

<b>Institution:</b> Goldsmiths, University of London		
<b>Unit of Assessment:</b> Media, Communications and Cultural Studies		
<b>Title of case study:</b> <i>'Human Rights are Digital Rights': Humanizing the Internet</i>		
<b>Period when the underpinning research was undertaken:</b> 2002-2019		
<b>Details of staff conducting the underpinning research from the submitting unit:</b>		
<b>Name(s):</b>	<b>Role(s) (e.g. job title):</b>	<b>Period(s) employed by submitting HEI:</b>
Marianne Franklin	Professor of Global Media and Politics	2007-present
<b>Period when the claimed impact occurred:</b> August 2013-July 2020		
<b>Is this case study continued from a case study submitted in 2014?</b> N		
<b>1. Summary of the impact</b>  <p>Professor Franklin's research on internet-policymaking processes has informed her leadership of the Internet Rights and Principles Coalition (IRPC). Since 2014 Franklin's work has influenced policymakers, digital rights campaigners, and technology experts during a period in which human rights became recognized as integral to internet design, terms of access, and use. A core element in her impact work has been her role in disseminating the IRPC <i>Charter of Human Rights and Principles for the Internet</i> through the "Charter Booklet Project". Her scholarship and advocacy work have contributed to changing mindsets across the internet policymaking spectrum: where once human rights standards were considered external to the internet's design, these legal standards and norms now prevail for governments, private sector, and civil society representatives.</p>		
<b>2. Underpinning research</b>  <p>Professor Franklin's research has challenged popular perceptions of the internet as purely a technical, engineering achievement, led by the private sector with little government intervention. Franklin's findings are based on long-term, close-up study of key participants, processes, debates, drafting processes and outcomes of internet-policy consultations. Her work has been embedded in and, thereby, contributes to the cross-sector participation characterizing internet policymaking, evidenced by her access to strategic planning, drafting processes, and agenda-setting consultations. This depth of access provides Franklin with granular knowledge of policymaking processes from within emerging <i>global internet governance</i> institutions. She was present and on record - as researcher and leader in human rights advocacy for the online environment - in meetings culminating in the UN General Assembly, and Council of Europe each recognizing in 2014 that human rights also exist online and must be respected under international law.</p> <p>In <i>Digital Dilemmas</i>, (2013), and related publications (2015, 2016, 2018, 2019, 2020) Franklin provides (1) the empirical evidence of how powerbrokers (e.g. Google, Facebook, the US State Department, European Union, UN agencies such as UNESCO and the International Telecommunications Union) compete over the internet's "narrative of origins", and (2) reveals the stakes, and shifting "terms of engagement" for actors making increasingly publicized decisions about internet futures; e.g. its transmission architecture, technical standards (Franklin 2013, 2015) in view of (3) the implications of digital, networked systems of surveillance and data-tracking on human rights law and norms (2018, 2019). Franklin's research undergirds greater awareness in UN, regional, and national domains of how human rights standards - as fundamental design principle and legal obligation - remain an ongoing project: a source of conflict and collaboration between internet businesses, regulators, and civil society (2015, 2020).</p> <p>Since being invited to stand for election as Co-Chair of the <i>Internet Rights and Principles Dynamic Coalition</i> (IRPC) at the UN Internet Governance Forum (IGF) - serving in 2013-2015, and 2016-2018, and subsequently re-elected onto the current Steering Committee - Franklin has been able to observe the timeline of the <i>Charter of Human Rights and Principles for the Internet</i> from the outset (Franklin 2013, 2015, 2016). The IRPC Charter interprets existing</p>		

human rights law and norms in a legally authoritative way. It has proven effective in persuading national and intergovernmental policymakers, judiciaries, and technical experts as to why human rights 'offline' not only need to be recognized, but also need to be enforced 'online'. Since 2014 she has spearheaded a digital and printed booklet edition of the Charter: the "Charter Booklet Project". She has overseen and coordinated with local teams and international networks the translation of the Charter in this booklet form, now in over ten languages; e.g. in its 7<sup>th</sup> English edition, 2<sup>nd</sup> Arabic and Spanish editions, a 1<sup>st</sup> French edition in 2019, and 1<sup>st</sup> Italian edition completed along with Nepalese, Georgian, and Catalan editions underway in 2020.

Franklin's role as expert adviser (e.g. in UNESCO events, Council of Europe and NGO consultations, such as Amnesty, leading main events at the European Dialogue on Internet Governance (EuroDIG), the UN IGF, and UK IGF) reflects her status as a longstanding, recognized authority on human rights issues across the spectrum of internet policymaking agencies. Her research informs, and supports intergovernmental organizations' monitoring agencies (e.g. UN Special Rapporteur on the Right to Privacy), and international human rights organizations' strategic planning (e.g. working with Amnesty International internally 2014-2016) along with her facilitation of public debates with key actors (e.g. Amnesty, World Economic Forum, Council of Europe, the Internet Corporation of Assigned Names and Numbers (ICANN), Microsoft, and Google, Dutch and Swiss governmental agencies).

As illustrated above, and in Section 4 below, in this case achieving impact emerges from sustained, long-term engagements (2013-20) within international internet policy-making organizations. The links between Franklin's research and her participation in achieving concrete internet policy objectives based on human rights standards are thereby 'complex and non-linear' (REF Panel Criteria and Working Methods, p. 321). The cumulative outcomes and processes her research focuses on, and her contribution to these shifts towards rights-based frameworks for 'humanizing' internet policymaking, and future design, bind the underpinning research to the specific impact detailed in this case study (Franklin 2019, 2020).

### 3. References to the research

- R1.** "Human Rights and the Digital: A Radical Research Agenda", in *A Research Agenda for Digital Politics*, edited by W. H. Dutton, Elgar Research Agendas Series, Cheltenham UK: Edward Elgar Publishing (2020): 110-122
- R2.** "Human Rights Futures for the Internet" in *Research Handbook on Human Rights and Digital Technology*, edited by Ben Wagner, Matthias C. Kettemann and Kilian Vieth, Edward Elgar Publishing, 2019: 5-23
- R3.** "Refugees and Digital Gatekeepers of 'Fortress Europe'" in *State Crime and Digital Resistance*, Special Issue in *State Crime Journal of the International State Crime initiative*, Vol. 7, No 1, Spring 2018, edited by Anne Alexander and Saeb Kasm, 2018: 77-99
- R4.** "Mobilizing for Net Rights: The Charter of Human Rights and Principles for the Internet" in *Strategies for Media Reform: Communication Research in Action*, edited by Des Freedman, Cheryl Martens, Robert McChesney, and Jonathan Obar, New York: Fordham University Press, 2016: 72-91
- R5.** "(Global) Internet Governance and its Civil Discontents" in *Cybersecurity: Human Rights in the Age of Cyberteillance* edited by Joanna Kulesza and Roy Balleste, Rowman and Littlefield/Scarecrow Press, 2015: 105-128 [Submitted to REF 2]
- R6.** *Digital Dilemmas: Power, Resistance, and the Internet*, New York/London: Oxford University Press 2013
- \*All outputs available on request**

### 4. Details of the impact

Franklin's research and participatory engagement within longstanding consultations has:

**1. Contributed to official recognition that there is a fundamental relationship between internet-dependent information and communication technologies and human rights**

The *Charter Booklet Project*- Franklin's work coordinating the translation, design, website

resources, and production of language-editions of the IRPC Charter in booklet form [S1] has informed internet governance agendas at the UN, in Europe, Cameroon, Brazil, Latin American, and the Middle East and North African regions [S2, S3, S6]: e.g. With Franklin as lead on the Booklet Project, the Charter was cited as a best practice document by the European Agency for Human Rights (2014). In the same year, Franklin was instrumental in the admission of IRPC as an official Observer to the Council of Europe's Committee on Media and the Information Society (CDMSI), which she attends on behalf of the coalition [S4]. Franklin has also been instrumental in attracting funding from NGOs, Government agencies and crowd sourcing campaigns in order to translate the Charter Booklet into other languages, enabling its use world-wide; e.g. from NGOs (Web We Want Foundation), government agencies (Dutch International Development Organization (Hivos), Swiss Federal Office of Communications (OFCOM)), and funding campaigns (using crowdsourcing tools) to support awareness-raising and facilitate its translation, production and dissemination in all the world's major languages (Spanish [S2], Arabic – completed during the Arab Uprisings [S3], Mandarin – completed during the Umbrella Protests in Hong Kong, and French – used in Francophone Africa) alongside Kurdish, Farsi, Turkish (completed in the wake of the Gezi Uprisings), German, Portuguese, Russian, Italian and most recently into Georgian and Catalan.

Under Franklin's leadership, the IRPC Charter - through its accessibility in a booklet form [S1] - has become a fundamental point of reference for awareness-raising, higher education, organization and mobilization around respect and enforcement of civil liberties for the online environment: e.g. as a framework document for the deliberations and outputs of international meetings such as the *NETmundial global multistakeholder meeting on the Future of Internet Governance* (San Paolo on 23rd April 2014), and by NGOs working this domain (e.g. Amnesty [S2,S8]). Franklin's contribution was mentioned in a keynote from Ms Nnenna Nwakanma (Ivory Coast) of the Web We Want Foundation in the NETmundial opening ceremony. The "Multistakeholder Outcome Document" from that meeting drew on the IRPC Charter: as Ms Helga Mieling, Austrian Federal Ministry for Transport, Innovation and Technology reported, the Charter's accessibility in Booklet form has been "important [as] a neutral tool quoting the legal basis of the relevant human rights" [S2].

By 2016, the Dutch international development agency, Hivos, through its Internet Governance MENA region project (IG-MENA) became inspired by the IRPC Charter as a framework document for regions in which the link between human rights and internet policymaking was not yet recognized. To this end [text removed for publication] IG-MENA program [text removed for publication] funded translations of the Charter Booklet into Arabic, Farsi and Kurdish, launched at the 2014 IGF meeting in Istanbul alongside the Turkish language edition. These translations undergirded the successful *Click Rights* campaign that brought the Charter work into Arabic-language formats for grassroots groups, business leaders and governmental representatives in the region in the lead-up to the inaugural Arab Internet Governance Forum meeting [S3].

## **2. Informed intergovernmental incorporations of human rights standards into all aspects of internet-policy agendas: The Council of Europe (CDMSI) and UNESCO (Freedom of Expression Division)**

On 16 April 2014 the Council of Europe published the *Guide to Human Rights for Internet Users* in a Booklet form modelled on the IRPC Charter Booklet. By July 2015, the Council of Europe's Committee on Media and the Information Society (CDMSI), which oversees internet and media policy agendas for all member states in the Council of Europe, recognized the foundational work of the IRPC by formally appointing the coalition as official observer. It was the first organization of this kind to be invited to attend CDMSI meetings and contribute to intersessional consultations. Franklin presented the case for the coalition to be made an official observer before representatives of the CDMSI's 47 member-states (including the UK) [S4].

In September 2014, Franklin was invited alongside representatives of the Internet Corporation for Assigned Names and Numbers (ICANN) to advise UNESCO staff, in Paris and

teleconferencing from the field, about the intersection between their human rights work, freedom of expression, and internet policy issues. She presented the IRPC Charter Booklet to this meeting, fielding questions and thereby informing UNESCO's later Internet Study focusing on freedom of expression, privacy, and ethics. She also contributed to major UNESCO-hosted consultations on these topics, as speaker and rapporteur at the closing plenary of the 2015 WSIS+10 meeting at the UNESCO as part of the UN-hosted *World Summit on the Information Society* (WSIS) official ten-year review process [S5].

### **3. Influenced internet and human rights agenda-setting at the UN Human Rights Council, UN Internet Governance Forum (IGF), and European Dialogue on Internet Governance (EuroDIG)**

Two key appointments at the UN Human Rights Council now play an important monitoring role in bringing human rights norms and law to internet policy consultations: the Special Rapporteurs (SRs) on the Rights to Freedom of Expression, and on the Right to Privacy. Franklin's research and policy input has been recognized by the SR on the Right to Privacy (Joe Cannataci) and his team through invitations to speak at framework consultations (2016-2019) and contribute to reports from this SR office, e.g. on the Right to Privacy Online, from the perspective of gender and human rights [S6]: [text removed for publication].

Following her input into these consultations (Prague 2016, Rome, 2018, Malta 2018), Franklin was invited speaker to the most recent undertaking of this SR office under the leadership of Dr Coombs (former Privacy Commissioner for New South Wales, Australia) and Prof. Cannataci; the Gender and the Right to Privacy Online Privacy Consultation, at the New York Law School in October 2019. Her commissioned policy brief contributed to this Thematic Action Stream Taskforce: [text removed for publication] "thanks for your valuable input to the consultation and subsequent follow up. ... There has been considerable interest in the project and the material you provided has assisted with these enquiries also. ... The SR on Privacy's 2020 report to the Human Rights Council which focuses on the 'Recommendations for protecting against gender based privacy infringements', has been placed on the OHCHR website. The reference for this report is A/HRC/43/52" (1-03-2020). [text removed for publication] "...I really appreciate you putting a submission in. Your material with your background takes it to another perspective/level which we did not have previously" [S6, S7].

The UN Internet Governance Forum (IGF) and European Dialogue on Internet Governance (EuroDIG) meetings [S1]: Through her leadership, Franklin has been recognized for her input into the agenda-setting program and participatory structure for these organizations' meetings, as coordinator for workshops, plenaries, and main sessions. She also has a public profile as speaker and moderator for landmark sessions in these domains; e.g. on Human Rights, the State, and Surveillance at the 2014 EuroDIG in Berlin, an invited speaker on the Main Session on Youth, Gender, and Human Rights at the 2018 UN Internet Governance Forum meeting in Paris, as co-organizer (with Amnesty Germany) and moderator on the workshop on Ethics and AI at the 2019 IGF meeting in Berlin, and the 2020 IGF meeting that was held entirely online [S8]. These sessions and public record produced are the visible part of how agendas in these domains take shape, gain legal focus, and develop social and political traction during months of preparation.

### **4. Supported and influenced the work of civil society organizations and local government initiatives: e.g. Amnesty International's internet-rights strategy; the Digital Cities Coalition, Sir Tim Berners Lee's Global Contract for the Internet**

Franklin was an invited participant in consultations on the setting up of Amnesty International's digital policy strategy in 2014, presenting insights based on her research at meetings in Berlin and presenting the Charter work to Amnesty delegates in the AGM in Dublin the following year (Amnesty now has a Technology and Human Rights Division). She was instrumental in Amnesty's first participation at the 2014 IGF meeting in Istanbul that year at a landmark workshop with IRPC, Amnesty, Hivos IG-MENA, and the Council of Europe represented, and where the aforementioned Turkish edition of the Charter Booklet was also launched. At the 2019 IGF Meeting in Berlin Franklin organized and moderated a workshop bringing together

European Commission and Amnesty representatives on human rights agendas for Artificial Intelligence R&D.

In November 2018 Franklin was invited to present the Charter, as foundational source and corroborating support for the inauguration of the *Digital Cities Coalition* at the 2018 Mozilla Festival (MozFest) in London; a coalition between local governments of Amsterdam, Barcelona and New York. The group developed five principles to protect city residents' "digital rights", stemming from her guidance and the Charter. As stated in the press release: "...we will share best practices, learn from each other's challenges and successes, and coordinate common initiatives and actions. Inspired by the Internet Rights and Principles Coalition (IRPC), the work of 300 international stakeholders over the past ten years, we are committed to the following five evolving principles..." [S9].

Another example of explicit recognition of the IRPC Charter's influence on public debates and policy agendas was in 2019. Sir Tim Berners-Lee, Director of the World Wide Web consortium and founder of the World Wide Web Foundation acknowledged the IRPC Charter as source in his *Contract for the Web* calling on governments, companies, and citizens 'safeguard [the internet] from abuse and ensure it benefits humanity'. The *Contract for the Web* has the backing of over 150 organisations (including Twitter, Google, Facebook) [S10].

## 5. Sources to corroborate the impact

### Increasing recognition that human rights exist online as well as offline (1):

**S1.** Screenshot of language booklet editions of [The Charter of Human Rights and Principles for the Internet Booklet](#) available via the Internet Rights and Principles Coalition website (2020) (English Booklet edition of [IRPC Charter](#) published on the Office of the High Commissioner for Human Rights (UN Human Rights) (OHCHR) website).

**S2.** NETMundial Meeting/Brazilian IGF/Spanish Senate (2014-2015) – including, evidence of Charter's wording and priorities evident in Outcome Document from NETMundial, Brazil, April 2014: evidence of use of IRPC booklet at Spanish Senate (2015) and Brazilian IGF (2015); [text removed for publication] [Grouped Source]

**S3.** Hivos campaign materials – evidence of informing intergovernmental analyses of existing human rights for the internet [text removed for publication] [Grouped Source]

### Informing the thinking of the UN Special Rapporteurs, National and IGO agendas (2&3):

**S4.** Emails and Invitation Letters from CoE; [text removed for publication] + mention in European Fundamental Rights Agency (FRA) Report (3.3.2: page.90) (2014). [Grouped source]

**S5.** Emails and Invitation Letters for events: [text removed for publication] [Grouped source]

**S6.** [text removed for publication]

**S7.** The 2019 SR on the Right to Privacy Report (Annex 2: pages 2, 3).

**S8.** Amnesty International Consultancy, invitations and evidence of the IRPC Charter in use at international internet governance forums (email, video stills). [Grouped source]

### Influencing and undergirding initiatives from local governments and private sector (4):

**S9.** Digital Cities Coalition blog post and emails/public record from sessions during the Internet Governance Forum annual meetings (2019, 2020). [Grouped Source]

**S10.** Screenshot from Charter Booklet Mention in Tim Berners Lee *Contract for the Web* (2019: page 20) + corroboration from Renata Avila (human rights lawyer and activist).