**Call for Papers • ZaöRV 81 (2021) 2/3: Special issue/Schwerpunktheft**

# International Law and the Internet

What role does international law play for the internet? And how have the internet and the platforms, rogue actors, cyber weapons, and multistakeholder approaches to law-making influenced international law? More than ten years after the term "Internetvölkerrecht" ("international internet law" or "international law of the internet") has been popularized, the myth of the internet as an unregulated space persists. How far along is the international community in realizing – through international law – the commitment made by states in 2003 in the framework of the World Summit on Information Society to achieve a "people-centred, inclusive and development-oriented Information Society […] premised on the purposes and principles of the Charter of the United Nations and respecting fully and upholding the Universal Declaration of Human Rights"?

International law already forms part of the normative infrastructure of the internet, be it as a legal basis of the right to access to the internet, as a benchmark for assigning custodial sovereignty to a state with an important Internet Exchange Point (such as Germany's DE-CIX), a yardstick for qualifying a state-led information operation via cyber channels as lawful or unlawful, or for determining the rights and duties of online platforms to delete hate speech. However, it remains an open question how international law can successfully fulfil its role as the *ius necessarium* of the internet, with, next to, or even against the several forms of transnational private and/or hybrid regulation which are emerging.

We submit that in light of the normative entanglement of actors and instruments at different levels of governance, international law and scholarship need to play a key role in the governance of the internet. How else could we successfully protect the public interest in the integrity (stability, security, safety, functionality) of the internet and, conversely, mitigate the dangers stemming from misuses of the internet (e.g. the privatization of censorship, mass surveillance, and a perpetuation of global hegemonial power structures)? The coming decade will most likely see further attempts by states to develop their own 'internets,' controlled by national governments. What does this mean for the global internet, and can international law be used to stop its fragmentation?

Against this background, and in light of the ongoing discussions in two parallel UN committees on new norms for responsible state behaviour in cyberspace, in light of emerging challenges such as the use of AI in targeting decisions or in the fight against pandemics, the role of platforms in (not sufficiently) fighting against genocidal speech, or the internet of connected things, the ZaöRV invites submissions approaching the following macro-questions:

(1) What influence does 'the internet' (information and communication technologies and the socio-legal changes they have brought) have on international law and international legal scholarship?

(2) Conversely: What impact does international law – treaties, custom, principles, procedures, actors, legitimacy conceptions – have on the development (the fragmentation or

integrity) of the internet? How does the geographical and geopolitical dimension of international law affect the unity and/or fragmentation of international internet law?

(3) Finally: How does the interface between international law and the internet affect the relationships and the power balance between the Global South and Global North, in terms of positive law, participation in processes of norm development, hegemonic structures in scholarship, and participation in the epistemic communities of international internet law?

## Submission

Proposals in English of about 500 words should reach us by 10 May 2020. Please address all enquiries and submission to internetlaw@mpil.de. Please include a title, author, affiliation, brief bio and contact data by 10 May 2020. The special issue will include around ten contributions with manuscripts ranging from 5,000 to 10,000 words in length, including footnotes.

All manuscripts must be original and not currently under consideration for publication elsewhere. Authors will have to consult, before submission, ZaöRV's *Publication Ethics and Publication Malpractice Statement*, its *Submission Guidelines* and the *List of Abbreviations.* Manuscripts will be subject to peer review.

## Timeline

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| 1 April 2020 | call opens |
| **10 May 2020** | **call closes** |
| 31 May 2020 | selection of proposals and confirmation to authors |
| 30 September 2020 | submission of draft papers |
| mid-October 2020 | authors' workshop at the MPIL Heidelberg |
| 15 December 2020 | final submission of papers |
| Q1/2021 | peer review and revision |
| 28 February 2021 | submission to ZaöRV editorial board |
| Q2-3/2021 | publication in issue 2 or 3 of ZaöRV |

## Editors

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