

Internet Governance – Legal Aspects

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Algorithmic Transparency

Domain Dispute

Right To Be Forgotten

Surveillance

Net Neutrality

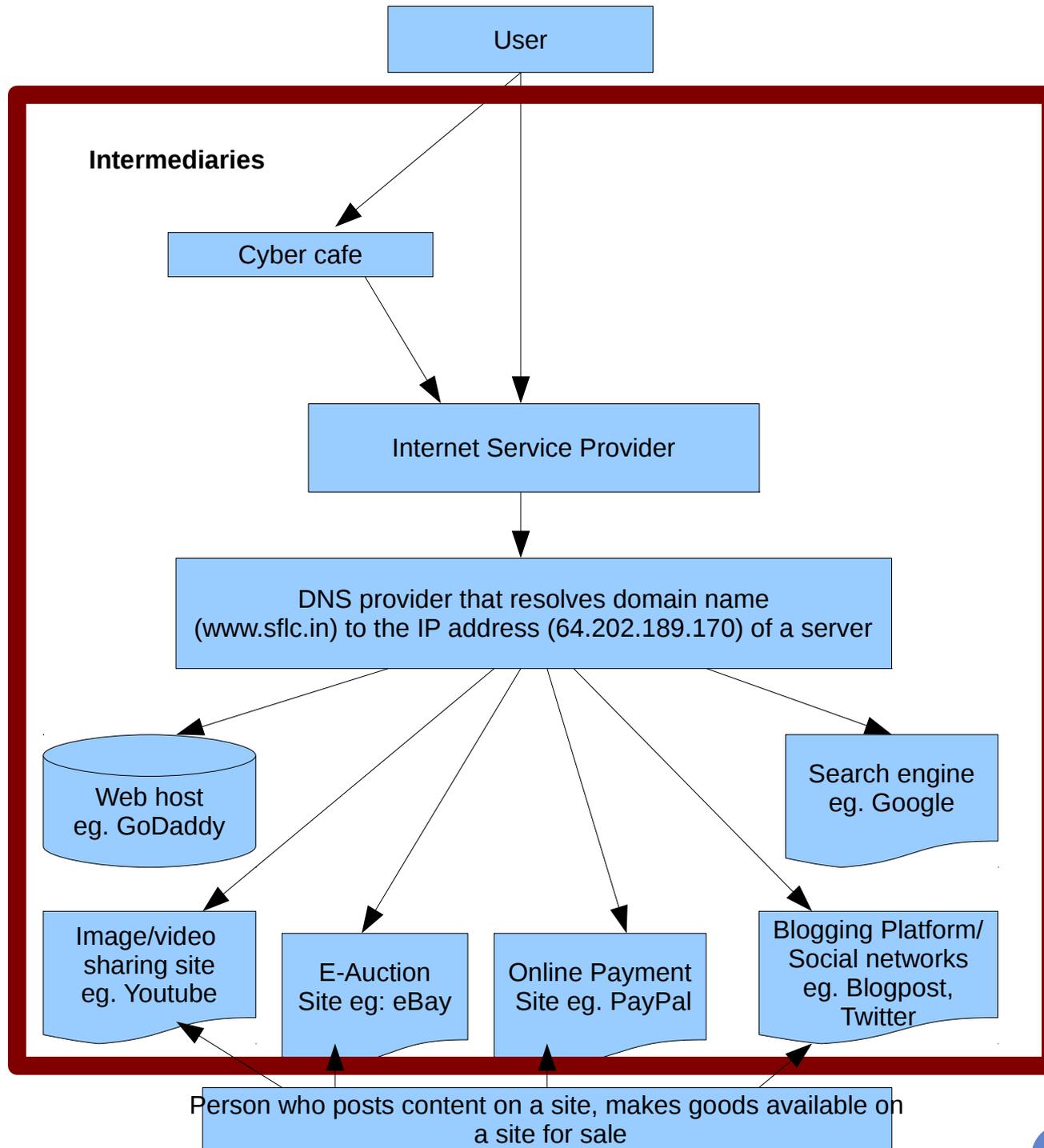
Zero Rating
Censorship

Privacy

Intermediary Liability
Jurisdiction

Intermediary Liability

- Who is an Intermediary
 - Telecom Service Provider
 - Search Engines
 - Web Host
 - E-commerce Sites
 - DNS Provider
 - Social networking sites



Issues

- Can Intermediary be held liable for content posted by a user?
- India – Bazeed.com case
- Safe Harbour Protection
- Content takedown
- IT Act – Section 79
- Intermediaries Guidelines Rules
- Shreya Singhal Judgment

Increasing Complexities?

- Cases before the Supreme Court
 - Sabu Mathew George v Uoi
 - Pre-natal sex determination ads
 - Kamlesh Vaswani v Uoi
 - Blocking pornographic sites
 - Re:Prajwala
 - Non-consensual sexual images/video

Right To Be Forgotten

- Google Spain case
 - Based on Data Protection Directive in EU
- GDPR – Right to Erasure
- Cases in India

Manila Principles

- Intermediaries should be shielded by law from liability for third-party content.
- Content must not be required to be restricted without an order by a judicial authority.
- Requests for restrictions of content must be clear, be unambiguous, and follow due process.
- Laws and content restriction orders and practices must comply with the tests of necessity and proportionality.
- Laws and content restriction policies and practices must respect due process.
- Transparency and accountability must be built in to laws and content restriction policies and practices.

Privacy

- Surveillance
 - Targeted v Mass
- Privacy
- International Law
 - UNDHR
 - ICCPR
- Right to Privacy – Supreme Court

Net Neutrality

- No discrimination
- No throttling/blocking
- No paid prioritization
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- Zero Rating

More issues

- Competition/ Anti-trust law issues
- Algorithmic transparency
- Internet shutdowns

Contact

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