

SUMMER ISSUE: THEMED ISSUE ON TECHNOLOGY AND LAW

The Amsterdam Law Forum Editorial Board

The Amsterdam Law Forum is proud to present our themed issue on ‘Technology and Law’ to finish up the academic year 2018-2019. This issue aims to showcase articles that delve into legal research surrounding emerging technologies that continue to restructure our lives and the way that international law is mobilized. The theme of this issue is borne out of our Annual Seminar that was hosted on May 10th at the Vrije Universiteit Amsterdam. There, we confronted this timely subject together with professors, researchers and students from varied perspectives and with scholars from different disciplinary backgrounds. We hope that the articles showcased in this issue reflect both our intellectual engagement with the topic and the kinds of themes and problems that legal scholars are dealing with when it comes to new technologies in the 21st century.

In the first scientific article, Naomi Klompmaker grapples with the current practice under EU law of removing terrorist content from the internet. She explores how terrorists get their content online and the consequences of removing content. A detailed analysis of EU law and the E-Commerce Directive is offered, and the author advocates for a more nuanced approach by the European Commission in the future that can better balance security and fundamental rights.

In the second scientific article, Clara Alves Rodrigues explores the ways in which tech giants like Google and Amazon are posing a threat to democracies around the world. She analyses the intricate ways that these corporations have gained power, evade the law and capitalize on human experience as a business model. Drawing on a rich case law in the field of competition law as well as on recent research into the business models of these corporations, she illuminates the overlap between law, politics and a newly emerging economic model that is driven by data collection, surveillance and encroaching on the privacy of consumers.

In the first opinion article, Mona Aviat dives into an issue on the fringes of technology law, namely, the bone testing of migrants in Europe. This legal issue is highly pertinent, especially as it regards to technology, because of how medical examination, the right to life and technological advancement all come together under European law. She examines the problem of expert proof at the European level, exploring recent case law at the ECHR as well in France.

The second opinion article, written by Isabella Regan uncovers the turbulent nature of international criminal justice. The ever-changing field of international criminal justice experiences both negative and positive shifts that demand constant innovation. One such innovative technique is the use of digital technology in the collection, verification, and documentation of atrocities. The novel mechanism of collecting digital evidence can strengthen prosecutions of war crimes. It can help in attaining accountability and justice.

The final two commentaries in this issue further address the interaction between law and technology. In their piece, Leonore ten Hulsen and Isabella Banks recount the “Artificial Intelligence, Big Data

& Human Rights” lecture at Human Rights Weekend (7-10 February 2019) in Amsterdam. The lecture brought together scholars, activists and bloggers to discuss how the internet and new technologies are affecting human rights protection. The last commentary written by Leonore ten Hulsen and Sophia Mård gives an overview of our Annual Seminar, highlighting some its most memorable and important moments.

It has been a pleasure serving Amsterdam Law Forum as the 2018-2019 Board. The editors have excelled not only in the preparation of the articles, but also in organising the annual conference. The conference featured the first-ever physical printed version of the ALF journal, which authors and guests could take home. ALF was further innovative in implementing for the first time Advisory Board meetings with Vrije Universiteit professors. We thank them for their guidance and support during our meetings. It has been a tremendous year with the publication of three issues and the annual conference. We thank the authors for their contributions and the readers for their support and we hope you enjoy this issue of Technology & Law.

Ariana Lopez - Editor-in-Chief
Sophia Mård - Associate Chief Editor
Maximilian Fenner - Senior Editor

The ALF Board 2019