Index

Ablon, L. 115
AccessNow 94, 152, 203, 333
activism 48–9, 51, 67–70, 86–7, 204–7, 217–18, 348–9, 388
Adams, P. 28
Adrian, D. 314
Agrafiotis, I. 130
Åhäll, L. 335
Akdeniz, Y. 347–8, 374
Albin-Lackey, C. 362
Albury, K. 388
Aldred, J. 55
alldrich, R. 40
Allen, T. 296
Alper, M. 383
Amoretti, F. 175
Andersen, L. 318
Angle, S. 384, 387
animal keeper liability 289–91
Aoyama, I. 392
argumentation maps see socio-technical systems, liability and automation, argumentation maps, Legal Case methodology and liability risk analysis
Aroldi, P. 388, 394
Arquilla, J. 78
Arthur, C. 69
artificial agents 268–98
human rights affected 269–70
human rights legal framework 269–76
legal personhood 296–8
legal personhood, corporations 297
legal personhood, vicarious liability principles 296–7
remedy right 270–75
remedy right and treatment of private parties 272–5
tort law and extra-contractual liability 275–96
artificial agents, autonomous artificial agents 287–96
breach of post-sale duties 295
employees and agents’ tortious acts 291–3
liability of an animal keeper 289–91
manufacturers’ liability 293–5
manufacturers’ liability, design safety 293–4
manufacturers’ liability, self-modification 294
multiagent systems and traceability of communications 294–5
service providers 296
user-consumer, agent supervision 288
user-consumer, fault-based 287–8
user-consumer, strict liability 288–93
artificial agents, software with predetermined behaviour 277–87
consumer expectation test 282
foreseeable risks 283
manufacturer liability 279–86
manufacturers liability under German Civil Code, section 823(1) 285–6
market and product monitoring 285–6
product defect, manufacturing and/or design 281–4
product liability, burden of proof 284–5
risk/utility test 282
service providers 286–7
software as a product 280–81
user-operator, strict liability 278–9
user/operator, fault-based liability 277–8
Ash, T. 64
Ashenden, D. 79
Association for Progressive Communications (APC) 14, 366–7, 423, 425
Aust, S. 230
Austin, G. 55, 56, 57
Austin, L. 214
Austin, P. 56
Australia, Toonen v. Australia 415
automation
socio-technical systems see socio-technical systems, liability and automation
state cybersecurity interventions and harm potential 140–42
autonomous artificial agents see artificial agents, autonomous artificial agents
autonomous vehicles, cybercrime 102–3
Avri, D. 430
Axelrod, R. 79
Bachan, K. 383
Badahdah, A. 26
Badahdah, A. 26
Bakir, V. 201
Ball, K. 202
Big Data mining see state cybersecurity interventions and harm potential, bad behaviour identification and prediction by algorithms (Big Data mining)

Big Data mining

Big Data mining see state cybersecurity interventions and harm potential, bad behaviour identification and prediction by algorithms (Big Data mining)
Castro, D. 8
Cavoukian, A. 95
Cawley, R. 165
Cendoya, A. 117
censorship 7, 323, 326, 419–21, 424, 427–8, 429–30
self-censorship 199, 201
Chakrabarti, S. 17–18, 21
Chandler, D. 301, 306, 313
Chanliau, M. 95
Chassiakos, Y. 394
Chawki, M. 98
Chemaly, S. 421
Childers, S. 255
children's rights 376–410
access limitations 382–3
accountability issues 378
age-blindness of Internet 378
biometric devices and health 395
civil rights and freedoms 385–8, 395
Council of Europe Strategy for the Rights of the Child 379
cyber-bullying 379, 390
data protection 387–8, 391–2
diet and fast-food marketing 394
and digital media 376–80, 382
disability, basic health care and benefits 394–7
education, leisure and cultural activities 397–400
evidence and children's views 380–400
family environment and alternative care 392–4
future potential for wellbeing 395–7
gender discrimination 383
Global Kids Online project 395, 398
International Institute for Child Rights and Development (IICRD), Child Protection Partnership (CPP) 391
LGBTQI and ‘Growing Up Queer’ project 396
Moraba mobile game 391
non-discrimination, children's best interests and optimum development 381–3
One Laptop per Child initiative 397
online violence 388–92, 394–5
parental responsibilities 388, 392–3
right to be heard 383–5
right to freedom of expression 386
right to privacy 387–8, 391
risk responses 391–2, 397
sexual exploitation and WeProtect Global Alliance 379
sexual/pornographic content effects 395
transnational and cultural concerns 378–9
UN Convention on the Rights of the Child (UNCRC) 376, 377, 379, 381–5
UNICEF 380, 384, 395
China, export controls of surveillance technologies 308–12
Chirico, F. 165
Chopra, S. 268, 269, 276, 281, 282, 284, 287, 288, 289, 290, 294, 296, 297, 298
Cilesiz, C. 400
Cioffi-Revilla, C. 431, 432
civil rights and freedoms, children's rights 385–8, 395
civil society involvement 12–14, 15–16, 21, 92, 199–200, 209, 219, 302, 316
Clapham, A. 6, 272, 273
Clement, A. 197, 211, 212, 216
Clifford, B. 412
cognitive-systems engineering 250
Cohen, F. 324
Cohen, J. 358
Cole, H. 396
Coleman, J. 383
Coleman, S. 175, 399
Collin, P. 382, 385, 400
Comninos, A. 348
complacency concerns 16–19
consumer expectation test, and software with predetermined behaviour 282
Contissa, G. 247–67
Conway, M. 324, 325
Cook, P. 389
Coolsaet, R. 323
cooperation
cybercrime 108–10
Europol, EU Internet Referral Unit and online radicalization 333–4, 338–9
international intelligence cooperation rules 236, 238, 241
national security 34–5, 37, 41
coopetition and national security 37–8, 42
copyright see digital copyright
Corner, E. 325
Cornish, P. 77
corporations
corporate world harm, and mass state surveillance 202–3
cybersecurity and private company involvement 82, 87–8, 92
human rights commitment 348–9, 352–7, 359–61
legal personhood 297
socio-technical systems, liability and automation 252–4
see also manufacturer liability
Cortesi, S. 383, 403
Cosco, V. 195
Cotino, L. 180
Cotter, T. 64
Couclelis, H. 26
Council of Europe 14, 370–72, 374
Cybercrime Convention 147, 150–51, 154
Data Protection Convention 149–50
Resolution on the Right to Internet Access 171, 172
Rule of Law on the Internet 90–91
Strategy for the Rights of the Child 379

Couture, S. 199
Cowls, J. 325
Crang, M. 29
Crenshaw, M. 322

crime see cybercrime; cybersecurity
Critical Internet Resources (CIRs) management, and cybersecurity 119–20

Cruft, R. 171
Crutcher, M. 30
Cuba, Internet access 180–94
Constitutional and political rights 184, 186, 187–93
education promotion 187, 188–9
freedoms of expression and of the press 180–81, 182, 184
future direction 194
as human right 180–83, 184, 187–93
information technologies, commitment to increasing use of 190–92, 193
jurisdictional intervention restrictions 184–5
navigation rooms and connectivity costs 185–6
participation in the public life of citizens 188
penetration rate ranking 183–4
political, legal and social issues 183–6, 187
professional involvement and unification 192
right of association limitations 192–3
state provision as public service 185–6
telecommunications sector investment 190
transportability of services improvement 188

Cullen, C. 220

cultural issues 378–9, 413–14, 429
Cutié, D. 185
cyber-bullying, and children’s rights 379, 390

cybercrime 98–112
attribute issues 102–3
autonomous vehicles 102–3
CIA offenses (confidentiality, integrity and availability) 104
coercive measures 106–7
computer- and content-related offenses 104–5
conflict of jurisdiction 102
covered telecommunication surveillance 106–7
criminal investigations in cyberspace 105–10
definition 98
encryption and backups 101, 106, 107
fight against and political leverage 98–9
future research 110–11
and human rights, protection and limitations 99–101, 110–11
ICT regulation 103–4
international cooperation and enforcement jurisdiction 108–10
investigatory powers 100
jurisdiction to prescribe to extra-territorial situations 102–3
programmability challenges of ICT 100–101
remote forensic software 107
subscriber identification and telecommunication data retention 107–8
cybersecurity 73–97
civil society organizations 92
cross-border, law enforcement access to data 85–6
cyberwar concerns 78–9
definitions 75–80
EU General Data Protection Regulation 94
freedom of opinion and expression and free flow of information 86–9
government surveillance and intelligence gathering practices 83–5
hacking 81, 87, 131, 138, 147–9, 152, 269–70
human rights 80–92
terrorism, anti-terror legislation 83, 87–8, 90, 95, 96
US International Strategy for Cyberspace 94–5

Ben Wagner, Matthias C. Kettemann and Kilian Vieth - 9781785367724
Downloaded from Elgar Online at 09/13/2019 02:37:23PM
via free access
US NSA and Snowden allegations 83–5, 90

see also Internet; national security; surveillance
cybersecurity protection and international law 113–28
aggression ban 123
and common interest 117–19
criminal misuses of computers and networks 114–15
Critical Internet Resources (CIRs)
management 119–20
customary international law 122–4
freedom of expression 118
good neighbourliness (no harm) principle 123–4
human error 113
Internet freedom comparison 116
Internet and international law 121–2
multi-stakeholder approach 126
national cybersecurity strategies 116–17
non-intervention principle 123
peaceful settlement of disputes principle 123
precautionary principle (due diligence) 124–6
ransomware 116, 127, 344
sovereign equality principle 123
and state sovereignty 120
cyberspace regulation 24–32
abstract space versus network 29–30, 31–2
code/space and coded space distinction 29
digital divide issues 31
grammatical rules associated with the Internet 28, 32
ontic role 28, 30–31
power relationships between different groups of people 31
spatial metaphor 26–8, 30
unregulated activity challenges 30–31
Czychoski, C. 99

Daase, C. 320
Dachwitz, I. 333–4
Dahya, N. 383
Dalby, S. 312–13
Daly, A. 64, 420
Daniels, J. 25, 418, 419, 422, 428, 429
Darroch, J. 139
Darwin, C. 41
Daskal, J. 85, 86
data collection and retention 20
Big Data mining see state cybersecurity interventions and harm potential, bad behaviour identification and prediction by algorithms (Big Data mining)
foreign-foreign communications data see Germany, intelligence law reform, foreign-foreign communications data surveillance
LGBTI communities 419–21, 423–4
metadata collection, Germany, intelligence law reform 232–3, 243
subscriber identification, cybercrime 107–8
see also surveillance
data protection 58, 213–14, 243, 373, 387–8, 391–2
Datta, B. 18
Davidson, C. 398
Davidson, J. 389
Davies, R. 175
Davies, S. 219
De Hert, P. 12, 151, 157–79
De Pauw, L. 383
Deibert, R. 25, 44, 73, 78, 80, 81, 118, 347, 348, 352
Dekker, S. 252
Della Porta, D. 322, 431
Demchak, C. 79
DeNardis, L. 417, 419, 420, 422, 423
Desai, T. 359, 363
DeShano, C. 402
Devriendt, L. 26
Dewald, A. 105
Diffie, W. 314, 315
digital copyright 53–71
citizen participation in law-making 66–70
copyright as human right 54–7
copyright-protected content, state cybersecurity interventions and harm potential 141–2
data protection and privacy 58
EU Anti-Counterfeiting Trade Agreement 68–70
EU Enforcement Directive 58–9
EU Information Society Directive 58
European Convention on Human Rights (ECHR) 56–7
fair balance and European Court of Justice decisions 58–61
freedom of expression 58
Internet’s private superpowers 64–5
IP blocking regimes 61
Technological Prevention Measures (TPMs) 58, 60
US Constitutional protection of human rights 56, 61–6
US Digital Millennium Copyright Act (DMCA) 64–6
US First Amendment and freedom of expression 61–6

Ben Wagner, Matthias C. Kettemann and Kilian Vieth - 9781785367724
Downloaded from Elgar Online at 09/13/2019 02:37:23PM
via free access
US First Amendment and freedom of expression, fair use doctrine 63, 64, 67–8
WTO TRIPS Agreement 54–5, 58
digital media, and children’s rights 376–80, 382
digital reason of state and transnational collaboration 34–5, 37, 41
digital rights 8–9, 14, 17, 66, 352, 426–7
European Digital Rights (EDRi) 60, 142, 151, 364, 423–4
and international organizations see international organizations and digital human rights
Ranking Digital Rights Corporate Accountability Index 352, 355, 360
Dinh, T. 388, 392
discrimination and censorship 7, 323, 326, 419–21, 424, 427–8, 429–30
Doane, D. 354
Dodge, M. 29, 30
Dombernowsky, L. 318
Dombrowski, P. 79
Domínguez, J. 186
Donahoe, E. 16
drone use 48, 143–4
dual-use goods and technologies, export controls of surveillance technologies 307, 309–10, 316, 317
Dubois, E. 205
Duguay, S. 422, 429
Dunleavy, P. 157, 174
Dunn Cavelty, M. 73–97, 115
Dutton, W. 205
Earl, J. 348
Eberl-Borges, C. 291
Edelman, B. 215, 216
Edkins, J. 321
Edwards, B. 15
eGovernment policies and EU Internet access 164, 166, 174–5
Eisgruber, C. 64
Elgin, B. 303
Elizalde, R. 190
Elizondo, M. 181
Elkin-Koren, N. 54, 64
Elmer, G. 346
Elsayed-Ali, S. 16
encryption 39, 50, 84–5, 101, 106, 107, 134–9
Engelhardt, T. 268–98
English, L. 25
Epstein, S. 412
Erdur-Baker, O. 390
Eriksson, J. 5, 79
EROTICS research project, LGBTI communities 423, 425
Eroukhmanoff, C. 323
Estonia, Internet access 161
EU
Anti-Counterfeiting Trade Agreement 68–70
Charter of Fundamental Rights 132, 160, 349
Copyright Directive 141
Council of Europe see Council of Europe
Data Protection Directive 373–4
digital copyright, citizen participation in law-making 68–70
Dual-Use Export Control Regulation 302, 305–6
East StratCom Task Force 333
Enforcement Directive 58–9
External Cooperation Actions Addressing Terrorism, Organised Crime and Cybersecurity 90
Fundamental Rights Agency, Passenger Name Record (PNR) data 49, 374
General Data Protection Regulation 94
General Export Authorization (EU GEA) for cryptographic products 315
Information Society Directive 58
intellectual property protection as fundamental right 57
New Skills Agenda for Europe 165–6
Organization for Security and Co-operation in Europe (OSCE) 316
‘right to be forgotten’ and data protection 373
Universal Service Directive 159–60
EU Internet access 157–79
added value as fundamental right 171–2
broadband and digital literacy, universal availability promotion 164–7
constitutional traditions common to Member States 168–9
economic benefits 157–8, 165
eGovernment policies’ impact 164, 166, 174–5
Electronic Communications Code 163
as fundamental right 167–71
future direction possibilities 178–9
Gigabit Society and right to be connected 161–3
legal issues involving the Internet 169–70, 171, 176–7
limitations to rights of access 175–7
minimum speed requirements 160

Ben Wagner, Matthias C. Kettemann and Kilian Vieth - 9781785367724
Downloaded from Elgar Online at 09/13/2019 02:37:23PM via free access
Open Internet and Net Neutrality in Europe
resolution 168
potential scope and margin of appreciation
173–4
Public Internet Access Points 166
regulation 159–60, 161
telecommunications sector funding 165
European Arrest Warrant (EAW) 108–9
European Convention on Human Rights (ECHR) 132, 149, 349–50, 371–2
European Court of Human Rights (ECtHR)
Ahmet Yıldırım v. Turkey 169, 176
Amann v. Switzerland 106
Anheuser-Busch v. Portugal 57
Appleby v. United Kingdom 361
B v. France 414
Bykov v. Russia 106
Delfi v. Estonia 169, 275, 372
Editorial Board of Pravoye Delo and Shtekel v. Ukraine 371
Goodwin v. United Kingdom 414
I v. United Kingdom 414
Jankovskis v. Lithuania 169–70, 176–7
Kalda v. Estonia 177
Malone v. United Kingdom 106
MTE v. Hungary 169, 275, 372
Schrems v. Data Protection Commissioner 9
Szabo and Vissy v. Hungary 85
X and Y v. The Netherlands 99
Yıldırım v. Turkey 118, 372
European Court of Justice (ECJ)
Base Company and Mobistar v. Ministerraad 163
Digital Rights Ireland 108, 137, 374
GS Media BV v. Sanoma Media Netherlands 60–61
Mario Kosteja Gonzales and AEPD v. Google Spain 373
Maximillian Schrems v. Data Protection Commissioner 9
Omega 168
Oracle v. UsedSoft 281
Promusicae v. Telefónica de España SAU 58–9, 60
SABAM v. Netlog 59–60
Scarlet v. SABAM 59–60, 169
Schrems v. Safe Harbor 137, 373
Strauder 168–9
Tele2 v. Watson 108
UPC Telekabel v. Constantin Film Verleih 61
European Digital Rights (EDRi) 60, 142, 151, 364, 423–4
European Initiative on Democracy and Human Rights (EIDHR) 373
European Investigation Order (EIO) 109
European Parliament Sakharov Prize network 373
Europol, EU Internet Referral Unit and online radicalization 319–44
censorship strategy 323, 326
Check the Web (CTW) project 327
cooporation with Internet industry 333–4
countering radicalization 320–26, 333
EU East StratCom Task Force 333
European Counter-Terrorism Centre (ECTC) 328, 338
free speech effects 323–4, 331, 343–4
future direction 343–4
and illegal immigration 329, 343–4
Internet take-down practices and upload filters 341, 343
metaphors to discuss radicalization 335
mission creep process 333
monitoring and censoring online content, justification for 323
online content searches and analysis 328–31, 332–3, 343–4
online extremism, countering 324–6
police cooperation and information sharing 338–9
policy framing 334–42
political context 331–4
private actors’ partnership 340, 344
propaganda spread 324–5, 335–6
radicalization as contested concept 322–3
radicalization as a process 334
social media focus 329
support referrals 329
Syria Strategic Communications Advisory Team (SCAT) 333
technology and prevention of the unpredictable 340–42
technology as security threat 337–8
UK Counter-Terrorism Internet Referral Unit (CTIRU) 327
violent extremism 334–7
vulnerability aspect 336
see also terrorism
Everitt, D. 11
export controls see global trade, export controls of surveillance technologies
Facebook 16–17, 356–7, 359–61, 362
fair balance and European Court of Justice decisions 58–61
fair use doctrine, US First Amendment and freedom of expression 63, 64, 67–8
Farrand, B. 53–71
Farrar, J. 303
Fassbender, B. 120

Ben Wagner, Matthias C. Kettemann and Kilian Vieth - 9781785367724
Downloaded from Elgar Online at 09/13/2019 02:37:23PM
via free access
Research handbook on human rights and digital technology

Faulkner, W. 431
Fernandez, I. 26
Fernandez, J. 188
Ficsor, M. 55
Finkelhor, D. 391, 392
Finland, Internet access 161
Fish, A. 68
Fisher, A. 325
Fisher, J. 414
Five Eyes Internet agencies see national security, Five Eyes Internet agencies
Flanagan, J. 428
Floridi, L. 348
Forrest, C. 17–18
France see national security, Five Eyes Internet agencies
Franklin, M. 5–23, 365
Frau-Meigs, D. 398, 430
Fredman, S. 174
Freedman, D. 197
Freedom Online Coalition (FOC) 353
Freiling, F. 100, 102, 105
Fuster, G. 168
futures, Internet and human rights see Internet and human rights futures
Gaál, N. 165
Garcia, J. 181
Garcia, P. 182
Gärditz, K. 100, 225, 228, 232
Gartzke, E. 79
Gasser, U. 379, 380, 382
Geiger, C. 55, 57, 69
Gellman, B. 217
Gentile, D. 394
Georges, M. 144, 145
Gerber, P. 414
Gercke, M. 100
Germany
Products Liability Act 282–3
software manufacturers liability 285–6
see also national security, Five Eyes Internet agencies
Germany, intelligence law reform 223–45
abstract notification requirements 241–2
authorization and oversight regime, separate 227–8, 235–7, 240
automated filter program (DAFIS) 243–4
ban on economic espionage 235
bulk powers, lack of legislation for 242
codified and uncodified surveillance powers 224–6, 241
deficiencies 239–42
driving factors 230–32
foreign-foreign communications data surveillance 227, 228–9, 231, 232–5, 239
G10 Commission, lack of reform for 242
improvements 237–8
information exchange 240–41
international intelligence cooperation rules 236, 238, 241
judicial oversight, insufficient 239–40
metadata collection 232–3, 243
omissions 242–3
operational deficits, acknowledgment of 231–2
privacy discrimination, contested 238–9
private communication protection 226–7
‘search term’ reference 241
signals intelligence (SIGINT) law 224–5, 227, 229, 236, 237–8, 239, 241
soft restrictions 240–41
technical prowess concerns 243–4
Giacomello, G. 5
Gibson, W. 27
Gigabit Society 161–3
Gill, P. 325
Gillespie, A. 176
Githens-Mazer, J. 323
Global Kids Online project 395, 398
Global Network Initiative 92, 142, 352, 353–6, 363
global trade, export controls of surveillance technologies 299–318
challenges, ongoing 312–17
China 308–12
civil society pressure 302, 316
cryptography measures 314–15
cyber technology 308, 315
cybersecurity and human rights 313–14
dual-use goods and technologies 307, 309–10, 316, 317
ethical international policies and implementation 301–2, 306
EU regulation on export controls for dual-use technologies 302, 305–6
human rights 303–6
human security versus human rights 312–14
India 307–8, 311–12, 316–17
Organization for Security and Co-operation in Europe (OSCE) 316
transparency, participation, governance 315–16
UN Arms Trade Treaty (ATT) 302–3, 317
Wassenaar Arrangement 300–305, 307–12, 315, 316–17
Goggin, G. 383

Ben Wagner, Matthias C. Kettemann and Kilian Vieth - 9781785367724
Downloaded from Elgar Online at 09/13/2019 02:37:23PM
via free access
Index

Goh, W. 388
Goldberg, D. 398
Goldberg, G. 357
Goldberg, J. 277, 278, 282, 283, 287
Golden, A. 218
Goldschmidt, J. 122
Gombert, D. 78
Good, N. 363
Goodman, S. 102
Goodwin, M. 109
Google 356–7, 359–61
Gorman, S. 25
Gory, J. 414
Graf von Westphalen, F. 281
Graham, M. 24–32, 321
Graham, S. 25, 29
Graulich, K. 233, 242
Gray, M. 418, 419, 422, 428, 429
Gree, S. 415
Greece, Internet access 161
Green, L. 389, 392
Green, N. 73–4
Greenfield, P. 396
Greenhow, C. 398
Greenwald, G. 50–51
Griffin, A. 419, 421
Griffiths, J. 57, 60
Griffiths, M. 396
Gruber, M.-C. 293, 296
Grünwald, A. 107
Gulhati, N. 6
Guilhot, N. 414
Hackl, A. 420, 422, 423
Hagell, A. 383
Hager, J. 286
Halpin, E. 348
Hampson, F. 195, 201, 203
Hansen, L. 77, 79, 321
Harcourt, B. 51
Haritharan, G. 18
Harper, J. 13
Hasebrink, U. 393
Hashish, Y. 392
Hassemer, W. 98, 100
Hautala, L. 217
Hawtin, D. 74
Hayes, B. 332, 333
health, and children's rights 394–7
Heath-Kelly, C. 322
Heinsohn, D. 105
Heintschel von Heineg, W. 113
Helfer, L. 55, 56, 57, 414
Helsper, E. 393, 400
Henderson, J. 282
Henderson, R. 398
Henman, P. 174
Henry, N. 431
Herman, B. 66
Hern, A. 17
Hibbard, L. 398, 430
Hides, L. 395
Hidvégi, F. 85
Higgins, P. 20
Hilgendorf, E. 103
Hill, K. 203
Hillebrandt, M. 294
Hilty, R. 55
Hiranandani, V. 83
Hirschoff, J. 279
Hobbs, R. 398, 400
Holland, B. 216
Hollnagel, E. 249, 250
Holloway, D. 389
Holt, T. 105
Hoogensen, G. 75, 93
Horth, S. 299–318
Howard, P. 325
Howells, G. 256
Howorun, C. 220
Hugenholtz, P. 60
Human Rights Watch 16, 199, 362, 428
Hussain, G. 325
Huysmans, J. 324
Hynek, N. 313
Iliev, R. 79
immigration, illegal 329, 343–4
India, export controls of surveillance technologies 307–8, 311–12, 316–17
information access and exchange
children's rights 385–7, 395
Cuba, Internet access 190–92, 193
and cybercrime 100–101, 103–4
cybersecurity 75–7, 86–9
EU Internet Referral Unit and online radicalization 338–9
Germany, intelligence law reform 240–41
intelligence law reform, Germany see Germany, intelligence law reform
International Arbitral Awards
Lake Lanoux Arbitration (France v. Spain) 124
Trail Smelter Case (United States v. Canada) 124
International Council on Global Privacy and Security by Design 95–6

Ben Wagner, Matthias C. Kettemann and Kilian Vieth - 9781785367724
Downloaded from Elgar Online at 09/13/2019 02:37:23PM
via free access
International Court of Justice (ICJ)

Corfu Channel (United Kingdom v. Albania) 123–4

Legality of the Threat or Use of Nuclear Weapons Advisory Opinion 124

Military and Paramilitary Activities in and against Nicaragua (Nicaragua v. USA) 133

International Covenant on Civil and Political Rights (ICCPR) 10, 81–2, 86, 89, 122, 132, 149, 186, 270–71, 349–50, 359, 415

International Covenant on Economic, Social and Cultural Rights (ICESCR) 10, 55–6, 271

International Institute for Child Rights and Development (IICRD) 391

International law, cybersecurity see cybersecurity protection and international law

International organizations and digital human rights 364–75

Association for Progressive Communications (APC) 14, 366–7, 423, 425

Council of Europe role 370–72, 374
digital rights concept 364–5

EU Data Protection Directive 373–4

EU Fundamental Rights Agency, Passenger Name Record (PNR) data 374

EU ‘right to be forgotten’ and data protection 373

EU role 372–4

European Digital Rights (EDRi) 60, 142, 151, 364

European Initiative on Democracy and Human Rights (EIDHR) 373

European Parliament Sakharov Prize network 373

Information Society Tunis Agenda 367

Internet Governance Forum (IGF) 367–8

Organization on Security and Cooperation in Europe (OSCE) role 374

UN Human Rights Council 369–70

UN Sustainable Development Goals (SDGs) 368

UN World Summit on the Information Society (WSIS) 117, 118, 122, 126, 347, 348, 366–8, 369

UNESCO 368–9

UNGA Right to Privacy in the Digital Age 369

Universal Declaration on Human Rights (UDHR) 366

International Political Sociology (IPS) approach 33

Internet

access see Cuba, Internet access; EU Internet access

browsing histories 136–7

exchange points (IXPs), Canada 215–16

grammatical rules associated with 28, 32

private superpowers and digital copyright 64–5

see also cybersecurity

Internet Governance Forum (IGF) 367–8

Internet and human rights futures 5–23

accountability mechanisms 21
censorship techniques 7
civil society involvement 12–14, 15–16, 21
community involvement 21
complacency concerns 16–19
data retention regulation 20
digital rights 8–9, 14, 17
education requirements 21
freedom of speech 20
government regulation 12, 17, 20
historical context and terms of reference 9–16

Internet-based mobilization 11
mass online surveillance 15, 19–20, 21, 22
multi-stakeholder decision-making 10–11

privacy protection 20
private service providers’ dependence 17
public awareness requirements 21
public-private partnerships 20–21
‘real name systems’ 14, 419, 421

tracking and monitoring 6–7

Westphalian international state system 10

whistleblowers 5–6, 7, 11–12, 13, 19, 22

Internet Referral Unit, EU see Europol,
EU Internet Referral Unit and online radicalization

Irving, C. 25

Itkowitz, C. 201

Ivory, R. 98

Jablonski, M. 348, 417

Jackson, N. 6

Jägers, N. 272–3

Jahn, M. 100

James, J. 397

Jankowska, M. 296

Jardine, E. 195, 201, 203

Jernigan, C. 422

Jones, C. 329, 332, 333

Jørgensen, R. 6, 18, 118, 319, 346–63, 365, 366, 373
journalism and mass state surveillance 198–9, 220
jurisdiction and cybercrime 102–3, 108–10
intervention restrictions, Cuba 184–5
see also individual courts

Kaminski, M. 65
Kapur, R. 414, 415
Karnow, C. 288, 289, 294, 295, 296, 298
Kaspar, L. 16, 93
Kavanagh, M. 73–97, 115
Kaye, D. 15, 140, 346, 350, 369, 427
Keating, M. 431
Kee, J. 417, 418, 423
Kellerman, A. 26
Kello, L. 79
Kelly, T. 166
Kern, S. 28
Khalil, J. 388
Khullar, R. 195
Kim, P. 420
Kimport, K. 348
King, M. 122
Kissel, R. 76
Kitchin, R. 29, 30
Klein, M. 211
Kleine, D. 380, 381, 382, 384
Kloza, D. 172, 173
Kniep, R. 42
Knox, J. 273
Kochheim, D. 103
Koivurova, T. 124
Kollman, K. 66
Kongaut, C. 165
Konieczny, P. 68
Koops, B.-J. 109
Kopstein, J. 202
Kosinski, M. 419, 420
Kötz, H. 278, 283
Kovakov, A. 74
Kraemer, K. 397
Kramer, A. 320
Krause, R. 281
Kroll, J. 96
Kshetri, N. 98, 103
Kumar, M. 15
Kumar, S. 92
Kundnani, A. 321, 322
Kuner, C. 83
Kuss, D. 11

La Rue, F. 118, 170, 314, 320, 369, 385, 417–18, 427
Laidlaw, E. 349, 360
Landau, J. 203, 351
Landau, H. 100
Landau, S. 314, 315
Lannon, J. 348
Lansdown, G. 376–410
Latour, B. 250, 324
Lauffer, W. 98
Laurent, S. 40
lawyers and mass state surveillance 199–200
Le Billon, P. 301
Leander, K. 29
Lee, M. 202
Lee, P. 398
Lee, T. 14
legal personhood, artificial agents 296–8
Leigh, J. 224
Lemley, M. 65
Lessig, L. 65, 66
Leung, L. 398
Leval, P. 64
Levine, D. 54
Levin, C. 398
LGBTI communities 411–33
censorship and discrimination issues 419–21, 424, 427, 429–30
censorship and mission creep 429
communities’ participation in technology
design debates and Internet policymaking, call for 425
community awareness tests 431–2
cultural and political differences 413–14, 429
data collection and algorithm-driven analysis
concerns 419–21, 423–4
digital rights discourse 426–7
dominant liberatory narrative on Internet
medium 417–18
emerging disquieting counter-narrative
419–22
EROTICS research project 423, 425
future research 422–4, 430–32
‘Growing Up Queer’ project 396
international politics and law 412–16
intersection of LGBTI communities and
digital technologies 425–6
justifications for restricting LGBTI communities and
digital technologies 428–30
private actors and global standards on
human rights online 421–2
research and advocacy requirements 424–6
right to freedom of expression 428
right to privacy 427, 428
socio-political implications 430–31, 432
UN Human Rights Council 415–16, 426–7, 428–9
UN Security Council statements 416
Yogyakarta Principles 414–15
Libicki, M. 78
Lieveys, E. 387
Lievrouw, L. 401
Light, E. 195–222
Lim, S. 399
Litwak, R. 122
Livingstone, S. 18, 376–410
Locke, T. 431
Löffelmann, M. 229
Long, A. 65
Lucci, N. 172, 173, 181
Lupton, D. 389
Lusthaus, J. 103
Lwin, M. 388, 393
Lyon, D. 50–51, 195, 321
MacAskill, E. 84
McDonagh, L. 57
McDonald-Brown, C. 393
Macenaite, M. 387
McGinty, W. 63
McGonagle, T. 140
McKeeown, M. 66
McKim, K. 29
MacKinnon, R. 11, 12, 66, 67, 118, 348, 349, 354, 359, 368, 423
Macklem, P. 10
Maclay, C. 354
McQuillan, D. 196
Madden, M. 201, 387
Maness, R. 79
Manners, J. 301
Mansell, R. 165
manufacturer liability
artificial agents 279–86, 293–5
socio-technical systems 254, 258
see also corporations; product liability
Marczak, B. 303
Mardis, M. 398
Margetts, H. 174
Margolis, M. 157
Marly, J. 281
Marquis-Boire, M. 303
Martelozzo, E. 389
Martens, D. 200
Matthews, A. 201
Mascheroni, G. 389
Masnick, M. 8
Mason, B. 382
mass surveillance see Big Data mining; surveillance
Matthews, D. 55
Matzner, T. 358
Meier, K. 284
Meijer, A. 175
Mendel, T. 6, 347, 368
Merges, R. 54
Metcalf, S. 381
Mexico, Internet access 182
Micek, P. 203, 351
Milan, S. 86, 420
Mills, R. 68
Mills, S. 11
Minnock, S. 67
mission creep 333, 429
Mistree, B. 422
Mitchell, K. 388
Mitchell, W. 27
Momsen, C. 105
see also surveillance
Monroy, M. 332
Moody, G. 14
Moolman, J. 418
Moore, R. 115
Moraba mobile game 391
Mueller, M. 66, 79
Muizniek, N. 372
Mulligan, D. 356
multi-agent systems 251–2, 294–5
Murray, A. 16
Musella, F. 175
Musiani, F. 431
Mutongwizo, T. 382
Mutual Legal Assistance Treaties (MLATs) 149–51, 152, 154
Myers, E. 398
Myllly, T. 57
Nagesh, G. 12
Nagin, D. 100
Nakashima, E. 334
Narayan, P. 413
Nasser-Eddine, M. 322, 326
national action plans (NAPs) 351–2, 363
national security 33–52
actors, fracturing of positions between 48–9
agents’ a-legal actions 40
Big Data analytics 50
Bourdieuian-inspired analysis 35–6, 40, 41
coalitions between Internet activists and human rights lawyers 48–9, 51
contemporary field of power 46–52
and coopetition 37–8, 42
cybersecurity 73–4, 77–8
Index 447

definitions 36–7
democratic and non-democratic regimes 38–9, 40
digital reason of state and transnational collaboration 34–5, 37, 41
encryption and decryption 39
enemy identification 37
guild of management of sensitive information 35–6
intelligence law differences 49
intelligence services and data collection 35–6
International Political Sociology (IPS) approach 33
power-knowledge assumptions 39–40
predictive behaviour of terrorist suspects and issues of increased surveillance 50–51
rule of law 47–8
secrecy in democracy issues 51
and secret defence 47
SIGINT (signals intelligence) 36, 38–9, 41, 44, 46, 48, 51
Snowden disclosure effects 46–7, 48–9
surveillance inevitability and effects on privacy 49–52
war on terror 37, 38–9, 42, 47–8, 49
see also cybersecurity
national security, Five Eyes Internet agencies 36, 38, 39, 40–46, 48
agent socialization 45–6
Canadian Communications Security Establishment (CSEC) 45
France DGSE 44, 45
Germany BND 44, 45
mutual trust narrative 41–2
NATO and US deference 41–2
NSA UPSTREAM platform 43
personnel enrolled into intrusive SIGINT 43–4
position in Internet infrastructure 44–5
UK GCHQ and Tempora project 44, 48
US NSA power and personnel 43–5, 46, 47
US NSA PRISM program 43, 46, 48
NATO 41–2, 127, 133
natural language processing (NLP) tools 140
Nekmat, E. 399
Neuman, L. 431
Neumann, P. 323
Neumayer, E. 301, 306
Ng. E. 422
Nimmer, M. 63, 64
Nimrod, J. 9
Nissenbaum, H. 77, 79, 321, 359, 423
no harm principle, cybersecurity protection 123–4
non-intervention principle, cybersecurity protection 123
Nouri, L. 326
Novak, P. 17
Nielsen, C. 107
Nyst, C. 92
Obar, J. 195–222
Oechsler, J. 281, 282, 283
O’Flaherty, M. 414
Olafsson, K. 389
Olsen, J. 247
Olszanowski, M. 429–30
Omtzigt, P. 138
One Laptop per Child initiative 397
O’Neill, B. 380, 381, 382, 385, 392
online access see Internet
online violence, children’s rights 388–92, 394–5
O'Reilly, T. 174
Orlowski, A. 9
Otto, D. 414
Pagallo, U. 269, 287–8, 289, 290, 292, 293
Pallitt, N. 383
Papier, H.-J. 224
parental responsibilities, children’s rights 388, 392–3
Parsons, C. 201, 220
passenger name records (PNR) 144, 374
Paternoster, R. 100
Pathak-Shelat, M. 402
Patry, W. 55
Paust, J. 273
Pauwels, L. 100
Payton, L. 204, 207
Péloquin, T. 202
Peña Barrios, R. 180–94
Penney, J. 86, 87, 89, 201
Pérez, L. 184, 187, 188, 192
Pérez, O. 188
Pérez, Y. 181
Perkins, R. 301, 306
Perlroth, N. 85
Permanent Court of International Justice (PCIJ)
Factory at Chorzów (Federal Republic of Germany v. Poland) 270
S.S. ‘Lotus’ (France v. Turkey) 102
Perrow, C. 248, 252
personal information economy (PIE) and data transfer 357–9
Peter, J. 395
Peterson, Z. 213
Pieth, M. 98
Pillay, N. 6, 15, 270
448  Research handbook on human rights and digital technology

Pin-Fat, V. 321
Pizzi, M. 343
Poitras, J. 217
Poitras, L. 217
Polak, M. 394
Pollicino, O. 168, 170
Porcedda, M. 201
Posner, R. 54, 280, 289, 293
Powell, A. 392, 431
Powers, S. 348, 417
precautionary principle, cybersecurity protection 124–6 pre
preventive, predictive policing, state cybersecurity interventions 143–53
Prieto, M. 184, 187, 188, 192
Primo, N. 417
Prince, J. 286

Ben Wagner, Matthias C. Kettemann and Kilian Vieth - 9781785367724
Downloaded from Elgar Online at 09/13/2019 02:37:23PM
via free access
Index

Robinson, K. 381, 382, 383, 396
Rodriguez, K. 20
Rogers, R. 431
Rohozinski, R. 25, 73
Ronenfeld, D. 78
Rose, K. 377
Rosen, J. 9
Ross, K. 296
Rossini, C. 73–4
Rossotto, M. 166
Rubinstein, I. 363
Rudl, T. 332
Ruggie, J. 15, 203, 273, 349, 350
Russell, J. 326
Ryan, D. 255
Sacino, S. 377
Sadowski, J. 18
Said, E. 324
Saiz, I. 415
Sallot, J. 201
Saltman, E. 325, 326
Salzberger, E. 54, 64
Sampat, R. 14
Samuels, C. 389, 390, 397
Santos, C. 208, 209
Sartor, G. 247–67
Savage, C. 202
Schaake, M. 117, 304
Schaub, M. 110
Schebesta, H. 252, 257
Scheinin, M. 427
Schiappa, E. 75
Schjolberg, S. 98, 105, 108
Schmitt, M. 113, 121, 125
Schmitz, S. 67
Schneider, T. 419
Schneier, B. 7, 95, 196, 202
Scholte, J. 5
Scholtz, W. 119
Schröder, U. 331
Schulz, T. 288, 294, 295
Schulze, S.-H. 123
Scola, N. 8
security
cybersecurity see cybersecurity
human security versus human rights 312–14
national see national security
technology as security threat 337–8
Sedgwick, M. 322
Seemann, M. 326
Segal, A. 116
Selbst, A. 431
self-censorship 199, 201
see also censorship
Sell, S. 67
Seltzer, W. 65
Sepulveda, D. 12
service providers, artificial agents 286–7, 296
Shackelford, S. 62
Shade, L. 205, 206–7, 221
Shapiro, J. 388
Shaw, M. 113
Shelton, D. 272
Shiffrin, S. 62
Sieber, U. 98, 100, 101, 103, 104, 105, 107, 109
Siebler, K. 422
SIGINT (signals intelligence)
  Germany 224–5, 227, 229, 236, 237–8, 239, 241
  national security 36, 38–9, 41, 44, 46, 48, 51
Silver, V. 303
Simões, J. 383
Sinanaj, G. 203
Sinclair, S. 398
Singelstein, T. 106
Singer, N. 388
Singh, P. 20
Sinha, G. 198, 199
Skepys, B. 172
Sklerov, M. 125
Smahel, D. 390, 391
Smith, J. 255
Smith, P. 68
Smith, R. 301
Snowden, E. 5–7, 11–13, 22, 39–40, 44, 46–9, 83–5, 90, 136, 147, 200, 211, 217, 228
social media 82, 329
  Facebook and Google 16–17, 356–7, 359–61, 362
socio-political implications, LGBTI
communities 430–31, 432
socio-technical systems, liability and
  automation 247–67
actor-based analysis of liability 251–4
automation levels and liability allocation 257–8
cognitive-systems engineering 250
enterprise liability 252–4
hybrid fusions between humans and
  machines 250–51
individual liability 251–2
innovations and complexity increase 249–50
manufacturers’ liability 254, 258
multi-agent problem 251–2
organizational (systemic) fault 253
product liability 254
software and liability 254–6
software and liability, free or open-source
  software 255
software and liability, misuse (contributory negligence) 255
software and liability, strict (no-fault) liability 255
strict liability for technical risks 253
socio-technical systems, liability and automation, argumentation maps, Legal Case methodology
and liability risk analysis 258–66
actor-based liability maps 264–6
legal analysis maps 262–3
legal design maps 264
modelling 259–60
rationale argument 259–61
Sofaer, A. 102
software
and liability, socio-technical systems 254–6
with predetermined behaviour see artificial agents, software with predetermined behaviour
remote forensic software and cybercrime 107
Wassenaar Arrangement, intrusion software clause 304–5
Soltani, A. 218
Solum, L. 297
Sommer, P. 129, 140
Sommerville, I. 425, 430
Sorell, T. 87
Spiegel, S. 301
Spindler, G. 284
Spinello, R. 25
Sprau, H. 295
Stacy, H. 56
Steiger, D. 196
Stalla-Bourdillon, S. 82
Standage, T. 27
Stanford, U. 354
state cybersecurity interventions and harm potential 129–55
attribution issues 133
automation or algorithmic filtering tools 140–42
bad behaviour identification and prediction by sensors 143–4
copyright-protected content 141–2
counter-measures, potential negative effects 132
counter-terrorism actions 135–7
definitions 130–31
drone use 143–4
Internet browsing histories 136–7
mass surveillance and undermining of encryption by intelligence agencies 134–9
NATO Talinn Manual 133
natural language processing (NLP) tools 140
passenger name records (PNR) 144
political interference and propaganda 133–4
preventive, predictive policing 143–53
rule of law 136–7
spying in digital environment 134–6, 138–9
state-on-state cyber attacks 132–4
undesirable content, monitoring of communications to block 139–42
unlawful laws 137–8
see also cybersecurity
state cybersecurity interventions and harm potential, bad behaviour identification and prediction by algorithms (Big Data mining) 50, 144–53, 154
access to information society mining by backdoor 147–9, 152
built-in biases 145
cable splitters 147–9, 152
Council of Europe Cybercrime Convention 147, 150–51, 154
evidence-gathering by law enforcement agencies in cyberspace 145–53
hacking 147–9, 152
Mutual Legal Assistance Treaties (MLATs) 149–51, 152, 154
USCLOUD (Clarifying Lawful Overseas Use of Data) Act 151–2, 154
Stefik, M. 26
Steinmueller, W. 165
Stephens, B. 273
Sterling, B. 27
Stevens, T. 79
Stone, C. 297
Storgaard, L. 57
Strahilevitz, L. 72
Strasburger, V. 394
Stuvey, K. 75, 93
Subrahmanyam, K. 396
Sucharov, M. 301
Suler, J. 26
Sullivan, D. 350, 353, 357, 363
surveillance
codified and uncodified surveillance powers, Germany 224–6
and cybersecurity 83–5
export controls of surveillance technologies see global trade, export controls of surveillance technologies
Internet and human rights futures 15, 19–20, 21, 22
and national security 49–52

Ben Wagner, Matthias C. Kettemann and Kilian Vieth - 9781785367724
Downloaded from Elgar Online at 09/13/2019 02:37:23PM
via free access
state cybersecurity interventions and harm potential 134–9
see also cybersecurity; data collection and retention; monitoring process
surveillance reform 195–222
Canada, digital mobilization against regulatory efforts to expand state surveillance 204–7
civil society involvement 199–200, 209, 219
corporate world harm, and mass state surveillance 202–3
financial activism 217–18
international policy standard design 219
journalism and mass state surveillance 198–9, 220
lawyers and mass state surveillance 199–200
and media reform differences 197
public and mass state surveillance 201–2, 204–5
right to privacy 195–6
surveillance harms 198–203
Uruguay and human right to water 207–11, 221
surveillance reform, repatriation of Canadian domestic Internet traffic 211–16
boomerang routing 212–14, 216
congestion concerns 216
data sovereignty concerns 213–14
Internet exchange points (IXPs), development of additional 215–16
network sovereignty efforts 211–15
splitter technology revelation 211–12
and US Constitution protection 214–15
US surveillance threat reduction 215–16, 221
Swist, T. 379, 382, 385
Swyngedouw, E. 208
Syria Strategic Communications Advisory Team (SSCAT) 333

Taks, J. 208
Talbert, T. 392
Tavani, H. 358
Taylor, E. 349, 421
Taylor, Y. 422

Technological Prevention Measures (TPMs), digital copyright 58
technology
EU Internet Referral Unit and online radicalization 337–8, 340–42
export controls of surveillance 307, 309–10, 316, 317
telecommunications, and cybercrime 106–8
Telecommunications Industry Dialogue (ID) 354
Tenenbaum, J. 170
terrorism 37–9, 42, 47–51, 83, 87–8, 90, 95, 96, 135–7
and radicalization see Europol, EU Internet Referral Unit and online radicalization
Teubner, G. 250
Therrien, D. 202
Third, A. 376–410
Thomas, S. 200
Thomson, I. 6
Tiemann, K. 26
Tikk-Ringas, E. 116, 126
Timm, T. 84
Tindall, N. 418, 422
Toggenburg, G. 168
Toke, M. 283
Tomuschat, C. 272, 273
Torremans, P. 55
Torres, R. 184, 188
tort law and extra-contractual liability, artificial agents 275–96
Tréguer, F. 43, 48
Tropina, T. 107
Tsoukala, A. 321
Tucker, C. 201
Tudge, R. 198
Tufekci, Z. 420
Tulkens, F. 99
Tully, S. 170, 172, 173, 176
Turkle, S. 11
Turner, M. 313
Tushnet, R. 65
Twerski, A. 282
Tyler, T. 100
Tynes, B. 383
UAE, Dubai drone use 143
Udis, B. 301
UK
Counter-Terrorism Internet Referral Unit (CTIRU) 327
GCHQ 44, 84, 136, 200, 217
Internet browsing histories retention 136–7
Investigatory Powers Act 17, 49
R v. Smith 161
’Snooper’s Charter’ 17
see also national security, Five Eyes Internet agencies
UN Arms Trade Treaty (ATT) 302–3, 317
UN Convention on the Rights of the Child (UNCRC) 376, 377, 379, 381–5
UN Group of Governmental Experts (UNGGE) 79–80, 90, 114, 115, 118–19
UN national action plans (NAPs) 351–2, 363
UN Resolution on the Internet and Human Rights 19–20
UN Resolution on the Right to Privacy in the Digital Age 89–90
UN Sustainable Development Goals 5, 18, 20–21, 118, 347, 348, 366–9
UN World Summit on the Information Society (WSIS) 117, 118, 122, 126, 347, 348, 366–9
UNESCO 368–9
UNGA Right to Privacy in the Digital Age 369
UNICEF 380, 384, 395
universal availability, EU Internet access 164–7
Universal Declaration on Human Rights (UDHR) 10, 13, 55, 80–82, 86, 90, 118, 195–6, 270, 366, 413, 414
Uruguay, human right to water 207–11, 221
US Constitution protection and repatriation of Canadian domestic Internet traffic 214–15
Constitutional protection and digital copyright 56, 61–6
Digital Millennium Copyright Act (DMCA) 64–6
First Amendment and freedom of expression 61–6, 63, 64, 67–8
Implementation Plan for the Principles for Intelligence Transparency 241
Patriot Act 83
PROTECT IP Act (PIPA) 66–8, 69
Stop Online Piracy Act (SOPA) 66–8, 69
USCLOUD (Clarifying Lawful Overseas Use of Data) Act 151–2, 154
see also national security, Five Eyes Internet agencies
US, cases
Aetna Casualty & Surety Co. v. Jeppesen & Co. 256
American States Ins. Co. v. Guillermin 290
Barker v. Lull Eng’g Co. 282
Blum v. Yaretsky 362
Brookesby v. United States 256
Cyber Promotions v. America Online 362
Eldred v. Ashcroft 63–4, 65
Flour Corp. v. Jeppesen & Co. 256
Golan v. Holder 64
Greenman v. Yuba Power Products 280
Griswold v. Connecticut 62
Hudgens v. NLRB 361
International Strategy for Cyberspace 94–5
Irvine v. Rare Feline Breeding Ctr. 290
Jividen v. Law 289
Kamango v. Facebook 362
Kiobel v. Royal Dutch Petroleum Co. 270
Lenz v. Universal Music Group 65–6
Mark v. Borough of Hatboro 362
Marsh v. Alabama 361
Marshall v. Ranne 289
Microsoft Corp. v. United States 110, 151–2
Roe v. Wade 62
Rosemont Enterprises v. Random House 62–3
Salooney v. Jeppesen & Co. 256
Usborne, S. 134
user-consumer liability, autonomous artificial agents 287–93
user-operator liability, software with predetermined behaviour 277–9
Valeriano, B. 79
Valkenburg, P. 395
Valsorda, F. 314
Van Driel, S. 259
Van Lieshout, M. 83
Velasco, C. 110
Vermaas, P. 247, 250
Vermeulen, M. 117
Vervaele, J. 146
Vickery, J. 398
Vieth, K. 1–3, 313, 319–44
Vihul, L. 121
Villareal, A. 208, 209
Vincent, A. 6
Vittadini, N. 388, 394
Voeten, E. 414
Vogel, J. 98
Volokh, E. 65
Von Behr, I. 325
Von Hoene, S. 65
Von Notz, K. 229
Wagner, B. 1–3, 80, 299–318, 343, 348, 373, 419, 421
Wagner, G. 278, 281, 283, 286, 287, 295
Wainwright, R. 335–6, 337, 338–9, 341
Wajcman, J. 431
Wakeford, N. 29
Walden, I. 105
Walker, R. 35
Wall, D. 98, 100, 103, 114
Walton, M. 383
Warren, S. 82
Warsufiel, B. 40
Wassenaar Arrangement 300–305, 307–12, 315, 316–17
Index 453

Waters, R. 418, 422
Watson, S. 313
Watts, J. 17
Weber, R. 13, 196, 364
Webster, S. 389
Wehau, A. 284
Weimann, G. 324
Wein, L. 296
Weisman, J. 68
Welz, H. 103
Wernham, M. 379
Werth, M. 28
Westerwelle, G. 304
Weston, A. 82–3
Weston, G. 196
Wettig, S. 296, 298
Wetzling, T. 223–45
White, G. 217
White, L. 268, 269, 276, 281, 282, 284, 287, 288, 289, 290, 294, 296, 297, 298
White, R. 173
Whitehead, T. 200
Whiting, A. 326
Widdenson, R. 296
Wikipedia 68
Wildman, S. 196
Williamson, B. 389
Wilson, B. 29
Wilson, M. 29
Wilson, S. 394
Wolak, J. 395
Wolfers, A. 37
Wolverton, J. 8
Woodcock, B. 215, 216
Woods, D. 249
Wright, M. 390, 391
WTO TRIPS Agreement, digital copyright 54–5, 58
Wu, Y. 420
Yanik, L. 302
Yates, D. 167, 178
Ybarra, M. 388, 394
Yoder, C. 67
Yogyakarta Principles, LGBTI communities 414–15
Zägoni, R. 85
Zajko, M. 202
Zalnieriute, M. 411–33
Zehendner, E. 296, 298
Ziolkowski, K. 113, 121, 126
Zipurksy, B. 277, 278, 282, 283, 287
Zittrain, J. 80
Zollers, F. 254, 255
Zook, M. 26, 30
Zuboff, S. 346, 348