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***E**volving **S**ecurity **Sci**ence **E** through **N**etworked
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D5.5 - Fellows' Handbook for Introduction to Information Policy

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Introduction

1. Aim of the Handbook

The aim of this handbook is to acquaint students in the area of security science with the fundamentals of information policy.

2. Target group

Students pursuing postgraduate research in the field of information policy. This handbook can be a useful resource for both students who already possess a good knowledge of law (either through their academic studies or in the course of their professional development) and students who are relatively new to this field.

It is recommended, however, that students using this handbook have at least a general understanding of legal notions as well as of national, European and international legal frameworks.

3. Structure

The document is structured in 6 chapters. Chapter 1 describes the key concepts and typologies in Information Policy. Chapter 2 provides some basic readings on Information Law. Chapter 3 addresses the issue of privacy and data protection. Chapter 4 deals with freedom of expression, while Chapter 5 tackles freedom of information. Lastly, Chapter 6 provides core readings on the topic of information flows and democracy.

Chapter 1 – Information Policy: Key Concepts and Definitions

Section 1 – Definitions

- ✚ Brillouin, L. (2004). *Science and Information Theory*. New York: Dover Publications Inc.
- ✚ Cornelius, I. (2010). *Information Policies and Strategies*, Facet Publishing
- ✚ Floridi L. (2010). *Information: A Short Introduction*. Oxford: Oxford University Press
- ✚ Janich P. (2018). *What is Information?*. University of Minnesota Press

Section 2 – History of information

- ✚ Dertouzos M. L. (2009). *What Will Be: How the World of Information Will Change*. Harper Collins
- ✚ Gleick, J. (2012). *The Information: A History, A Theory, A Flood*. Random House USA Inc.
- ✚ Hidalgo C. (2015). *Why Information Grows: The Evolution of Order, from Atoms to Economies*. Basic Books
- ✚ Logan R. K. (2014). *What is Information: Propagating Organization in the Biosphere, Symbolosphere, Technosphere and Econosphere*. Demo Publishing

Section 3 - Categories of information flows in society and intersection of information policy and governance

- ✚ Bobbio N. (2006). *Liberalism and Democracy*. London: Verso
- ✚ Bobbio N., Griffin R., Dellamy R. (1991). *Future of Democracy*. Polity
- ✚ Bremer M., Cohnitz D. (2013). *Information and Information Flow: An Introduction*. Walter de Gruyter
- ✚ Buckland M. (2017). *Information and Society*. Cambridge: MIT Press
- ✚ Castells M. (2011). *The Rise of the Networked Society: The Information Age: Economy, Society and Culture 2nd Edition*. Wiley Blackwell
- ✚ Chen Y., Ahn M. (2017). *Routledge Handbook on Information Technology in Government*. Routledge
- ✚ Correa Da Silva F.S., Agusti-Cullell J. (2008). *Information Flow and Knowledge Sharing*. Elsevier
- ✚ Daly A. (2016). *Private Power, Online Information Flows and EU Law*. Bloomsbury Publishing

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- ✚ Dretske F.I (1999). *Knowledge and the Flow of Information*. Cambridge: Cambridge University Press
 - ✚ Frau-Meigs D., Velez I. & Flores Michel J. (2017). *Public Policies in Media and Information Literacy in Europe: Cross-Country Comparisons*. Taylor & Francis
 - ✚ Hildebrandt M., van den Berg B. (2016). *Information, Freedom and Property: The Philosophy of Law Meets the Philosophy of Technology*. Routledge
 - ✚ Hundley R. O., Anderson R. H., Bikson T.K., Neu C. R. (2003). *The Global Course of the Information Revolution: Recurring Themes and Regional Variations*. RAND Corporation
 - ✚ Orna E. (1999). *Practical Information Policies*. Aldershot: Gower Publishing
 - ✚ Stefik M. (2000). *The Internet Edge: Social, Technical and Legal Challenges for a Networked World*, Cambridge: MIT Press



Chapter 2 – Information Law

Section 1 – International and European developments in Information Law

- ✚ Bainbridge D. I. (2008). *Introduction to Information Technology Law*. Pearson Education
- ✚ Coppel P. (2014). *Information Rights*. Bloomsbury Publishing
- ✚ Fiodorova A. (2018). *Information Exchange and EU Law Enforcement*. Routledge
- ✚ Jones R., Moore R. (2013). *Information Technology and Traditional Legal Concepts*. Routledge
- ✚ Katz E., Subramanian R. (2011). *The Global Flow of Information: Legal, Social, and Cultural Perspectives*. NYU University Press
- ✚ Kohl U., Charlesworth A. (2013). *Information Technology Law*. Routledge
- ✚ Lloyd I. (2017). *Information Technology Law*. Oxford: Oxford University Press
- ✚ Marrett P. (2018). *Information Law in Practice*. Routledge
- ✚ Matwyshin A. M. (2009). *Harboring Data: Information Security, Law, and the Corporation*. Stanford University Press
- ✚ Murray A. (2016). *Information Technology Law: The Law and Society*. Oxford: Oxford University Press
- ✚ Polcak R., Jerker D., Svantesson B. (2017). *Information Sovereignty: Data Privacy, Sovereign Powers and the Rule of Law*. Edward Elgar Publishing
- ✚ Solove D. J., Schwartz P. M. (2017). *Information Privacy Law*. Budapest: Wolters Kluwer Law & Business
- ✚ Wadham J., Harris K., Peretz G. (2011). *Blackstone's Guide to the Freedom of Information Act 2000*. Oxford: Oxford University Press

Section 2 - The free development of personality and the tripod of the information-related human rights: privacy, freedom of expression, freedom of information

- ✚ *** 'Right to a free development of personality case', Anonymous, Final decision on jurisdiction, merits, and damages, ILDC 1467 (MX 2009), 6th January 2009, Mexico; Supreme Court of Justice of the Nation
- ✚ *** Basic Law for the Federal Republic of Germany in the revised version published in the Federal Law Gazette Part III, classification number 100-1, as last amended by Article 1 of the Act of 23 December 2014 (Federal Law Gazette I p. 2438)
- ✚ Arslan and Others v Turkey Application. 41135/98 Judgement 23 February 2010.

- ✚ Benedek W., Bauer V., Kettemann M. C. (2008). *Internet Governance and the Information Society: Global Perspectives and European Dimensions*. Utrecht: Eleven International Publishing
- ✚ Bernal P. (2018). *The Internet, Warts and All. Free Speech, Privacy and Truth*. Cambridge: Cambridge University Press
- ✚ Cannataci J. A., Zhao B., Torres Vives G., Monteleon S., Mifsud Bonnici J., Moyakine E. (2016). *Privacy, free expression and transparency: redefining their new boundaries in the digital age*. UNESCO Publishing
- ✚ Church J., Schulze C., Strydom H. (2007). *Human Rights from a Comparative and International Law Perspective*, Unisa Press
- ✚ Clayton R., Tomlinson H. (2010). *Privacy and Freedom of Expression*. Oxford: Oxford University Press.
- ✚ Doek J. (2006). "Article 8: The Right to Preservation of Identity" A Commentary of the United Nations Convention on the Rights of the Child. Leiden: Martinus Nijhoof Publishers
- ✚ Eberle E. J. (2013). "Observations on the Development of Human Dignity and Personality in German Constitutional Law: An Overview", *Liverpool Law Review*, vol. 33, issue 3, pp 201-233
- ✚ Goodwin v the UK (2002) 35 EHRR 18
- ✚ Godwin M. (2003). *Cyber Rights: Defending Free speech in the Digital Age*. Cambridge: MIT Press
- ✚ Handyside v United Kingdom (App 5493/72) ECHR 7 December 1976
- ✚ Loader B. (1997). *The Governance of Cyberspace*. London: Psychology Press
- ✚ Macklem T. (2006). *Independence of Mind*, Oxford: OUP
- ✚ Manuc L. (2012). "Features and Evolution References to Personality Rights" *Contemporary Readings in Law and Social Justice* Vol 4(1)
- ✚ Marshall J. (2014). "The legal recognition of personality: full-face veils and permissible choice", *International Journal of Law in Context*, Cambridge: Cambridge University Press
- ✚ Marshall J. (2014). *Human Rights Law and Personal Identity*, Taylor and Francis
- ✚ Marten J. J. (2012) Personality Rights and Freedom of Expression: A Journey through the Development of German Jurisprudence under the Influence of the European Court of Human Rights, *Journal of Media Law*, 4:2, 333-349
- ✚ Murray A., Klang M. (2005). *Human Rights in the Digital Age*. London: Psychology Press
- ✚ O'Callaghan P. (2015). "Article 8 ECHR as a General Personality Right. A Commentary on Axel Springer AG v Germany [2012] ECHR 227", *Journal of European Tort Law*, vol. 6, issue 1
- ✚ Selby J. (2014). "Un/veiling Women's Bodies: Secularism and Sexuality in Full-face Veil Prohibitions in France and Quebec" *SAGE Journals* Vol. 43(3)
- ✚ Universal Declaration of Human Rights, 10 December 1948 available at <http://www.un.org/en/universal-declaration-human-rights/>

Chapter 3 – Privacy & Data Protection (Art. 8/Art 17 – privacy and reputation)

Section 1 – Fundamentals of privacy

- ✚ Cannataci J.A. (1987). *Privacy and Data Protection Law: International Development and Maltese Perspectives*. Oslo, Norway: Norwegian University Press
- ✚ Cannataci J.A. (2008). Lex Personalitatis and Technology-driven Law, SCRIPTed Volume 5, Issue 1, April 2008, pp. 1-6
- ✚ Cannataci J.A. Ed. (2015) *The Individual and Privacy*. Ashgate
- ✚ Moore Barrington, Jr. (1984) *Privacy: Studies in Social and Cultural History*, N.Y. Sharpe
- ✚ Nissenbaum H. (2010). *Privacy in Context. Technology, Policy and the Integrity of Social Life*. Stanford University Press

Section 2 – Fundamentals of data protection

- ✚ *** (2018). *Handbook of European Data Protection Law*. Publications Office of the European Union
- ✚ Boehm F. (2011). Information Sharing and Data Protection in the Area of Freedom, Security and Justice: Towards Harmonized Data Protection Principles for Information Exchange at EU-level. Springer Science & Business Media
- ✚ Cannataci J.A. & Mifsud Bonnici J.P. (2005). Data Protection Comes of Age : The Data Protection Clauses in the European Constitutional Treaty, Information and Communications Technology Law, Vol. 14, No.1, pp. 5-15.
- ✚ Cannataci J.A. & Mifsud Bonnici J.P. (2007) Weaving the mesh: Finding remedies in Cyberspace in Internet Governance, International Review of Law, Computers and Technology March 2007, Vol. 21 pp. 59-78
- ✚ Cannataci J.A. & Mifsud Bonnici J.P., (2010) The end of the purpose-specification principle in data protection? International Review of Law, Computers and Technology, Routledge, Vol. 24, No.1, March 2010, pp. 1-17,
- ✚ Cannataci J.A., Data protection in relation to transborder information sharing for network security and criminal justice purposes, Concept Discussion Paper to Council of Europe, 07 November 2013.
- ✚ Cannataci J.A., Defying the logic, forgetting the facts: the new European proposal for data protection in the police sector, European Journal of Law and Technology, Vol. 4, No. 2, 2013.

- ✚ Drury P. (2018). *Core EU Legislation 2018-2019*. Macmillan International Higher Education
- ✚ Feiler L., Forgo N., Weigl M. (2018). *The EU General Data Protection Regulation (GDPR): A Commentary*. Globe Law and Business Limited
- ✚ Gutwirth S., Pouillet Y., de Hert P., de Terwangne C., Nowt S. (2009). *Reinventing Data Protection?*. Springer Science & Business Media
- ✚ ITGP Privacy Team (2017). *EU General Data Protection Regulation (GDPR): An Implementation and Compliance Guide – Second edition*. IT Governance
- ✚ Kelleher D., Murray K. (2018). *EU Data Protection Law*. Bloomsbury Publishing
- ✚ Lynskey O. (2015). *The Foundations of EU Data Protection Law*. Oxford: Oxford University Press
- ✚ Mifsud Bonnici J.P., and Cannataci J.A. (2003), 'Access to information: controlling access to information as a means of internet governance' 17 (1) *International Review of Law Computers and Technology*, pp. 51-62
- ✚ Torra V. (2017). *Data Privacy: Foundations, New Developments and the Big Data Challenge*. Springer
- ✚ Tzanou M. (2017). *The Fundamental Right to Data Protection: Normative Value in the Context of Counter-Terrorism Surveillance*. Bloomsbury Publishing
- ✚ Voigt P., von em Bussche A. (2017). *The EU General Data Protection Regulation (GDPR): A Practical Guide*
- ✚ "Mythbuster: The Court of Justice of the EU and the "Right to be Forgotten"". European Commission's Directorate General for Justice and Consumers, via archive.org. 18 September 2014. Retrieved 5 November 2018
- ✚ Alessi S. (2017). *Eternal Sunshine: The Right to Be Forgotten in the European Union After the 2016 General Data Protection Regulation*. Available at <http://law.emory.edu/eilr/documents/volumes/32/1/alessi.pdf>

Section 3 – EU law

- ✚ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation)
- ✚ Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (Directive on privacy and electronic communications)
- ✚ Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL concerning the respect for private life and the protection of personal

data in electronic communications and repealing Directive 2002/58/EC (Regulation on Privacy and Electronic Communications) COM/2017/010 final - 2017/03 (COD)

Section 4 – International law

- ✚ Convention 108 for the Protection of Individuals with regard to Automatic Processing of Personal Data. Reference, Council of Europe
- ✚ UN GA Resolution 68/167 of 18 December 2013 The right to privacy in the digital age
- ✚ UN GA Resolution 69/166 of 18 December 2014
- ✚ UN International Covenant on Civil and Political Rights
- ✚ Report of the Office of the United High Commissioner for Human Rights on the right to privacy in the digital age
- ✚ UN HRC Resolution 34/7 on the right to privacy in the digital age
- ✚ UN HRC Resolution 28/16 of 26 March 2015 on the right to privacy in the digital age
- ✚ UN HRC Resolution 32/13 of 1 July 2016 on the promotion, protection and enjoyment of human rights on the Internet

Section 5 – European law/Examples of sectoral recommendations

- ✚ The protection of privacy on the Internet & Draft Guidelines for the protection of individuals with regard to the collection and processing of personal data on the information highways, which may be incorporated in or annexed to Codes of Conduct. Recommendation No. R(99) 5, Strasbourg, 1999. Available at http://www.coe.int/t/e/legal_affairs/legal_co-operation/data_protection/documents/international%20legal%20instruments/1Rec%2899%295_EN.pdf
- ✚ The protection of personal data collected and processed for statistical purposes: Recommendation No. R (97) 18 and explanatory memorandum. Council of Europe, France, 1998. Available at http://www.coe.int/t/e/legal_affairs/legal_co-operation/data_protection/documents/international%20legal%20instruments/1Rec%2897%2918_EN.pdf with Explanatory Memorandum available at

http://www.coe.int/t/e/legal_affairs/legal_co-operation/data_protection/documents/international%20legal%20instruments/1EM_R%2897%2918_EN.pdf

- ✚ The protection of medical data: Recommendation No. R (97) 5 and explanatory memorandum. Council of Europe, France, 1997. Available at http://www.coe.int/t/e/legal_affairs/legal_co-operation/data_protection/documents/international%20legal%20instruments/1Rec%2897%295_EN.pdf Explanatory Memorandum available at http://www.coe.int/t/e/legal_affairs/legal_co-operation/data_protection/documents/international%20legal%20instruments/1EM_R%2897%2915_EN.pdf
- ✚ Communication to third parties of personal data held by public bodies: Recommendation No. R (91) 10 and explanatory memorandum. Council of Europe, France, 1993. Available at http://www.coe.int/t/e/legal_affairs/legal_co-operation/data_protection/documents/international%20legal%20instruments/1Rec%2891%2910_EN.pdf Explanatory Memorandum available at http://www.coe.int/t/e/legal_affairs/legal_co-operation/data_protection/documents/international%20legal%20instruments/1EM_R%2891%2910_EN.pdf
- ✚ The protection of personal data used for payment and other related operations. Recommendation No. R (90) 19 and explanatory memorandum. Council of Europe, France, 1990. Available at http://www.coe.int/t/e/legal_affairs/legal_co-operation/data_protection/documents/international%20legal%20instruments/1Rec%2890%2919_EN.pdf Explanatory Memorandum available at http://www.coe.int/t/e/legal_affairs/legal_co-operation/data_protection/documents/international%20legal%20instruments/1EM_R%2890%2919_EN.pdf
- ✚ The protection of personal data used for employment purposes Recommendation No.R(89) 2 on the protection of personal data used for employment purposes (18 January 1989) and Explanatory Memorandum. Available at http://www.coe.int/t/e/legal_affairs/legal_co-operation/data_protection/documents/international%20legal%20instruments/1Rec%2889%292_EN.pdf Explanatory Memorandum available at http://www.coe.int/t/e/legal_affairs/legal_co-operation/data_protection/documents/international%20legal%20instruments/1EM_R%2889%292_EN.pdf

- ✚ The use of personal data in the police sector: Recommendation No. R (87) 15 and explanatory memorandum. Council of Europe, France, 1987 Available at http://www.coe.int/t/e/legal_affairs/legal_co-operation/data_protection/documents/international%20legal%20instruments/1Rec%2887%2915_EN.pdf

Section 6 – Classic examples of domestic law related solely to privacy and data protection

- ✚ Constitution of Germany, Art. 2 para. 1, and Art. 1 para. 1.
- ✚ German Federal Data Protection Act (1977)
- ✚ Greenleaf G. (2017). “Global Data Privacy Laws 2017: 120 National Data Privacy Laws, Including Indonesia and Turkey” in *145 Privacy Laws & Business International Report*, 10-13. UNSW Law Research Paper No. 17-45. Available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2993035
- ✚ India Information Technology (Amendment) Act, 2008 making changes to the Information Technology Act, 2000
- ✚ Overview of the Privacy Act of 1974 (2015 edition) available at <https://www.justice.gov/opcl/overview-privacy-act-1974-2015-edition>
- ✚ Privacy Act of 1974, 5 U.S.C. § 552a available at <https://www.gpo.gov/fdsys/pkg/USCODE-2012-title5/pdf/USCODE-2012-title5-partI-chap5-subchapII-sec552a.pdf>
- ✚ Sweden Data Act (1973)

Section 7 – Classic examples of domestic law which combine privacy and freedom of expression

- ✚ Data Protection Act 2018. Available at http://www.legislation.gov.uk/ukpga/2018/12/pdfs/ukpga_20180012_en.pdf
- ✚ Evans M. (2018). “Privacy vs Freedom of Expression: How the law has developed” in *The Telegraph*. Available at <https://www.telegraph.co.uk/news/2018/07/18/privacy-vs-freedom-expression-law-has-developed/>
- ✚ Nyst C. (2013). “Two sides of the same coin – the right to privacy and freedom of expression”. Privacy International. Available at <https://privacyinternational.org/blog/1111/two-sides-same-coin-right-privacy-and-freedom-expression>

Chapter 4 – Freedom of expression (Art. 10/art.19 – including Media Law)

Section 1 – Fundamentals of freedom of expression

- ✚ Alexander L. (2005). *Is There a Right of Freedom of Expression?*. Cambridge: Cambridge University Press
- ✚ Baum D. (2014). *Freedom of Expression*. Dundurn
- ✚ Chartier G. (2018). *An Ecological Theory of Free Expression*. Springer
- ✚ Commonwealth Secretariat (2003). *Freedom of Expression, Assembly and Association: Best Practice*. London: Commonwealth Secretariat
- ✚ Eastland T. (2000). *Freedom of Expression in the Supreme Court: The Defining Cases*. Rowman & Littlefield
- ✚ Epstein R. (1987). "The Fundamentals of Freedom of Speech". 10 *Harvard Journal of Law and Public Policy* 53
- ✚ EU Charter of Fundamental Rights
- ✚ Ginsborg L., "Measuring Freedom of Expression Online". Available at <http://cmpf.eui.eu/measuring-freedom-of-expression-online/>
- ✚ Golash D. (2010). *Freedom of Expression in a Diverse World*. Springer Science & Business Media
- ✚ Koltay A. (2015). *Comparative perspectives on the fundamental freedom of expression*. Budapest: Wolters Kluwer
- ✚ McGonagle T., Donders Y. (2015). *The United Nations and Freedom of Expression and Information*. Cambridge: Cambridge University Press
- ✚ McLeod S. (2018). "Communication rights: Fundamental human rights for all" in *International Journal of Speech-Language Pathology*, 20:1, 3-11
- ✚ Powers E. (2011). *Freedom of Speech: The History of an Idea*. Lewisburg: Bucknell University Press
- ✚ Susi M., Viljanen J., Jonsson E., Kucs A. (2018). *Human Rights Law and Regulating Freedom of Expression in New Media: Lessons from Nordic Approaches*. Routledge
- ✚ Tushnet M. (2018). *Advanced Introduction to Freedom of Expression*. Edward Elgar Publishing
- ✚ Verpeaux M. (2010). *Freedom of Expression: In Constitutional and International Case Law*. Council of Europe
- ✚ Zeno-Zencovich V. (2008). *Freedom of Expression: A critical and comparative analysis*. Routledge

Section 2 – European law

- ✚ Bychawska-Siniarska D. (2017) *Protecting the Right to Freedom of Expression under the European Convention on Human Rights. A Handbook for Legal Practitioners*. Council of Europe
- ✚ Council of the European Union (2014). EU Human Rights Guidelines on Freedom of Expression Online and Offline. Available at https://eeas.europa.eu/sites/eeas/files/eu_human_rights_guidelines_on_freedom_of_expression_online_and_offline_en.pdf
- ✚ Craufurd Smith R. (2017) European and international media law, *Journal of Media Law*, 9:2, 288-291
- ✚ Douglas-Scott S. and Hatzis N. (2017). *Research Handbook on EU Law and Human Rights*. Edward Elgar Publishing
- ✚ Howard E. (2017). *Freedom of Expression and Religious Hate Speech in Europe*. London: Routledge
- ✚ Janis M. W., Kay R.S., and Bradley A.W. (2008). *European Human Rights Law*. Oxford: Oxford University Press
- ✚ Kulk S., Zuiderveen Borgesius F. (2018). "Privacy, Freedom of Expression, and the Right to Be Forgotten in Europe" in *The Cambridge Handbook of Consumer Privacy*, pp. 301-320, Cambridge: Cambridge University Press

Section 3 – International law

- ✚ Barend E. (2007). *Freedom of Speech*. 2nd ed. Oxford: Oxford University Press
- ✚ Boyle K. (2010). "Thought, Expression, Association, and Assembly." In *International Human Rights Law*. 1st ed. Edited by Daniel Moeckli, Sangeeta Shah, Sandesh Sivakumaran, and David Harris, 257–279. Oxford: Oxford University Press
- ✚ Cram I. (2006). *Contested Words: Legal Restrictions on Freedom of Speech in Liberal Democracies*. Aldershot, UK: Ashgate
- ✚ Howie E. (2018). Protecting the human right to freedom of expression in international law in *International Journal of Speech-Language Pathology*, 20:1, 12-15
- ✚ OSCE (2012). *Freedom of Expression on the Internet. A study of legal provisions and practices related to freedom of expression, the free flow of information and media pluralism on the Internet in OSCE participating States*. Available at <https://www.osce.org/fom/105522?download=true>
- ✚ Sears A. (2015). "Protecting Freedom of Expression over the Internet: An International Approach" in *Notre Dame Journal of International & Comparative Law*: Vol. 5: Iss. 1, Article 7
- ✚ Stremlau N. and Gagliardone I. and Price M. (2018). *World Trends in Freedom of Expression and Media Development 2018*. Available at SSRN: <https://ssrn.com/abstract=3186095>

- ✚ Wehbe A. (2018). "Increasing International Legal Protections for Freedom of Expression" in *Notre Dame Journal of International & Comparative Law*: Vol. 8 : Iss. 2 , Article 5
- ✚ O'Flaherty M. (2012). "Freedom of Expression: Article 19 of the International Covenant on Civil and Political Rights and the Human Rights Committee's General Comment No 34" in *Human Rights Law Review*, Volume 12, Issue 4, 1 December 2012, Pages 627–654
- ✚ Article 19 (2013). *Freedom of expression and ICTs: Overview of international standards*. Available at <https://www.article19.org/data/files/medialibrary/37380/FoE-and-ICTs.pdf>

Section 4 – Leading cases freedom of expression & reputation

- ✚ Freedom of expression in Europe: Case-law concerning Article 10 of the European Convention on Human Rights, Council of Europe Publishing. Available at [https://www.echr.coe.int/LibraryDocs/DG2/HRFILES/DG2-EN-HRFILES-18\(2007\).pdf](https://www.echr.coe.int/LibraryDocs/DG2/HRFILES/DG2-EN-HRFILES-18(2007).pdf)
- ✚ Bang A. (2017). "Case Law from the European Court of Human Rights in 2016" in *The National Law Review*. Available at <https://www.natlawreview.com/article/case-law-european-court-human-rights-2016>

Section 5 – Classic examples of domestic law

- ✚ First Amendment, US Constitution
- ✚ Securing the Protection of our Enduring and Established Constitutional Heritage (SPEECH) Act 2010
- ✚ ACLU. Freedom of expression. Available at <https://www.aclu.org/other/freedom-expression>
- ✚ Zoller E. (2009). "The United States Supreme Court and the Freedom of Expression" in *Indiana Law Journal*: Vol. 84: Iss. 3, Article 6
- ✚ United States Case Law on Freedom of Expression. Available at <https://www.cecc.gov/united-states-case-law-on-freedom-of-expression>
- ✚ Sweden Freedom of the Press Act of 1766
- ✚ Sweden Fundamental Law on Freedom of Expression

Chapter 5 – Freedom of Information (Art./Art – access to information held by governments)

Section 1 – Fundamentals of freedom of information

- + Access to Information and Data Protection Database. Available at <https://www.legislationline.org/topics/topic/3>
- + Amiri A.P. (2015). *Freedom of Information and National Security: A Study of Judicial Review under U.S. Law*. Herbert Utz Verlag
- + Birkinshaw P. (2010). *Freedom of Information: The Law, the Practice and the Ideal*. Cambridge: Cambridge University Press
- + Bishop C.A. (2012). *Access to Information as a Human Right*. LFB Scholarly Pub
- + Darch C., Underwood P.G. (2009). *Freedom of Information and the Developing World: The Citizen, the State and Models of Openness*. Elsevier
- + Flinn A.k, Jones H. (2009). *Freedom of Information: Open Access, Empty Archives?*. Routledge
- + Foerstel H.N. (1999). *Freedom of Information and the Right to Know: The Origins and Applications of the Freedom of Information Act*. Greenwood Press
- + Hunt M., Chapman R.A. (2013). *Freedom of Information: Local Government and Accountability*. Ashgate Publishing Ltd.
- + Martin S. E. (2008). *Freedom of Information: The News the Media Use*. Peter Lang
- + McDonald A., Terrill G. (2016). *Open Government: Freedom of Information and Privacy*. Springer
- + Statewatch. Freedom of Information in the European Union. Available at <http://www.statewatch.org/foi.htm>
- + Ticher P. (2008). *Data Protection vs. Freedom of Information*. IT Governance Limited
- + Wadham J., Harris K., Peretz G. (2011). *Blackstone's Guide to the Freedom of Information Act 2000*. Oxford: Oxford University Press
- + Worthy B. (2017). *The Politics of Freedom of Information: How and Why Governments Pass Laws that Threaten their Power*. Oxford: Oxford University Press
- + Xiao W. (2013). *Freedom of Information Reform in China: Information Flow Analysis*. Routledge

Section 2 – European law

- + Coppel P. (2010). *Information Rights: Law and Practice*. Hart Publishing

- + D. Curtin and P. Leino-Sandberg, 'Openness, Transparency and the Right of Access to Documents in the EU', (2016), <[www.europarl.europa.eu/RegData/etudes/IDAN/2016/556973/IPOL_IDA\(2016\)556973_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/IDAN/2016/556973/IPOL_IDA(2016)556973_EN.pdf)>, visited 5 October 2017
- + Dawson M. (2017). *The Governance of EU Fundamental Rights*. Cambridge: Cambridge University Press
- + Dragos D., Neamtu B. (2017). Freedom of Information in the EU in the midst of Legal Rules, Jurisprudence and Ombudsprudence: the European Ombudsman as Developer of Norms of Good Administration. *European Constitutional Law Review*, 13(4), 641-672
- + Dragos D.C., Kovac P., Marseille A. (2018). *The Laws of Transparency in Action: A European Perspective*. Palgrave Macmillan
- + European Parliament resolution of 12 December 2017 on the EU Citizenship Report 2017: Strengthening Citizens' Rights in a Union of Democratic Change
- + Mantelero A. (2013). "The EU Proposal for a General Data Protection Regulation and the roots of the 'right to be forgotten'". *Computer Law & Security Review*. 29 (3): 229–235.
- + Mitrou L., Karyda M. (2012). "EU's Data Protection Reform and the right to be forgotten—A legal response to a technological challenge?". 5th International Conference of Information Law and Ethics: 29–3
- + O'Neill A. (2010). "EU Law, Freedom of Information and Data Protection – Part 1". Available at <https://inform.org/2010/12/15/eu-law-freedom-of-information-and-data-protection-part-1-aidan-oneill-qc/>
- + Proposal for a Directive of the European Parliament and of the Council on copyright in the Digital Single Market - COM(2016)593. Available at <https://ec.europa.eu/digital-single-market/en/news/proposal-directive-european-parliament-and-council-copyright-digital-single-market>
- + Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL laying down rules on the exercise of copyright and related rights applicable to certain online transmissions of broadcasting organisations and retransmissions of television and radio programmes. Available at <https://ec.europa.eu/digital-single-market/en/news/proposal-regulation-laying-down-rules-exercise-copyright-and-related-rights-applicable-certain>

Section 3 – International law

- + Ackerman, John. and Irma. Sandoval-Ballesteros. 2006. 'The global explosion of freedom of information laws', *Administrative Law Review* 58(1): 85-130.
- + Banisar, David. 2006. *Freedom of Information Around the World 2006. A Global Survey of Access to Government Records Laws*. Available online at [http://www.privacyinternational.org/article.shtml?cmd\[347\]=x-347-543400](http://www.privacyinternational.org/article.shtml?cmd[347]=x-347-543400)

- ✚ Blanton T. (2002). 'The World's Right to Know'. <http://www.freedominfo.org/documents/rtk-english.pdf>
- ✚ Cain B., Fabbrini S. and Egan P. (2003). 'Towards more open democracies: the expansion of FOI laws'. In *Democracy Transformed? – Expanding Political Opportunities in Advanced Industrial Democracies*, eds. B.E. Cain, R.J. Dalton and S.E. Scarrow. Oxford: Oxford University Press, 115– 139.
- ✚ Darch, C. and Underwood, P. (2010). *Freedom of information in the developing world: demand, compliance and democratic behaviours*. Oxford: Chandos
- ✚ McDonagh M. (2013). "The Right to Information in International Human Rights Law". *Human Rights Law Review* 13(1):25-55 · March 2013
- ✚ Mendel, T. (2008). *Freedom of Information: a comparative legal survey*. Second edition. UNESCO. Available online at http://portal.unesco.org/ci/en/files/26159/12054862803freedom_information_en.pdf/freedom_information_en.pdf
- ✚ Reports of Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression. Available at <https://www.ohchr.org/EN/Issues/FreedomOpinion/Pages/OpinionIndex.aspx>
- ✚ Roberts, A. (2006). *Blacked Out: government secrecy in the Information Age*. New York: Cambridge University Press.
- ✚ Vleugels, R. (2009). 'Overview of all 90 FOIA countries & territories'. Fringe Special (September 2009).

Section 4 – Leading cases freedom of information

- ✚ *** (2016). "The European Court of Human Rights and Access to Information: Clarifying the Status, with Room for Improvement". Available at <https://www.mediadefence.org/news/european-court-human-rights-and-access-information-clarifying-status-room-improvement>
- ✚ Amann v. Switzerland [GC], no. 27798/95, § 65, ECHR 2000-II
- ✚ Bouchacourt v. France, Gardel v. France and MB v. France (Fifth Section, 17 December 2009)
- ✚ Frigo M. (2018). "EU Court Condemns the EU Legislative Process for Lack of Transparency: Time to Open Up?". Available at <http://eulawanalysis.blogspot.com/2018/04/eu-court-condemns-eu-legislative.html>
- ✚ Haralambie v. Romania (2009) ECHR 21737/03
- ✚ Joined Cases C-92/09 and C-93/09 Volker und Markus Schecke GbR v Land Hessen 9 November 2010
- ✚ Kenedi v. Hungary ([2009] ECHR 31475/05)
- ✚ Leander v. Sweden (1987) 9 EHRR 433
- ✚ Right2info Case Law Database available at <https://www.right2info.org/cases>
- ✚ Rotaru v. Romania [GC], no. 28341/95, § 43, ECHR 2000-V)

- ✚ S and Marper v United Kingdom ((2009) 48 EHRR 50)
- ✚ Sweden and Association de la Presse Internationale a.s.b.l. (API) (See Joined Case C-514,-528,-532/07P , 21 September 2010)
- ✚ Társaság a Szabadságjogokért v. Hungary ([2009] ECHR 37374/05)
- ✚ Voorhoof D. (2015). "Freedom of Expression and Information and the Case Law of the European Court of Human Rights and the Court of Justice of the EU. Overview and highlights 2014". Conference Paper Justice for Free Expression in 2014. Columbia University. Available at <https://biblio.ugent.be/publication/6900863/file/6900864.pdf>

Section 5 – Classic examples of domestic law

- ✚ Access to Information Review Task Force [AIRTf].2002. Access to Information: Making it Work for Canadians. Report of the Access to Information Review Task Force. Available online <http://www.atirtf-geai.gc.ca/accessReport-e.pdf>
- ✚ Allen K. (ed.) .2009. *The Paper Wars: Access to Information in South Africa*. Wits University Press
- ✚ Australian Law Reform Commission. 1995. Open government: a review of the federal Freedom of Information Act 1982, ALRC 77. Canberra: Commonwealth Information Services. Available online <http://www.austlii.edu.au/au/other/alrc/publications/reports/77/>
- ✚ Bookman, Z. and Guerro, J. (2009). 'One step forward two steps back' Mexican Law Review. Volume I, Number 2 January-June 2009
- ✚ Canadian Information Commissioner .2004. 'Remarks to the Canadian Bar Association' Available at: <http://www.infocom.gc.ca/speeches/speechview-e.asp?intspeechId=99>
- ✚ Canadian Information Commissioner. 1994. The Access to Information Act: 10 Years On (Ottawa: Ministry of Public Works and Government Services).
- ✚ Coalition of Journalists for Open Government. An in-depth analysis of FOIA performance from 1998 to 2007. Available at: http://www.cjog.net/documents/Part_1_2007_FOIA_Report.pdf
- ✚ Darch, C. and Underwood, P. (2005). 'Freedom of information legislation, state compliance and the discourse of knowledge: The South African experience' in *International Library and Information Review* Volume 37, issue 2, p 77-86
- ✚ Department of the Prime Minister and Cabinet (Australia). 2009. Freedom of information (FOI) reform: companion guide. Canberra: Australian Government. Available online http://www.dpmc.gov.au/consultation/foi_reform/docs/Companion_Guide.pdf
- ✚ Executive Office of the President. 2009. Open Government Directive. Available online http://www.whitehouse.gov/omb/assets/memoranda_2010/m10-06.pdf

- ✚ Fung A., Graham M. and Weil D. (2007). *Full disclosure; the perils and promise of transparency*. Cambridge: Cambridge University Press.
- ✚ Gillis, Robert. Peter. 1998. 'Freedom of Information and Open Government in Canada', in McDonald, Andrew and Greg Terrill (eds.) *Open Government* (Basingstoke: Palgrave), pp. 143–168.
- ✚ Government of Canada. 2006. *Strengthening the Access to Information Act: A Discussion of Ideas Intrinsic to the Reform of the Access to Information Act*. Available at <http://www.justice.gc.ca/eng/dept-min/pub/atia-lai/atia-lai.pdf>
- ✚ Grigorescu A. (2009). 'The Effectiveness of Freedom of Information Legislation in East Europe' . APSA 2009 Toronto Meeting Paper. Available at: <http://ssrn.com/abstract=1449172>
- ✚ Hazell, R., Worthy, B and Glover, M. (2010). *Does FOI work? The impact of the Freedom of Information Act on central government in the UK*, Constitution Unit, (Palgrave Macmillan).
- ✚ High Level Review Group on the Freedom of Information Act 1997. 2002. *Report to the Government*. Dublin: Department of the Taoiseach. Available online <http://www.foi.gov.ie/publications/high-level-review-group-on-the-freedom-of-information-act-1997>
- ✚ Holsen S. and Pasquier M. (2009). 'The Swiss Federal Law on Transparency: Much ado about nothing?' Paper given to 'The Future of Governance in Europe and the U.S.', George Washington University, Washington, D.C., June 11-13. More research is available in French at http://swisstransparency.ch/Joomla/index.php?option=com_content&task=view&id=15&Itemid=30
- ✚ Irish Information Commissioner. 2008. *Freedom of Information: the First Decade* .Dublin: Office of the Information Commissioner. Available online http://www.hiqa.ie/FOI/FOI_first_10_yearsen.pdf
- ✚ Lagunes P. (2009). 'Irregular Transparency? An Experiment Involving Mexico's Freedom of Information Law'. Available online: <http://ssrn.com/abstract=1398025>
- ✚ McMillan J. (2002). 'Twenty Years of Open Government – What Have We Learnt?', Inaugural Professorial Address to the Australian National University, 4 March.
- ✚ Pasquier, M., Villeneuve, J.-P. 2006. 'Access to information in Switzerland. From secrecy to transparency.' *Open Government: a journal on Freedom of Information* Vol 2 No. 2. Available online <http://www.opengovjournal.org/article/view/619/478>
- ✚ Paterson M. (2005). *Freedom of Information and Privacy in Australia: Government and Information Access in the Modern State*. Brisbane: LexisNexis Buttersworths.
- ✚ Piotrowski S. J. (2007). *Transparency in the path of administrative reform*. New York: State University of New York Press.
- ✚ Piotrowski S. J. and Borry E. L. (2009). "Governmental Transparency and Websites: The Case of New Jersey Municipalities". In Christopher G. Reddick



-
- (Ed.), *Strategies for Local E-Government Adoption and Implementation: Comparative Studies*. Hershey, PA: IGI Global.
- + Piotrowski S. J.; Yahong Z.; Weiwei L.; Wenxuan Y. (2009). 'Key Issues for Implementation of Chinese Open Government Information Regulations'. *Public Administration Review*, Volume 69, p. 129-135
 - + Racicot, M. 2005. *The Access to Information Act: A Canadian Experience*. Available at http://www.humanrightsinitiative.org/programs/ai/rti/implementation/general/canada_ai_act_may05.pdf
 - + Roberts, A. (2010). *A Great and Revolutionary Law? The First Four Years of India's Right to Information Act*. *Public Administration Review*, (Forthcoming). Available online http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1527858
 - + RTI Assessment & Analysis Group (RaaG) and National Campaign for People's Right to Information (NCPRI). 2009. *Safeguarding the right to Information: Report of the People's RTI Assessment 2008 (Executive Summary)* Available online <http://rtiassessment.org/index.htm>
 - + Snell R. (2001). 'Freedom of Information: The experience of the Australian states - an epiphany?' *Federal Law Review* Vol 29, 2001 , 343-358. Available online <http://www.ricksnell.com.au/Articles/epiphany0001.PDF>
 - + Solomon D. (2008). *The Right to Know: Reviewing Queensland's FOI Act*. Available online http://www.foireview.qld.gov.au/documents_for_download/FOI-review-report-10062008.pdf
 - + Swire Peter, (2016) testimony in Irish High Court case, <https://www.alston.com/-/media/files/insights/publications/peter-swire-testimony-documents/professorpeterswiretestimonyinirishhighcourtcase.pdf?la=en>
 - + Terrill G. (1998). 'The Rise and Decline of Freedom of Information in Australia'. In *Open Government*, eds. A. McDonald and G. Terrill. Basingstoke: Palgrave, 89–116.
 - + White, Ni. (2007). *Free and Frank: Making the Official Information Act Work Better*. Wellington: Institute of Policy Studies.



Chapter 6 – Information flows and democracy

Section 1 – Oversight of intelligence

- + Thorsten Wetzling & Kilian Vieth, Upping the Ante on Bulk Surveillance. An International Compendium of Good Legal Safeguards and Oversight Innovations, Volume 50, Henrick Boll Stiftung Democracy;
- + Born H and Leigh I., Making Intelligence Accountable: Legal Standards and Best Practice for Oversight of Intelligence Agencies, 2005;
- + Born H. and Caparini M., Democratic Control of Intelligence Services: Containing Rogue Elephants, Ashgate Pub, 2013.
- + Born H. and Wills A., Overseeing Intelligence Services. A Toolkit, DCAF, 2012.
- + Boyd, J., Improving U.S. Congressional Oversight of Intelligence Services: A Comparative Policy Approach, American Intelligence Journal, 28(1), 2010.
- + Commission on the Future of Policing in Ireland. 2018. The Future of Policing in Ireland, September 2018. Available at:
[http://policereform.ie/en/POLREF/The%20Future%20of%20Policing%20in%20Ireland\(web\).pdf/Files/The%20Future%20of%20Policing%20in%20Ireland\(web\).pdf](http://policereform.ie/en/POLREF/The%20Future%20of%20Policing%20in%20Ireland(web).pdf/Files/The%20Future%20of%20Policing%20in%20Ireland(web).pdf).
- + Fundamental Rights Agency (2014). *Access to data protection remedies in the EU Member States*. Available at
<http://fra.europa.eu/en/publication/2014/access-data-protection-remedies-eu-member-states>
- + Fundamental Rights Agency (2015). *Surveillance by intelligence services: fundamental rights safeguards and remedies in the European Union – Mapping Member States’ legal framework*. Available at
<http://fra.europa.eu/en/publication/2015/surveillance-intelligence-services>
- + Fundamental Rights Agency (2017). *Surveillance by intelligence services: fundamental rights safeguards and remedies in the EU - Volume II: field perspectives and legal update*. Available at
<http://fra.europa.eu/en/publication/2017/surveillance-intelligence-socio-legal>
- + Privacy International. 2018. *Secret Global Surveillance Networks: Intelligence Sharing Between Governments and the Need for Safeguards*. Available at:
<https://privacyinternational.org/>
- + Leigh I., Wegge N. (2018). *Intelligence Oversight in the Twenty-First Century: Accountability in a Changing World*. Routledge
- + Goldman Z. K., Rascoff S.J. (2016). *Global Intelligence Oversight: Governing Security in the Twenty-First Century*. Oxford: Oxford University Press
- + Richardson S., Gilmour N. (2016). *Intelligence and Security Oversight: An Annotated Bibliography and Comparative Analysis*. Springer
- + Baldino D. (2010). *Democratic Oversight of Intelligence Services*. Federation Press

- ✚ Zegart A. (2013). *Eyes on Spies: Congress and the United States Intelligence Community*. Hower Press
- ✚ Lowenthal M. M. (2014). *Intelligence: From Secrets to Policy*. CQ Press
- ✚ Bochel H., Defty A., Kirkpartick J. (2014). *Watching the Watchers: Parliament and the Intelligence Services*. Springer
- ✚ Johnson L. K. (2018). *Spy Watching: Intelligence Accountability in the United States*. Oxford: Oxford University Press

Section 2 – Safeguarding the democratic process

- ✚ Persity N. (2017). "The 2016 U.S. Election: Can Democracy Survive the Internet?" in *Journal of Democracy*. Johns Hopkins University Press, Volume 28, Number 2, pp. 63-76
- ✚ Cadwalladr C. (2017). "The great British Brexit robbery: how our democracy was hijacked" in *The Guardian*. Available at <http://davelevy.info/wp-content/uploads/2015/03/great-british-brexit-robbery.pdf>
- ✚ Cadwalladr C. (2016). "Google, democracy and the truth about internet search" in *the Guardian*. Available at https://static1.squarespace.com/static/57fb220646c3c42b615b76ee/t/58451909893fc0f82bea89bf/1480923443872/Google%2C+democracy+and+the+truth+about+internet+search+_+Technology+_+The+Guardian.pdf
- ✚ Cadwalladr C. (2018). "The Cambridge Analytica Files" in *The Guardian*. Available at <http://davelevy.info/Downloads/cabridgeanalyticfiles%20-theguardian 20180318.pdf>
- ✚ Gonzales R.J. (2017). "Hacking the citizenry?: Personality profiling, 'big data' and the election of Donald Trump" in *Anthropology Today*, vol 33, no. 3
- ✚ Isaak J., Hanna M. J. (2018). "User Data Privacy: Facebook, Cambridge Analytica and Privacy Protection" in *Computer*, vol 51, issue 8
- ✚ Baldwin-Philippi J. (2017), "The Myths of Data-Driven Campaigning", *Political Communication* 34(4): 627-633.
- ✚ BBC (2018, May 3), "Cambridge Analytica: Closure 'will not stop investigation'", Re-trieved from: <https://www.bbc.com/news/uk-43985186>.
- ✚ Cadwalladr C. (2018, March 18), "'I made Steve Bannon's psychological warfare tool': meet the data war whistleblower", *The Guardian*, Retrieved from <https://www.theguardian.com/news/2018/mar/17/data-war-whistleblower-christopher-wylie-faceook-nix-bannon-trump>.
- ✚ Cadwalladr C., E. Graham-Harrison (2018, March 17), "Revealed: 50 million Facebook profiles harvested for Cambridge Analytica in major data breach", *The Guardian*. Re-trieved from <https://www.theguardian.com/news/2018/mar/17/cambridge-analytica-facebook-influence-us-election>



- ✚ Cambridge Analytica (2016, November 9), "Cambridge Analytica Congratulates President-elect Donald Trump and Vice President-elect Mike Pence", [press release], PR News Wire, Retrieved from <https://www.prnewswire.com/news-releases/cambridge-analytica-congratulates-president-elect-donald-trump-and-vice-president-elect-mike-pence-300359987.html>.
- ✚ Channel 4 News (2018), "Cambridge Analytica Uncovered: Secret filming reveals election tricks", YouTube. Retrieved from www.youtube.com/watch?time_continue=166&v=mpbeOCKZFFQ.
- ✚ Constone J. (2018, April 10), "Zuckerberg admits it was a mistake not to ban Cambridge Analytica's ads", TechCrunch, Retrieved from <https://techcrunch.com/2018/04/10/ban-cambridge-analytica/?guccounter=1>.
- ✚ Coté M., P. Gerbaudo, J. Pybus (eds.), (2016), "Politics of Big Data", Digital Culture and Society, 2(2).
- ✚ Davies H. (2015, December 11), "Ted Cruz using firm that harvested data on millions of unwitting Facebook users", The Guardian, Retrieved from <https://www.theguardian.com/us-news/2015/dec/11/senator-ted-cruz-president-campaign-facebook-user-data>.
- ✚ European Parliament [TNS/ScytI in cooperation with the European Parliament] (2014), Results of the 2014 European elections, Retrieved from <http://www.europarl.europa.eu/elections2014-results/en/turnout.html>.
- ✚ Gitelman L. (ed.), (2013), Raw data is an oxymoron, Cambridge, MIT Press.
- ✚ Grassegger H., M. Krogerus (2016, December 3), „Ich habe nur gezeigt, dass es die Bombe gibt“, Das Magazin, Retrieved from <https://www.dasmagazin.ch/2016/12/03/ich-habe-nur-gezeigt-dass-es-die-bombe-gibt/?reduced=true>.
- ✚ Grassegger H., M. Krogerus (2017, January 28), The Data That Turned the World Upside Down, Vice, Retrieved from https://motherboard.vice.com/en_us/article/mg9vvn/how-our-likes-helped-trump-win.
- ✚ Herman, E., S., N. Chomsky (1988), Manufacturing consent: The political economy of the mass media, London: Vintage.
- ✚ Hersh E. D. (2015), Hacking the electorate: How campaigns perceive voters, Cambridge: Cambridge University Press.
- ✚ Jones J.G., H.W. Simons (2011), Persuasion in Society, London, Routledge.
- ✚ Jourová V. (2018, June 7), "Speech by Commissioner Jourová on media and democracy in Europe at the Media Symposium", Vienna, Retrieved from http://europa.eu/rapid/press-release_STATEMENT-18-4095_en.htm.
- ✚ Karpf D. (2017), "Will the Real Psychometric Targeters Please Stand Up?", Civicist, Retrieved from <https://civichall.org/civicist/will-the-real-psychometric-targeters-please-stand-up>.
- ✚ Kosinski M. (n.d.), "My personality project", Retrieved from <https://sites.google.com/michalkosinski.com/mypersonality>.



- ✚ Lapowsky I. (2018, June 6), "Former Cambridge Analytica CEO Faces His Ghosts in Parliament", Wired, Retrieved from <https://www.wired.com/story/alexander-nix-parliament-testimony-cambridge-analytica>.
- ✚ Lewis P., J. Grierson, M. Weaver (2018, March 24), "Cambridge Analytica academic's work upset university colleagues", The Guardian, Retrieved from <https://www.theguardian.com/education/2018/mar/24/cambridge-analytica-academics-work-upset-university-colleagues>.
- ✚ Lomas N. (2018, April 24), "Kogan: 'I don't think Facebook has a developer policy that is valid'", TechCrunch, Retrieved from <https://techcrunch.com/2018/04/24/kogan-i-dont-think-facebook-has-a-developer-policy-that-is-valid/?guccounter=1>.
- ✚ Martínez A.G. (2018, March 19), "The Noisy Fallacies of Psychographic Targeting", Wired, Retrieved from <https://www.wired.com/story/the-noisy-fallacies-of-psychographic-targeting>.
- ✚ Matz S. C., M. Kosinski, G. Nave, G. D. J. Stillwell (2017), Psychological targeting as an effective approach to digital mass persuasion, Proceedings of the National Academy of Sciences, 114(48): 12714-12719.
- ✚ Milan S., L. van der Velden (2018), "Reversing Data Politics: An Introduction to the Special Issue", KRISIS. Journal for contemporary philosophy, Retrieved from <http://krisis.eu/reversing-data-politics-an-introduction-to-the-special-issue>.
- ✚ Nelson M.R. (2008), "The Hidden Persuaders: Then and Now", Journal of Advertising, 37(1): 113-126.
- ✚ Noble S. U. (2018), Algorithms of Oppression: How search engines reinforce racism, New York: NYU Press.
- ✚ Packard V. (1957), The hidden persuaders, London: Pelican.
- ✚ Politico, (2018, March 19), Cambridge Analytica boasts of dirty tricks to swing elections, Retrieved from <https://www.politico.eu/article/cambridge-analytica-boasts-of-dirty-tricks-to-swing-elections>.
- ✚ Reuters (2018, May 16), "U.S. investigating Cambridge Analytica: New York Times", Retrieved from: <https://www.reuters.com/article/us-facebook-privacy-cambridge-analytica/u-s-investigating-cambridge-analytica-new-york-times-idUSKCN1IH02J>.
- ✚ Reuters Technology News (2018, April 16), "Lawmakers publish evidence that Cambridge Analytica work helped Brexit group", Retrieved from <https://www.reuters.com/article/us-facebook-cambridge-analytica-britain/lawmakers-publish-evidence-that-cambridge-analytica-work-helped-brexit-group-idUSKBN1HN2H5>
- ✚ Richterich A. (2018), The big data agenda: Data ethics and critical data studies, London, University of Westminster Press.
- ✚ Rosenberg M., N. Confessore, C. Cadwalladr (2018, March 17), How Trump Consultants Exploited the Facebook Data of Millions, The New York Times,

- Retrieved from <https://www.nytimes.com/2018/03/17/us/politics/cambridge-analytica-trump-campaign.html>.
- ✚ Sætnan A. R., I. Schneider, N. Green (2018), *The Politics and Policies of Big Data: Big Data, Big Brother?*, London: Routledge.
 - ✚ Schoenherr J. R., S. J. Hamstra (2016), *Psychometrics and its discontents: An historical perspective on the discourse of the measurement tradition*, *Advances in Health Sciences Education*, 21(3):719-729.
 - ✚ Stahl L. (2018, April 22), "Aleksandr Kogan: The link between Cambridge Analytica and Facebook", CBS News, Retrieved from <https://www.cbsnews.com/news/aleksandr-kogan-the-link-between-cambridge-analytica-and-facebook>.
 - ✚ Sutton J. (2018). *Shadowy puppet masters or snake oil salesmen?* *The Psychologist*, 31. Retrieved from <https://thepsychologist.bps.org.uk/volume-31/may-2018/shadowy-puppet-masters-or-snake-oil-salesmen>.
 - ✚ Thomson O. (1977), *Mass persuasion in history: an historical analysis of the development of propaganda techniques*, New York: Crane, Russak & Co.
 - ✚ Trump K. S. (2018, March 23), "Four and a half reasons not to worry that Cambridge Analytica skewed the 2016 election", *The Washington Post*. Retrieved from https://www.washingtonpost.com/news/monkey-cage/wp/2018/03/23/four-and-a-half-reasons-not-to-worry-that-cambridge-analytica-skewed-the-2016-election/?noredirect=on&utm_term=.2739d3961520.
 - ✚ Tufekci Z. (2014), "Engineering the public: Big data, surveillance and computational politics", *First Monday*, 19(7), Retrieved from <http://firstmonday.org/ojs/index.php/fm/article/view/4901/4097>.
 - ✚ University of Cambridge (2018, March 23), "Statement from the University of Cambridge about Dr Aleksandr Kogan", Retrieved from <https://www.cam.ac.uk/notices/news/statement-from-the-university-of-cambridge-about-dr-aleksandr-kogan>.
 - ✚ Vaidhyanathan S. (2018), *Antisocial Media: How Facebook Disconnects Us and Undermines Democracy*, Oxford: Oxford University Press.
 - ✚ Van Dijck J. (2014), "Datafication, dataism and dataveillance: Big Data between scientific paradigm and ideology", *Surveillance & Society*, 12(2):197-208.
 - ✚ Waterson J. (2018, June 6), "Cambridge Analytica's 'victimized' ex-chief lambasts liberal media", *The Guardian*, Retrieved from <https://www.theguardian.com/uk-news/2018/jun/06/cambridge-analytica-destroyed-by-bitter-and-jealous-whistleblower>.
 - ✚ Weaver M. (2018, March 21), "Facebook scandal: I am being used as scapegoat – academic who mined data", *The Guardian*, Retrieved from <https://www.theguardian.com/uk-news/2018/mar/21/facebook-row-i-am-being-used-as-scapegoat-says-academic-aleksandr-kogan-cambridge-analytica>.



- ✚ Wetherell S. (2018, April 3), "Cambridge Analytica and the Death of the Voter", Verso Books, Retrieved from <https://www.versobooks.com/blogs/3720-cambridge-analytica-and-the-death-of-the-voter>.
- ✚ Wong J., Lewis P., Davies H. (2018, April 24), "How academic at centre of Facebook scandal tried – and failed – to spin personal data into gold", The Guardian, Retrieved from <https://www.theguardian.com/news/2018/apr/24/aleksandr-kogan-cambridge-analytica-facebook-data-business-ventures>.

Section 3 – Authoritarian and totalitarian control

- ✚ Bruneau T., Dombroski K. R. (2006). "Reforming intelligence: The challenge of control in new democracies". Available at <https://calhoun.nps.edu/handle/10945/41971>
- ✚ Harris J. (2018). "The tyranny of algorithms is part of our lives: soon they could rate everything we do" in *The Guardian*. Available at <https://www.theguardian.com/commentisfree/2018/mar/05/algorithms-rate-credit-scores-finances-data>
- ✚ Horseley J. P. (2018). "China's Orwellian social credit score isn't real". Available at <https://www.brookings.edu/blog/order-from-chaos/2018/11/19/chinas-orwellian-social-credit-score-isnt-real/>
- ✚ Kuhnreich K. (2018). "Social control 4.0? China's Social Credit Systems". Available at <https://www.eurozine.com/social-control-4-0-chinas-social-credit-systems/>
- ✚ Larson C. (2018). "Who needs democracy when you have data?" in MIT Technology Review. Available at <https://www.technologyreview.com/s/611815/who-needs-democracy-when-you-have-data/>
- ✚ Ma A. (2018). "China has started ranking citizens with a creepy 'social credit' system – here's what you can do wrong, and the embarrassing, demeaning ways they can punish you" in *Business Insider*. Available at <https://www.businessinsider.com/china-social-credit-system-punishments-and-rewards-explained-2018-4>
- ✚ Margulies P. (2016). "Surveillance By Algorithm: The NSA, Computerized Intelligence Collection, and Human Rights" 68 *Florida Law Review* 1045
- ✚ Privacy International (2009). What is the problem with profiling and intelligence?. Available at <https://privacyinternational.org/what-problem/2009/what-problem-profiling-and-intelligence>
- ✚ Privacy International (2017). *The Global Surveillance Industry*. Available at https://privacyinternational.org/sites/default/files/2017-12/global_surveillance_0.pdf
- ✚ Ramadan Z. (2017). "The gamification of trust: the case of China's social credit" *Marketing Intelligence & Planning*, Vol. 36 Issue: 1, pp.93-107

- ✚ The Medical Futurist (2018). "How Autocracies Could Misuse Digital Health Innovations". Available at <https://medicalfuturist.com/how-autocracies-could-misuse-digital-health-innovations>
- ✚ Villasenor J. (2011). "Recording Everything: Digital Storage as an Enabler of Authoritarian Governments". Available at https://www.brookings.edu/wp-content/uploads/2016/06/1214_digital_storage_villasenor.pdf
- ✚ Wallis P. (2018). "Op-Ed: Chinese 'Social Credit', or how AI can rule your life right now" in *Digital Journal*. Available at <http://www.digitaljournal.com/tech-and-science/technology/op-ed-chinese-social-credit-or-how-ai-can-rule-your-life-right-now/article/532386>
- ✚ Zouave E.T., Marquenie T. (2017). "An Inconvenient Truth: Algorithmic Transparency & Accountability in Criminal Intelligence Profiling". In 2017 European Intelligence and Security Informatics Conference (EISIC). Available at <https://ieeexplore.ieee.org/document/8240764>

Useful resources

- ✚ for European data protection legislation
 - ✓ <https://eugdpr.org/>
 - ✓ ICO blog - <http://ico.org.uk/news/blog>
 - ✓ Chronicles of Data Protection blog - <https://www.hldataprotection.com/>
 - ✓ Datonomy, the data protection blog - <http://datonomy.eu/>
 - ✓ The Guardian - www.theguardian.com/technology/data-protection
 - ✓ It Security Expert Blog - blog.itsecurityexpert.co.uk
 - ✓ Data Privacy Monitor - <https://www.dataprivacymonitor.com/>
 - ✓ Data Protection Laws of the World - <https://www.dlapiperdataprotection.com/index.html#handbook/world-map-section>
- ✚ for surveillance and intelligence oversight
 - ✓ www.privacyinternational.org
 - ✓ www.accessnow.org
 - ✓ www.eff.org
 - ✓ www.epic.org
 - ✓ www.aclu.org
 - ✓ <https://edri.org/>
 - ✓ <https://cdt.org>
 - ✓ <http://fra.europa.eu>

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- ✚ for privacy
 - ✓ <https://www.ohchr.org/en/issues/digitalage/pages/digitalageindex.aspx>
 - ✓ Privacy and Cybersecurity Law - <http://www.privacyandcybersecuritylaw.com/>
 - ✓ Privacy in the Age of Big Data Series - https://www.youtube.com/playlist?list=PLSFvID-7Gv_rFUeRdEFLiGoPkJKdIoXtb
 - ✓ Privacy Matters - <https://blogs.dlapiper.com/privacymatters/tag/data-protection/>