SPECIAL ISSUE INTRODUCTION

Communication Rights in the Digital Age

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The rights-based perspective on ethical and political questions presented by the new digital media has recently regained attention in academic and political debates. As the recent report by the United Nations Secretary-General on digital cooperation notes, digital technologies do not only help to advocate, defend, and exercise human rights, but they are also used to suppress, limit, and violate human rights—and therefore, "the internet cannot be an ungoverned or ungoveranable space."[1]

Yet, there is no consensus on what human rights in the digital realm are, and who should take the lead to govern them in the increasingly complex media and communications landscape. The more focused concept of communication rights, in turn, has already a varied history, starting with the attempts of the Global South in the 1970s to counter the Westernization of communication.[2] The connections between human rights and media policy have also been addressed throughout the past decades, especially in international contexts.[3] Communication rights have also been invoked with more specific aims, for instance, as cultural rights, the rights of disabled persons, or the rights of sexual minorities in today's communication environment.[4]

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1. United Nations, 14.
2. Hamelink; McIver et al.
3. For example, Jørgensen, "*Framing the Net: The Internet*"; Mansell and Nordenstreng.
4. For example, Padovani and Calabrese; McLeod; Schejter.

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Even so, communication rights are not a uniformly accepted and understood concept in academic or applied policy concepts. Currently, they are most often discussed in civil society manifestos and international declarations focused on digital or Internet-related rights.[5] The digital era has brought about the centrality of global platforms in realizing or violating principles, such as freedom of expression or privacy, which are already stipulated in the United Nations Universal Declaration of Human Rights. The United Nations seeks to reinstitute rights-based discourses around communication via the Human Rights Council, the Office of the United Nations High Commissioner for Human Rights (OHCHR), and specifically with its Internet Governance Forum. Because of the "instrumentarian power"[6] of private, market-driven stakeholders, also the United Nations Guiding Principles on Business and Human Rights are evoked to highlight the importance of (self)governance.[7]

It is also symptomatic of the diverse and globalized dilemmas around communication rights that international civil society and nongovernmental organizations have attempted to monitor and influence both global and national policy and governance efforts. This is in addition to voluntary multistakeholder coalitions such as the Global Network Initiative and civil society actors such as the Electronic Frontier Foundation, Freedom House, or Ranking Digital Rights.[8] At the same time, the European Union (EU) is still a significant actor,[9] as are nation-states.[10]

Although there have been several recent efforts to define and analyze communication rights in the digital era,[11] it is clear that the complexity of the dilemmas and contexts warrants more scholarship, and especially work focusing on policy from a variety of perspectives. That is the purpose of this Special Issue, based on papers presented at the international conference *Communication Rights in the Digital Age*.[12,13] The conference was

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5. Karppinen; Redeker et al.

6. Zuboff.

7. Jørgensen, "*Human Rights in the Age*", xix.

8. e.g., MacKinnon et al.

9. For example, Nieminen.

10. Flew et al.

11. e.g., Ala-Fossi et al.; Couldry et al.; Goggin et al.

12. The report of the conference *Communication Rights in the Digital Age,* and the related five podcasts, can be found at: https://www.helsinki.fi/en/conferences/communication-rights-in-the-digital-age.

13. Helsinki, 24–25.

organized by the Helsinki Media Policy Research Group, the University of Helsinki, the European Communication Research and Education Association (ECREA) Communication Law and Policy Section, and the Euromedia Research Group and supported by the International Association for Media and Communication Research (IAMCR) Communication Policy & Technology Section and by the Communication Rights in the Age of Digital Disruption (CORDI), a research consortium funded by the Academy of Finland. The event was decidedly multidisciplinary, seeking to debate concepts and definitions, but also to map stakeholders and assess cases where communication rights are at stake in the digital era.

The contributions of this Special Issue highlight new dilemmas and actors of communication rights in the digital era, as well as discussions regarding the ways old policy issues emerge, are framed, and can be studied, in a novel way. The first articles focus on ideas and ideals of communication rights. Kari Karppinen and Outi Puukko focus on framing the current, multidirectional, discussions on "digital rights" and argue that they can be understood in terms of four broader discourses: the protection of negative liberties, positive rights and state obligations, informational justice, or affordances provided by platforms. Normand Landry, Anne-Marie Pilote, and Anne-Marie Brunelle bring about a methodological innovation in mapping and understanding official interpretations of communication rights as expressed in the International Covenants of Human Rights.

The following three articles focus on different dimensions of how publicly funded and otherwise provided frameworks and institutions fare as promoting communication rights in the digital era: the role of public funding in supporting communication and thus citizens' rights, the extent (or lack) of political support for public service media (PSM) as an institution, and the challenges of datafication to PSM organizations. Manuel Puppis, Hilde Van den Bulck, and Etienne Bürdel argue that public funding of media needs to transform from the industrial policy framework of supporting media industries to a rights-based approach that views the media as potential enablers of communication rights.

Marta Rodríguez Castro, Francisco Campos-Freire, and Ana María López-Cepeda complement this idea by looking at how PSM are discussed in the European Parliament and in the proposals of political parties for the 2019 European election. The authors posit that there exist both hopes for the possibilities of national PSM organizations to support democratic public spheres and even new ideas such as a pan-European public service platform—while also concerns about the independence of PSM under a

multitude of pressures characterizing the digital age. One of these pressures—how to approach user data—is discussed in the article by Jannick Kirk Sørensen, Hilde Van den Bulck, and Sokol Kosta. With a rights-based approach to privacy, the authors examine how European PSM organizations use third-party services that track user behavior. They conclude that in this respect, there are few differences between public service organizations and their commercial competitors—a finding that dampens the idea of PSM as being in the forefront of defending citizens' communication rights.[14]

Sarah Broughton Micova and Sabine Jacques bring forth another, yet related challenge of legacy media being challenged by platforms. Based on practitioner interviews as well as regulation analysis, they showcase how—contrary to the intent embedded in the EU's 2018 Audiovisual Media Services Directive—audiovisual media services and video sharing platforms are not competing on an equal playing field in terms of access to and the ability to use the data. Finally, the contribution by Stefano Pedrazzi and Franziska Oehmer exemplifies how complex the current landscape has become in terms of challenges to human rights in the digital realm. They address possibilities to govern social bots, often disguised as human users that are used not only to advertise products but also to steer debates and to distribute harmful content.

While the policy and governance concepts and challenges discussed in this Special Issue may seem like original products of the digital age they echo the age-old challenges of media democratization: How to create common understandings of citizens' rights and how to grasp the impact of different stakeholders, for proactive governance and policy-making.

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14. Horowitz and Nieminen.

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