Freedom of the media in social networks and social media

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Internet Regulation and Internet Governance

- OSCE and international commitments and freedom of expression in social media
- Web 2.0, user generated content, blogging, social media
- Social media as a tool for journalists
- The notions of media, citizen media and grassroots journalism

Right to Freedom of Expression

Freedom of Expression on the Internet

- art. 19 Universal Declaration of Human Rights (UDHR)

- art. 10 European Convention on Human Rights

- art. 11 Charter of Fundamental Rights of the European Union

- OSCE Committments

International Treaties and Directives

- 2000: EU Electronic Commerce Directive
- 2001: CoE Convention on Cybercrime (CETS No.: 185)
- Additional Protocol to the Convention on cybercrime, concerning the criminalisation of acts of a racist and xenophobic nature committed through computer systems
- EU Audiovisual Media Services Directive

art. 19 – Universal Declaration of Human Rights

"Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers."
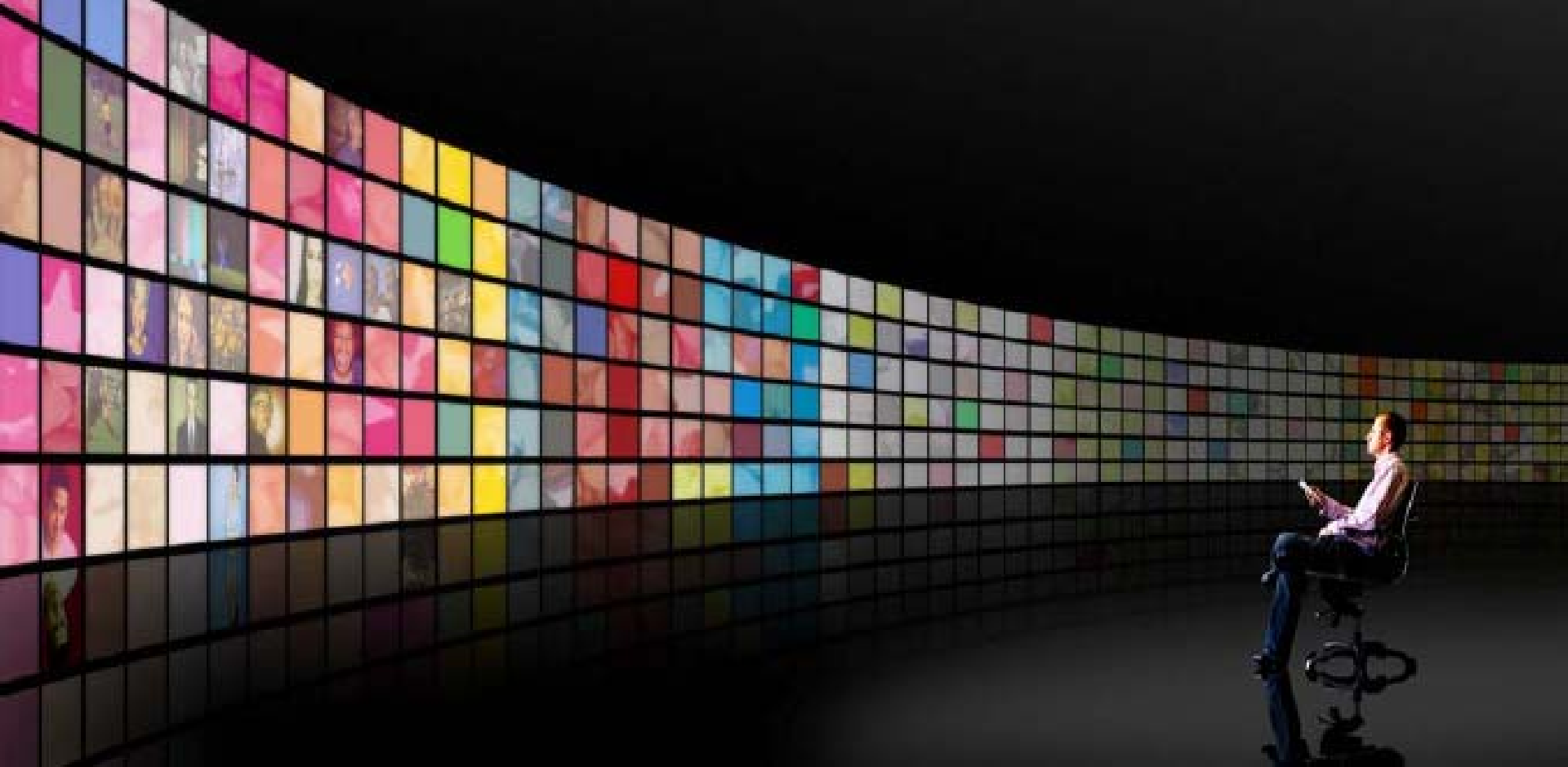
art. 10 – European Convention on Human Rights (ECHR) II

"[…] The exercise of these freedoms, since it carries with it duties and responsibilities, may be **subject to […] conditions** […] as are **prescribed by law** and are **necessary in a democratic society**, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime […]."

The Handyside Case

'Freedom of expression constitutes one of the essential foundations of such a society, one of the basic conditions for its progress and for the development of every man. […] **It is applicable not only to "information" or "ideas" that are favourably received or regarded as inoffensive or as a matter of indifference, but also to those that offend, shock or disturb the State or any sector of the population.** Such are the demands of that pluralism, tolerance and broadmindedness without which there is no "democratic society".'

Handyside v. the United Kingdom - 5493/72 [1976] ECHR 5 (7 December 1976)

Web 2.0, user generated content, blogging, social media

Graduated Regulation

Low Regulation   Higher Regulation

Individual
Communication   Press   Telemedia services   Broadcasting

1.0

- Britannica Online
- Websites
- Content Management Systems
- Photo Galleries
- Publishing
- Consumer

2.0

- Wikipedia
- Blogging
- Wikis

- Flickr, YouTube
- Participation
- Prosumer (Producer + Cosumer)

nach: Tim O'Reilly (2005) What Is Web 2.0
<http://oreilly.com/web2/archive/what-is-web-20.html>

Web 2.0 Applications

- Blogging (Wordpress, Livejournal, …)
- Photo Sites (Flickr, …)
- Video Portals (YouTube, Vimeo, …)
- Social Media (Facebook, V Kontakte, …)

What is Social Media?¶

"It's like a new global telephone network, except that, rather than carry voice and data, its "content" is personal profiles and connections; rich media; real-time messaging; and an endless array of features, functions, and third-party apps. For many online users, Facebook is to our era as revolutionary as the telephone was a century earlier."

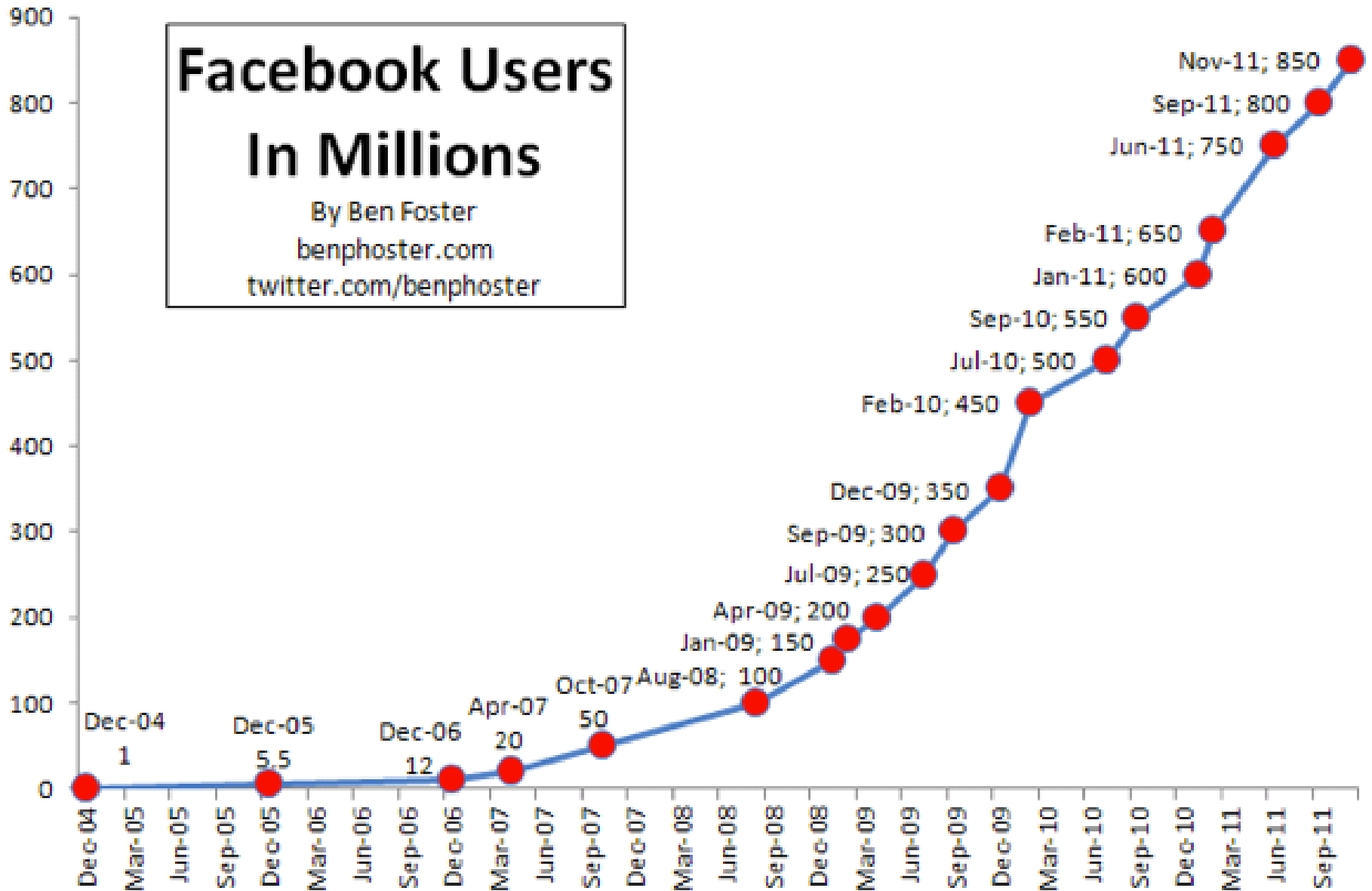- Jeffrey F. Rayport

@Stefmara
Stefanie Gordon

Three things about my flight: I can lay down across 3 seats just fine, it was freezing & I got to see this.
http://twitpic.com/4yg4ur
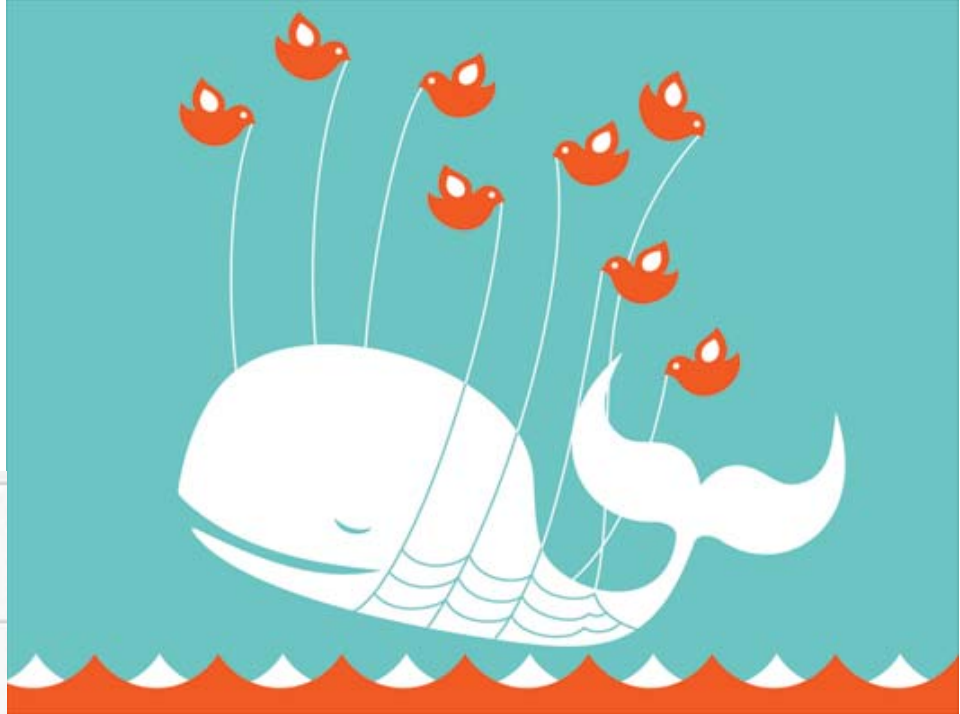
Facebook Users In Millions

By Ben Foster
benphoster.com
twitter.com/benphoster

Data points:
- Dec-04; 1
- Dec-05; 5.5
- Dec-06; 12
- Apr-07; 20
- Oct-07; 50
- Aug-08; 100
- Jan-09; 150
- Apr-09; 200
- Jul-09; 250
- Sep-09; 300
- Dec-09; 350
- Feb-10; 450
- Jul-10; 500
- Sep-10; 550
- Jan-11; 600
- Feb-11; 650
- Jun-11; 750
- Sep-11; 800
- Nov-11; 850

1	@ladygaga Lady Gaga	13,276,002
2	@justinbieber Justin Bieber	12,440,935
3	@BarackObama Barack Obama	9,947,186
4	@katyperry Katy Perry	9,658,011
5	@KimKardashian Kim Kardashian	9,572,536

monitor.wildfireapp.com

Social Media & Journalism

- As a tool…
- … to seek information.
- … to receive information.
- … to impart information.

Grassroot Journalism

"The people formerly known as the audience are those who were on the receiving end of a media system that ran one way, in a broadcasting pattern, with high entry fees and a few firms competing to speak very loudly while the rest of the population listened in isolation from one another— and who today are not in a situation like that at all."

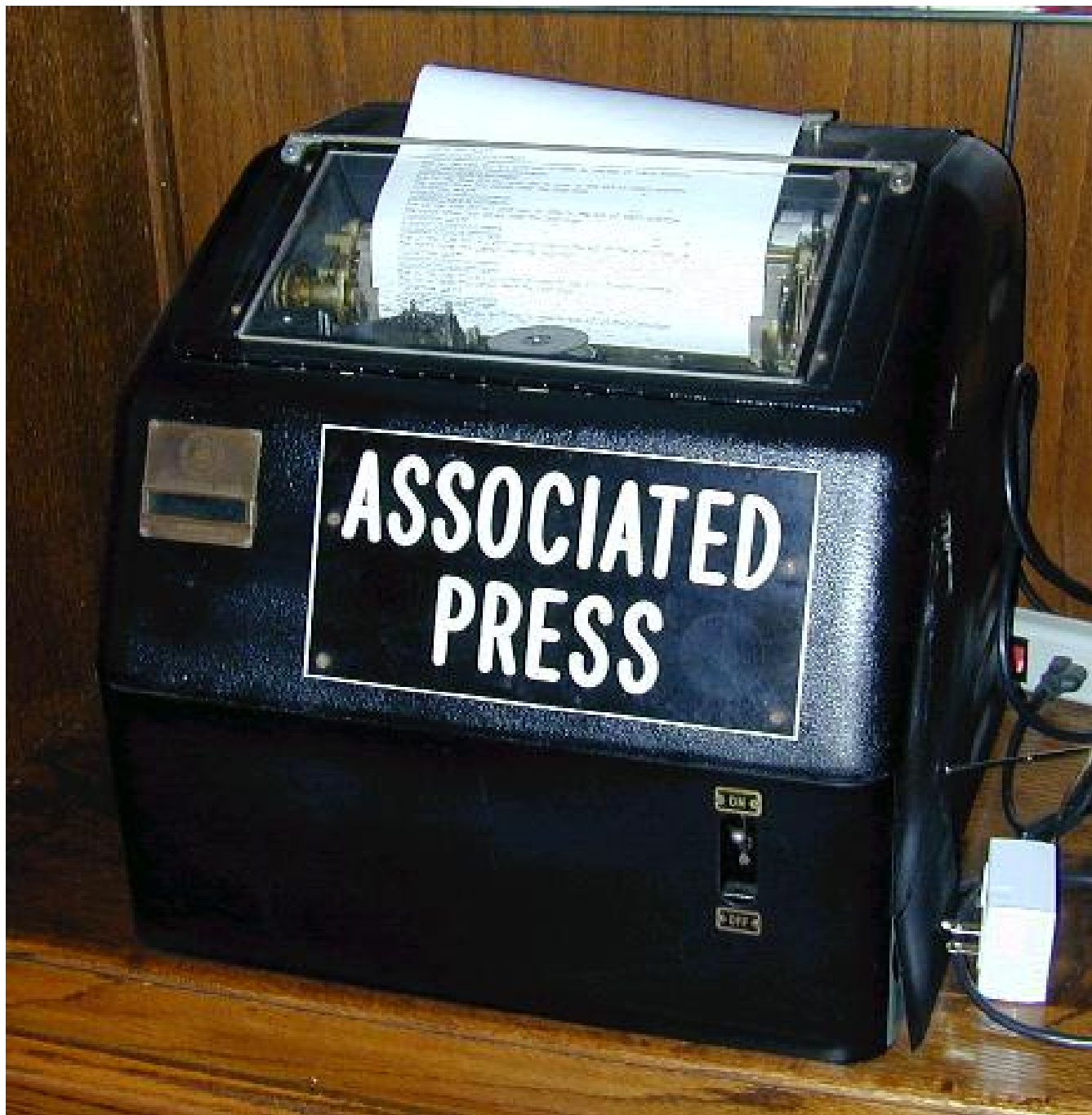(Prof. Jay Rosen, New York University)

Grassroot Journalism

"Grassroot journalism is that the people formerly known as the audience employ the press tools they have in their possession to inform one another."

Social Media & Journalism

- As a tool…
- … **to seek information.**
- … to receive information.
- … to impart information.

http://twitter.com/statesman/status/9290057832

Q▾ Google

Apple Yahoo! Google Maps YouTube Wikipedia News (33)▾ Popular▾

twitter

Home Profile Find People Settings Help Sign out

Did you witness the plane crash? Please call reporter Tony Plohetski at 445-3605.

10:21 AM Feb 18th via Seesmic
Retweeted by 20 people

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Social Media & Journalism

Council of Europe:

"Any natural or legal person who is regularly or professionally engaged in the collection and dissemination of information to the public via any means of mass communication qualifies as a journalist"

Council of Europe: Recommendation No. R(2000)7 on the right of journalists not to disclose their sources of information.

Social Media & Journalism

Freedom of the media as a human right is not reserved for media companies or editorial offices.

Social Media & Journalism

Freedom of the media and freedom of expression are universal rights that apply to all forms of media, no matter whether online or offline, no matter whether professional or citizen journalism, no matter whether print media or social media.

Social Media & Journalism

- As a tool…
- … to seek information.
- **… to receive information.**
- **… to impart information.**

DER SPIEGEL
Sei doch mal still!
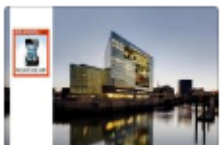Anleitung zu einer digitalen Diät

DER SPIEGEL

DER SPIEGEL

31.136 „Gefällt mir"-Angaben · 1.601 sprechen darüber

✓ Gefällt dir   ✿ ▾

Medien/Nachrichten/Verlagswesen
Das deutsche Nachrichten-Magazin. The German News Magazine.

👍 **31.136**

Info   Fotos   „Gefällt mir"-Angaben   Netiquette

Höhepunkte ▾

DER SPIEGEL
vor 11 Stunden 🌐

„Gefällt mir"-Angaben   Alle anzeigen

SPIEGEL **SPIEGEL International**
ONLINE Nachrichten/Medien   👍 Gefällt mir

The New York Times

2.230.965 „Gefällt mir"-Angaben · 35.825 sprechen darüber

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Tageszeitung
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Info

Fotos

👍 2,2 Mio.

„Gefällt mir"-Angaben

Veranstaltungen

Höhepunkte ▼

The New York Times hat einen Link geteilt.
vor 5 Stunden 🌐

"Busyness serves as a kind of existential reassurance, a hedge against emptiness; obviously your life cannot possibly be silly or trivial or meaningless if you are so busy, completely booked, in demand every hour of the day," writes Tim Kreider in The

2 Freunden
gefällt The New York Times

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Report: Assad Regrets Shooting Down Turkish Jet nyti.ms/MFs4Uz
Öffnen

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U.S. Adds Forces in Persian Gulf, a Signal to Iran nyti.ms/KXuNYR
Öffnen

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- 📇 Info
- 👥 Aktivitäten von Freunden
- f Getting Started
- ⟨⟩ Subscribe for Journalists
- 💡 **Best Practices**
- 📄 Notizen
- 🖼 Fotos
- 📹 Videos

MEHR▾

Info

Reach your readers directly on Facebook, an audience of more than 800 milli...

Mehr

146.375
Personen gefällt das

1.242
unterhalten sich darüber

Facebook + Journalists ▸ Best Practices   👍 **Gefällt mir**
Produkt/Dienstleistung

AYMAN MOHYELDIN

The *NBC News* Egypt correspondent is known for his reporting during Arab Spring, using Facebook to get story tips and post breaking updates on the latest news.

Best Practices

Distribution: Growing Your Subscribers

Follow this step-by-step guide to make optimize your profile for Subscribe. Follow these steps and you will get more subscribers:

1. Add a vanity URL to your profile. Add this vanity URL to your websites, at the end of your articles, so that people are able to subscribe to you on Facebook.
2. Update your work information on your profile to add context for potential subscribers. Make sure your work information is set to public so that potential subscribers can see it. Your current title will show up in the recommendations widget, which recommends people to subscribe to based on social context.
3. Adjust your privacy settings to make your profile findable by potential

Some principles…

"Internet should be a space of freedom, justice and democracy"

Maud de Boer-Buquicchio
Council of Europe Deputy Secretary General
at the opening of the Internet Governance Forum (IGF) in Vilnius (Lithuania)
14-17 September 2010.

Access

"[…] Giving effect to the right to freedom of expression imposes an obligation on States to promote universal access to the Internet"

Joint Declaration on Freedom of Expression and the Internet (2011) The United Nations (UN) Special Rapporteur on Freedom of Opinion and Expression, the Organization for Security and Co-operation in Europe (OSCE) Representative on Freedom of the Media, the Organization of American States (OAS) Special Rapporteur on Freedom of Expression and the African Commission on Human and Peoples' Rights (ACHPR) Special Rapporteur on Freedom of Expression and Access to Information, June 1, 2011

No blocking or filtering

- Blocking or filtering Internet content is not in line with FoE principles.

- Blocking and filtering

- … is at the same time under-effective and over-restrictive.

- … is making it more difficult for law enforcement agencies to track and for society to challenge.

Mere Conduit

- ISPs and Web 2.0 Portals can not be held liable for the information they carry nor can they monitor content.

- Notice and takedown procedures in line with due legal process.

- Mere conduit principle: network operators have no legal liability for the consequences of traffic delivered via their networks.
  (EU E-Commerce Regulations 2002)

Media Literacy

- Education and Training
  - *for* the Internet
  - *through* the Internet
- Autonomous and self dependent use of the Internet needs media literate individuals
- This approach is always favorable over more restrictive methods such as filtering or blocking.
- The educated mind is the best filter.

Safety of Journalists

UN, OSCE, OAS, ACHPR

Joint Declaration on Crimes against Freedom of Expression

25 June 2012

Safety of Journalists

"State officials should unequivocally condemn attacks committed in reprisal for the exercise of freedom of expression and should refrain from making statements that are likely to increase the vulnerability of those who are targeted for exercising their right to freedom of expression."

Joint Declaration on Crimes against Freedom of Expression (2012) The United Nations (UN) Special Rapporteur on Freedom of Opinion and Expression, the Organization for Security and Co-operation in Europe (OSCE) Representative on Freedom of the Media, the Organization of American States (OAS) Special Rapporteur on Freedom of Expression and the African Commission on Human and Peoples' Rights (ACHPR) Special Rapporteur on Freedom of Expression and Access to Information, 25 June 2012

Safety of Journalists

"States should reflect in their legal systems and practical arrangements, as outlined below, the fact that crimes against freedom of expression are particularly serious inasmuch as they represent a direct attack on all fundamental rights."

Joint Declaration on Crimes against Freedom of Expression (2012) The United Nations (UN) Special Rapporteur on Freedom of Opinion and Expression, the Organization for Security and Co-operation in Europe (OSCE) Representative on Freedom of the Media, the Organization of American States (OAS) Special Rapporteur on Freedom of Expression and the African Commission on Human and Peoples' Rights (ACHPR) Special Rapporteur on Freedom of Expression and Access to Information, 25 June 2012

Governing the Internet

Freedom and Regulation in the OSCE Region
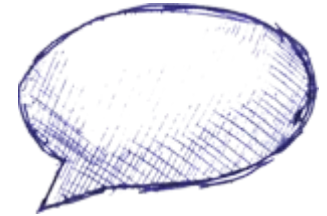
Contact

www.osce.org/fom

Facebook

www.facebook.com/osce.rfom

Facebook

www.facebook.com/osce.rfom

Thank you.

Your questions?

Literature & Sources

•"Balancing the governance of hate speech and freedom of expression / the free flow of information on the Internet", Speech by Ms Maud de Boer-Buquicchio, Deputy Secretary General of the Council of Europe, September 15, 2010
http://www.coe.int/t/dc/files/events/internet/2010_sga_osce.asp

•"Balancing the governance of hate speech and freedom of expression / the free flow of

•information on the Internet", Speech by Dunja Mijatovic, OSCE Representative on Freedom of the Media, September 15, 2010
http://www.coe.int/t/dc/files/events/internet/2010_Dunja_Mijatovic.pdf

•Council of Europe: Internet governance and critical internet resources
http://www.coe.int/t/dghl/standardsetting/media-dataprotection/conf-internet-freedom/Internet%20governance_en.pdf

•EU Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the Internal Market ('Directive on electronic commerce')
http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32000L0031:EN:NOT

•European Court of Human Rights, Handyside v. the United Kingdom - 5493/72 [1976] ECHR 5 (7 December 1976)

•Internet Governance Forum - 5th meeting 14-17 September 2010, Vilnius (Lithuania)
http://www.coe.int/t/dc/files/events/internet/default_EN.asp

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http://www.osce.org/fom/13836
Russian version: http://www.osce.org/ru/fom/13837

•Möller, Christian/Amouroux, Arnaud (Eds.) (2007) Governing the Internet. Freedom and Regulation in the OSCE Region. Vienna: OSCE.
http://www.osce.org/fom/26169

•OSCE-Council of Europe open forum: "Hate speech must be fought without endangering freedom of expression"
http://www.coe.int/t/dc/files/events/internet/20100915_coe_osce_en.asp