



Durham Human Rights and Public Law Centre

30 years of the 'new' European Court of Human Rights / 75 years of the ECHR

Thematic Workshop: The ECHR and the Internet

September 17th, 2026

Palatine Centre, Room PCL150

Durham Law School

This workshop, [part of an ongoing project](#) of the Human Rights and Public Law Centre at Durham celebrating the (upcoming in 2028) 30th anniversary of the 'new' European Court of Human Rights and the 75 years of the ECHR coming into force, aims to explore the evolution of the Court's case law in relation to technology.

This workshop aims to address the many ways in which technology has conditioned the ECtHR's jurisprudence.

The internet has changed the way the world shares, gathers and stores information. It is an invaluable resource for connecting people. This workshop considers the extent to which the ECtHR upholds the invaluable benefits of access to the internet as well as the extent to which it addresses particular harms that can arise from the internet that have yet to be fully understood and regulated. The workshop also considers how AI technologies implicate values upheld by the ECtHR including how the Court does and should balance values such as pluralism, free expression, and the rule of law against other values such as fair trial, dignity, autonomy and privacy.

While state surveillance and consequent intrusion into privacy is of major concern¹, retention of potentially private information on a search engine, accessible to anyone who happens to have an interest in the information, has come to the fore as a problem. In situations relating to retention of private information on search engines a balancing exercise between expression and privacy, Articles 8 and 10 ECHR, is undertaken by the ECtHR.² What balance should the ECtHR strike

¹ *Big Brother Watch and others v. UK* (App. Nos. 58170/13, 62322/14, 24960/15, 25 May 2021).

² *Google LLC and others v. Russia* (App. No. 37027/22, 8 July 2025).

between privacy and expression in relation to private information stored on search engines? Whose rights and whose expression are at stake in this context?

Additionally, the internet provides a context in which individuals have significant access to each other. People sometimes use this access to bully, harass, and spread hate. In the context of unfettered access and lack of protection from this behaviour, where should a line be drawn between privacy and expression? Who should be held responsible for monitoring online activity and what principles should be employed to do so?³

Finally, should states have obligations to ensure that everyone has access to the internet? To what extent should a margin of appreciation be afforded to a state in preventing people from accessing particular content on the internet? These are questions that trigger a range of rights at the European Court of Human Rights.

Programme:

12:00 – 13:00: Lunch (Common Room, Palatine Centre – **only for presenters**)

Session 1 (PCL 150)

13:00 – 13:15: Welcome and Introduction to the themes of the workshop by Dr Jane Rooney, Dr Dimitrios Kagiros and Prof Helen Fenwick

13:15 – 13:45: Dr Eliza Bechtold, University of Oxford, *States' positive obligations under Article 8 ECHR in the context of harmful online speech*

13:45 – 14:15: Prof Gavin Phillipson, University of Bristol, *Freedom of Speech and Channels of Communication between Voters and Politicians: is Strasbourg taking a Representation-Reinforcing Approach to Hate Speech?*

14:15 – 14:45: Dr Eleni Frantziou, University of Durham, *Access to the internet and to information available online*

Coffee Break (PCL 150)

Session 2 (PCL 150)

15:15 – 15:45: Kieran Sewell, University of York, *Artificial Intelligence and Balancing Values at the ECtHR*

15:45 – 16:15: Prof Helen Fenwick, University of Durham, *The ECHR and the Receipt, Storage and Use of Private Information*

16:15 – 17:00: Commentary and Group Discussion on Key Themes and Findings

³ *Sanchez v. France* (App. No. 45581/15, 15 May 2023).



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