



European Publishers' Council, along with 8 others<sup>39</sup> jointly submitted that hyperlinking had a number of public-interest benefits, including facilitating the journalistic process, and the promotion of diversity within the media. Access Now, the Collaboration on International ICT Policy in East and Southern Africa and European Digital Rights in their joint observations submitted that the design of the Internet was premised on the idea of free linking of information, and hyperlinks were technical and automatic means for users to access information located elsewhere.

More recently, 10 organisations applied to intervene in the [Telegram Messenger LLP & Telegram Messenger Inc. v. Russia](#) case presently before the ECtHR.<sup>40</sup> The interveners are seeking to rely on their individual and collective knowledge and expertise to present reasoned written comments on relevant comparative and international law and standards relating to communications encryption and anonymity.

The intervention of networks in existing proceedings can be a strategic way to highlight rights violations, provide comparative solutions, and can lead to an outcome far broader and more impactful than the issues between the main parties.

## Case study: Cross jurisdictional collective redress

In January 2020, the Norwegian Consumer Council and the European privacy NGO noyb.eu filed [three strategic GDPR complaints](#) against location-based social networking and online dating app Grindr and several adtech companies over the illegal sharing of users' data. Grindr was, directly and indirectly, sending highly personal data to potentially hundreds of third-party advertisers. The Norwegian Data Protection Authority upheld the complaints, confirming that Grindr did not receive valid consent from users in an advance notification, and Grindr was fined €10 million.

This is a useful example of when organisations and networks from different jurisdictions use new collective redress rights to collaborate on a case in one of their jurisdictions.

**Guideline 19:** Consulting with colleagues and engaging with networks is useful in developing a litigation strategy. Often, other strategic litigators have faced apposite legal questions and have engaged with similar questions of procedure which may assist in your case.

<sup>39</sup> Media Law Resource Center Inc., the Newspaper Association of America, BuzzFeed, Electronic Frontier Foundation, Index on Censorship, Professor Lorna Woods, Dr Richard Danbury, and Dr Nicole Stremlau.

<sup>40</sup> The 10 organisations are the Irish Council for Civil Liberties, the Canadian Civil Liberties Association, the Centro de Estudios Legales y Sociales, the Centro de Estudios de Derecho, Justicia y Sociedad, the Human Rights Law Network, the Hungarian Civil Liberties Union, the Kenya Human Rights Commission, KontraS, the Legal Resources Centre and Liberty.