invitation

Conference on

"Copyright and Human Rights in the Information Age: Conflict or Harmonious Co-existence?"

Szeged, Hungary
February 25, 2012

University of Szeged, Faculty of Law
6720 Szeged, Tisza L. krt. 54.
H U N G A R Y

The Context

Copyright law has faced several significant challenges during its history. Most of these challenges originated from the constant development of technology. In other words: copyright law and technology developed hand-in-hand. The national and international copyright regulators have adopted the legal norms to these technological challenges with great success until now. However, digital technologies have opened up several new dimensions in copyright context. They allow users for example at the same time to access unprecedented copyrighted contents and non-copyrighted information. The "superhighway" of Internet has therefore become the place of infringements and the leading way of communication.

Several Internet based services, mainly P2P file-sharing applications, cyberlockers and tube sites have received the greatest attention from copyright holders. They are usually argued to be responsible for most of the online copyright infringements. There are therefore a countless number of legal proceedings against operators (owners) and users of these services, and intermediaries that somehow help the operation of these sites worldwide. This has led to an endless war between copyright holders and those who are interested in preserving the free and borderless access to contents via Internet. This is witnessed in the field of P2P file-sharing by the extension of liability claims to intermediaries (mainly ISPs), lobbying stronger for the strengthening of national and international copyright (and generally IP) rules than ever, and the increasing consciousness to criminalize Internet users by the right holders; and on the part of the users by the constant development of file-sharing applications, including non-P2P based services like cyberlockers or streaming sites, the increasing popularity of online anonymity services, or the strengthening of "pirate parties" in the political area (see the "pirates" in the European Parliament and the Berlin Landtag, Germany).

Special attention needs to be paid to the argument that claims that the access to Internet is a human right. This argument envisions protection against technical measures of the rights holders over the Internet, especially against the so-called "graduated response" regimes (according to which one's Internet connection may ultimately be disconnected). Although the "access to Internet" is not declared to be a (generally and internationally accepted) human right *per se*, it has gained strong support within the file-sharing community, academia, and international organizations (including the United Nations and the Organization for Security and Co-Operation in Europe). Several national legislative acts (f.e. in Finland and Costa Rica) and judicial decisions (f.e. in France) also support the view that *"something has started"*.

Call for papers and deadlines

The conference aims to focus on questions concerning the constant improvement of digital technologies and Internet and how they might contribute to the evolution of a new human right; whether access to Internet is a segment of human rights like access to information, freedom of speech, and therefore has human rights level protection; whether and how interests under human rights and copyrights regimes can coexist with each other; whether the arguments of the file-sharing community establish sufficient basis for protecting users' activity that involve infringements of copyrights.

Papers are welcomed that discuss the abovementioned topics or any other related issues. You may use any research method in your analysis (e.g. historical, comparative legal and multidisciplinary).

Please submit your paper proposal (500-600 words) by e-mail to Associate Professor Péter Mezei (mezei@juris.u-szeged.hu) by January 16, 2012. Papers will be selected by the organizing committee by the end of January 20, 2012. Panels will be set up depending upon the number of papers. Parallel panels may be possible.

Presenters will have the possibility to publish their papers in a book edited by the organizers. The deadline to submit your final paper will be March 16, 2012.

Conference venue
University of Szeged, Faculty of Law
Tisza L. krt. 54., 6720 Szeged, HUNGARY

Looking forward to reading your proposals,

Associate Professor Dr. Péter Mezei, University of Szeged, Faculty of Law, Institute of Comparative Law (e-mail: mezei@juris.u-szeged.hu)

PROGRAMME

Location: University of Szeged, Faculty of Law, 3rd floor Faculty Lounge

Panel I. Moderator: Tuomas Mylly		
9:00 – 9:10	Mezei, Péter	**Conference opening**
9:10 – 9:40	Yu, Peter	**Keynote Speech: Intellectual Property and Human Rights in the Nonmultilateral Era**
9:40 – 10:00	Malevannyy, Nikita – Nahmias, Yifat	**Right to take part in cultural life: Does it imply that access to the Internet and access to copyrighted works are fundamental human rights?**
10:00 – 10:20	Ficsor, Mihály Sr.	**Balancing of copyright as human right with other human rights - on the Earth and in the „cloud"**
10:20 – 10:40	Stump, Krisztina	**Internet Service Providers as gatekeepers - Finding the right balance between free speech and copyright?**
10:40 – 11:10	*Discussion*	
11:10 – 11:30	*Coffee Break*	
Panel II. Moderator: id. Ficsor Mihály		
11:30 – 11:50	Gyenge, Anikó	**Enforcement of copyright and the human rights**
11:50 – 12:10	Halász, Bálint	**CJEU's view on fair balance between protection of copyright owners and fundamental rights of both ISPs and individuals – preliminary ruling in Sabam v. Scarlet (C-70/10, 24 November 2011)**
12:10 – 12:30	Mylly, Tuomas	**The three-step test from a fundamental rights perspective**
12:30 – 12:50	Larsson, Stefan	**A (future) clash of rights: Copyright and right to Internet access**
12:50 – 13:20	*Discussion*	
13:20 – 14:10	*Lunch Break*	
Panel III. Moderator: Stefan Larsson		
14:10 – 14:30	Mauro, Maria Christiana	**Rough Justice: Intermediary Liability Creating a New Posse in the Internet's "Wild West"**
14:30 – 14:50	Bonadio, Enrico	**File sharing between copyright enforcement and free speech**
14:50 – 15:10	Bodó, Balázs	**The Constitution of Pirate Republics**
15:10 – 15:30	Kovács, György	**File sharing – freedom of expression – copyright**
15:30 – 16:00	*Discussion*	
16:00 – 16:20	*Coffee Break*	
Panel IV. Moderator: Peter Yu		
16:20 – 16:40	Tomori, Pál	**Moral rights from a human rights perspective**
16:40 – 17:00	Ivacs, Gabriella	**Access to archives in a digital environment**
17:00 – 17:20	Molnár, István	**Public financed research and intellectual property rights: the university-specific conflict of open access and IPR-centered management model**
17:20 – 17:40	Bakos, Eszter	**Media literacy and copyright from perspective of minors' right to information**
17:40 – 18:10	*Discussion*	
18:10 – 18:15	*Closing Remarks*	