

# INTERNET FREEDOM

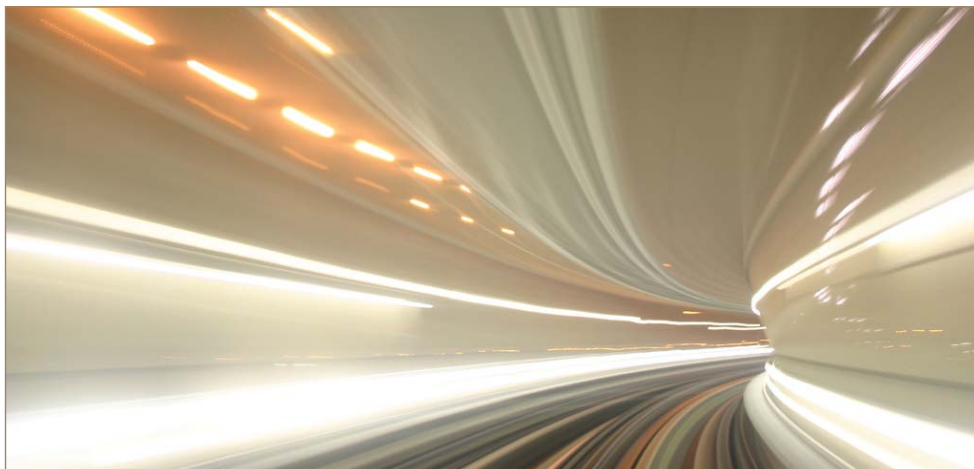


Photo: Éole Wind

## WHY IT MATTERS

The Internet offers an unprecedented means for the worldwide exchange of ideas and the free flow of information. In our information societies a free Internet is instrumental to exercise the basic right to freedom of expression and the corollary right to freedom of the media. Access to and the use of the Internet and all its services is widely considered a human right in the 21st century.

The Internet combines and supplements traditional media and establishes new ways to share information, many of which we could not have imagined just a few years ago and many to come that we cannot envision today.

The Internet is becoming more and more an indispensable tool for all citizens to receive, seek and impart information. Governments have an obligation to enable their citizens to access the Internet unhindered. It is the obligation of democratic governments to implement legislation and regulations that allow for independent and pluralistic media, the free flow of information across borders, unhindered access to the Internet and the development of Internet literacy.

## Internet Governance

Governments do have a role to play when it comes to Internet content and to protecting children, fighting racism, incitement to hatred and cybercrime. The question is not whether governments should or should not regulate the Internet. The questions are how, what and to what extent content should be regulated? Has governmental regulation proved to be efficient and, if not, are there alternative speech-friendly methods that would be more efficient?

Any restriction to the use of the Internet is only legitimate if it is in compliance with international norms and standards, necessary for a democratic society and prescribed by law. Mandatory filtering and blocking are considered to be over-restrictive. The multi-stakeholder approach the UN Internet Governance Forum is pursuing, which includes civil society, can serve as a good-practice example for the OSCE region for Internet governance.

## Pluralism

Digital media allows for more diversity and pluralism than traditional media – there is no scarcity of frequencies or other resources. The Internet, however, is not immune from censorship and is not free by nature, but by design. Governments should keep this in mind when adopting rules for the Internet that might have – even unintended – side effects.

Today it is not only governments that are forming the reality of the Internet. Civil society, industry, media companies, journalists and bloggers – in their respective roles – are shaping the Internet of tomorrow. The observance of human rights of individuals, including the right to freedom of expression, also should be



Photo: Kirk Lau

part of corporate responsibility and, at the same time, the privacy of user data and individual communications should be ensured by companies and governments alike.

## Access

Participating States need to make sure the Internet remains an open and public forum in line with OSCE media-freedom commitments and other international free-expression agreements. Access to digital networks and services should be unhindered; non-discriminatory. Network neutrality should be safeguarded. Online information and traffic should be treated equally regardless of the device, content, author, origin or destination.

Affordable broadband access to the Internet is not yet available throughout the OSCE region. Governments should work to close this “digital divide”, foster access to the Internet and to remove barriers at all levels, be they technical, structural or educational.

While countries have a legitimate interest to combat piracy, restricting or cutting off users’ access (“three strikes approach”) to the Internet is a disproportionate response which is incompatible with OSCE commitments. Access to the public domain is important for both technical and cultural innovation and must not be endangered through the adoption of excessive provisions related to patent and copyright law.

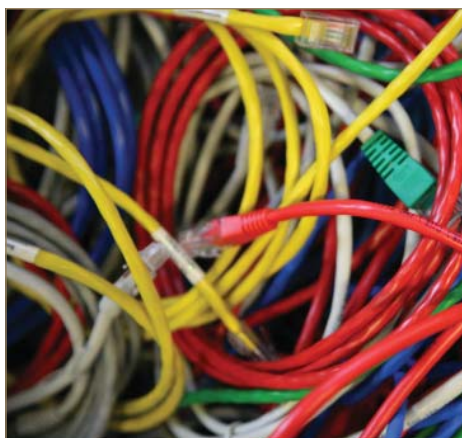


Photo: Bruno Girin



Photo: IREX/Colin Guard

## Internet Literacy

Internet literacy is the result of media education that enables users to make informed decisions about their use of the Internet, evaluate the accuracy and possible bias of online information and to protect minors from possibly harmful content.

Educators play a crucial role in bridging traditional media education and Internet literacy, particularly as our societies move toward the convergence of all media platforms. A non-protectionist approach is key to engaging students in media literacy. Young people should not be viewed as victims who need to be rescued from the excess of their culture, but instead should be empowered to make sound judgments about their own online activities. An educated mind is the best filter.



Photo: Blaise Alleyne

## Social Media

Freedom of the media is not reserved for media companies or editorial offices. This right applies to all forms of journalism that is meant for public distribution, be it professional or “citizen”. It is a basic human right and cannot be divided into traditional media and new media.

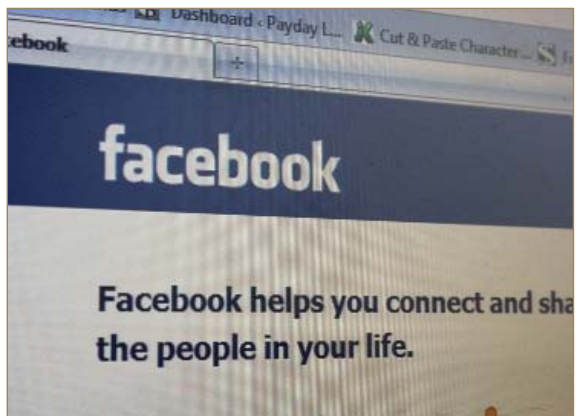


Photo: theinformationsociety.org

Today's news is social. Social media and social networks change the way news is generated and accessed. They influence media in three ways: as a tool to create content, to distribute and impart information and to seek, receive and access information. Social media and social networks themselves are becoming instrumental for the exercise of the right to media freedom and freedom of expression.

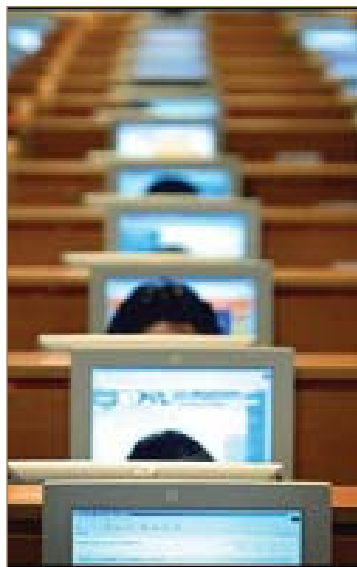


Photo: HH/Jiri Buller

## Publications

Publications of the OSCE Representative on Freedom of the Media on the topic include:

### **Spreading the Word on the Internet (2003)**

16 Answers to 4 Questions. Including the Amsterdam Recommendations on Freedom of the Media on the Internet.

Available from: [www.osce.org/fom/13871](http://www.osce.org/fom/13871)

### **Internet Freedom Cookbook (2004)**

Including the Recipes: Recommendations by the OSCE Representative on Freedom of the Media on the Internet.

Available from: [www.osce.org/fom/13836](http://www.osce.org/fom/13836)

### **Governing the Internet (2007)**

Internet Governance in the OSCE Region.

Available from: [www.osce.org/fom/7264](http://www.osce.org/fom/7264)

### **Report: Freedom of Expression on the Internet (2011)**

By Prof. Yaman Akdeniz. Study of legal provisions and practices related to freedom of expression, the free flow of information and media pluralism on the Internet in OSCE participating States.

Available from: [www.osce.org/fom/80723](http://www.osce.org/fom/80723)

More information is available at the website of the Representative at [www.osce.org/fom](http://www.osce.org/fom)



Organization for Security and  
Co-operation in Europe

The Representative on  
Freedom of the Media





Dunja Mijatović

Photo: OSCE/Jonathan Perfect

## Freedom and Security

“There is no security without free media and free expression and, no free expression and free media without security. These two terms should come hand in hand and not fight each other like we see in so many parts of the world; and there is no better place to discuss and fight for both than in the OSCE. Security and human rights are both at the heart of the Helsinki Process and the Astana Commemorative Declaration as well as the OSCE principles and commitment that we share.

“The Internet is a fantastic resource that has fundamentally changed our societies for the better. It will continue to have a positive impact – if we allow it. The lesson is simple: The Internet must remain free.”

*Dunja Mijatović, the OSCE Representative on Freedom of the Media*

*The Promises We Keep Online: Internet Freedom in the OSCE Region  
U.S. Helsinki Commission Hearing on Internet Freedom, 15 July 2011*

## The OSCE Representative on Freedom of the Media

During the Cold War, the countries of the Northern Hemisphere recognized the crucial importance of the free flow of information in reducing tensions and maintaining peace and stability. In 1975 they resolved, in the Helsinki Final Act, to act in conformity with the Universal Declaration of Human Rights and, in particular, to co-operate in the field of information and improve access to information and the working conditions of journalists.

To ensure compliance with media-freedom commitments agreed upon by participating States the Office of the OSCE Representative on Freedom of the Media was established in December 1997.

In March 2010, Dunja Mijatović of Bosnia and Herzegovina was appointed as the third OSCE Representative on Freedom of the Media. The Office is based in Vienna and supported in her work by an international staff of 15 people. The Office remains the world's only inter-governmental institution mandated to protect and promote media freedom.