

IRIS-LEFIS-Workshop

IRIS2011, 24.-26. Februar 2011, Salzburg, Austria

Seven papers make proposals to build worldwide the "Legal Framework for the Information Society" (LEFIS), taking as reference these topics: human rights, personal data protection, e-Government and electronic commerce. Six papers come from Europa: one from Austria (Graz), another from Belgium (Brussels), another from Czech Republic (Brno) and three from Poland (Wroclaw). One paper comes from USA (New York). The next is the summarized content of the papers.

Matthias C. Kettemann, University of Graz, "Building the Legal Framework of the Information Society: Lessons from Combating Hate Speech". The paper presents three regulatory dimensions on the international fight against hate speech : 1) different philosophical approaches: Fight hate speech or allow it?; 2) different normative approaches: Combat hate speech through laws or self-regulation?; 3) and different technological approaches: Is censorship, blocking or filtering more effective and still legal?

Paul de Hert and Dariusz Kloza, Vrije Universiteit Brussel, "Smart grids, privacy and data protection". The paper takes as reference the Third Energy Package (2009) of the European Commission and how the Commission considers a roll-out of an EU-wide regulatory framework for smart grids, including smart meters. The main research question of the paper is, how to ensure observance of the right to privacy and the right to data protection within smart grids? The paper has three objectives: to identify privacy challenges with regard to smart grids, to answer whether smart grids are consistent with the current EU regulatory framework for privacy and data protection, and to discuss if there is a need for any tailoring down.

Libor Kyncl, Masaryk University, Faculty of Law, Institute of Law and Technology, "Rationalisation of the e-Government in the Czech Republic". The aim of this paper is to outline the main contemporary issues and problems regarding the rationalisation of the e-Government in the Czech law and in the Czech legal practice. The objective is fulfilled using the examples of the basic registers that are currently being prepared, the ICT infrastructure for public administration bodies, the public procurement projects and other existing projects in the area of the Czech e-Government.

Szymon Gołębowski, University of Wrocław, "The disclosure of IP addresses – Polish and Austrian dimensions". The communication of the identity of the tortfeasor to the aggrieved party is an indispensable precondition of initiating civil proceedings. The disclosure of the identity of the infringer constitutes one of the most crucial problems in the European system of the protection of personal data on the Internet. There is no direct provision in the whole EU legislation and case-law obliging the data controller to communicate the data on demand of the prospective plaintiff. The paper compares and contrasts Polish and Austrian solution of the problem in question and its compliance with *Promusicae* standard.

Dominik Góra, University of Wrocław, "Several about ICT in law – 'do ICT strengthen or weaken our law'". The paper presents a look on bad and good sides of implementing information and communication technologies to a law system based in several examples.

Oskar Filipowski, University of Wrocław, "Competition issues in professional electronic trade". The paper presents the impact of the professional electronic trade in the law system. The issue is made by the presentation on how B2B (business to business) Internet trading platforms allow to pin point new problems (or new approach needed to the old problems) relevant for competition law without the use of additional means (not typical for competition law), which are used in B2C (business to customers) trade, such as personal data protection bills.

Orlan Lee, New York Institute of Technology, "If they can change the meaning of ordinary English, they can change the law". The paper presents some example about how in the collect and exploit of personal data made by the private sector personal data collection industry there are important risks. The fact is that there is an adequate control on these activities in the Fair Credit Reporting Act (FCRA) of 1970, but the put in practice of the Act brought changes in the words that bring avoid the burdens to human resources managers and consumer reporting agencies.