online* (Oxford: Oxford University Press, 2020).

Matthias Kettemann (ed.), *Navigating Normative Orders. Interdisciplinary Perspectives* (Frankfurt/Main: Campus, 2020).

Events

!!! 12 April 2021, 10.00 CET!!!

Launch of Action's second study *Comparative study of Covid-19 vaccine "passport" discourses*, with former Estonian President Toomas Hendrik Ilves, FRA General Director Michael O'Flaherty and German Cyber Ambassador Regine Grienberger.

More information and registration form can be found here:

<https://gdhrnet.eu/latest-news-and-announcements/webinar-the-impact-of-vaccine-passports-on-human-rights-the-results-of-an-international-study/>

June 2021 – Eurodig conference

GDHRNet will be present at the next Eurodig conference within a panel devoted to *European media landscape – How to create a trusted public space?* The conference will take place from 28 – 30 June 2021.

In particular, Action's members intend to discuss how Big Tech are contributing to the creation of international human rights standards. Big Tech platforms govern the relationship with users by instruments of contract law, usually defined as Terms of Services ('ToS'). Users spontaneously adhere to the rules established in ToS and community guidelines. A closer look at it shows how platforms define and interpret users' human rights according to their legal, economic and ethical framework. By defining the criteria according to which these decisions are enforced as well as the procedural and technical tools underpinning their ToS, platforms establish the rules governing even billions of users. The predominance of contract over human rights law challenges consumer protection as enshrined by Article 38 of the European Charter of Fundamental Rights. Since platforms could rely on their freedom to conduct business and

they are not required to comply with human rights as private actors, one of the primary challenges for consumer law in the European framework is to understand where contractual freedom would give way to the protection of human rights considering the need to ensure the effective protection of consumers in the Union.

From the community

New members

The Action leadership is pleased to announce that the **Toomas Hendrik Ilves**, Estonian former President, joined the Action as member of the Advisory Board. The Action will benefit from his vast expertise and his knowledge of the European context. Moreover, Toomas Hendrik Ilves's involvement signals the Action's strength in terms of networking and commitment to European values.

GDHRNet to cooperate with FRA

The Action led by the GDHRNet will closely cooperate with the Fundamental Rights Agency of the European Union to build a culture of digital human rights. In light of this, Director of FRA Micheal O'Flaherty has joined the Advisory Board of the GDHRNet in December 2020.

Find us

- ▶ Twitter: @GDHRNet
- ▶ Facebook group „Global Digital Human Rights“
<https://www.facebook.com/Global-Digital-Human-Rights-Network-103592978250843>
- ▶ Instagram: „Cost Action CA19143“
<https://www.instagram.com/costaction/>