



**“Does the internet limit human rights protection? – The case of revenge porn.”  
Maria Run Bjarnadottir, University of Sussex.**

My research titled *“Does the internet limit human rights protection? – A research on the discrepancy between online and offline borders of states, and the effect on positive human rights obligations”* focuses on the gaps that jurisdictional issues may create in the application of human rights online, in particular with respect to states that are bound by the European Convention on Human Rights<sup>1</sup>. In my work I intend to establish where the tipping point of State interference lies when it comes to rights protected in Articles 8 to 10 in the ECHR, and what effect it may have on those states obligations when uncertainties arise due to the borderless nature of internet. I have chosen to apply the issues on two topics: hate speech, as defined by international human rights instruments and revenge porn, the act of publishing private sexual images of an individual without his or her consent. The aim is to find out if the effect of the current offline-online discrepancy on states’ human rights obligations can be resolved by legal means, and if human rights protection is unequivocal online to the same extent as in the offline world.<sup>2</sup>

In this paper I intend to discuss one aspect of my research, namely revenge porn and how lack of enforcement due to cross jurisdictional aspects in such cases may effect states human rights obligations. With the borderless nature of the internet a jurisdictional issue arises when revenge porn is posted in one state, but is hosted in the jurisdiction of another state. In order to frame the issue I will first introduce the term revenge porn, main aspects of such acts and current legal framework. Next I will lay out the international human rights framework and highlight the state of play for states bound by the ECHR. Thereafter I will look at jurisdictional issues that arise in cases of cross jurisdictional nature. Then I will address the role of private entities such as social media platforms, hosting services and search engines in light of the vital role such parties play in maintaining a functional internet as we know it today. Finally I will conclude in an effort to shed a light on the current state of affairs and how it aligns with the human rights obligations of states bound by the ECHR.

<sup>1</sup> ECHR.

<sup>2</sup> This statement does not imply that human rights protection offline is without flaws.