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Preface

Cookbooks usually offer quite a variety of recipes to help in the preparation of a tasty meal. And there are also cookbooks for computer programmers, tongue-in-cheek comparisons between kitchen and communication utensils, containing hundreds of programming recipes.

In the tradition of these guides, *The Media Freedom Internet Cookbook* offers recommendations and best practices, the results from the 2004 Amsterdam Internet Conference of the OSCE Representative on Freedom of the Media.

But our Cookbook's recipes are not the usual "see what you can concoct in your kitchen". Our experts were not asked to explore the infinite possibilities offered by the world's first truly global medium. To all freedom lovers of the Internet – legislators, industry workers, and consumers of the Web – we offer recipes not of how to consume the freedom of the Internet, but how to preserve it.

The assumption that media freedom is valuable for the democracies of the OSCE community, and that it should be preserved, will not surprise you, dear readers.

The surprising feature of this guide may well be the underlying anxiety of our experts that freedom on the Internet needs preservation at all. One of the half-baked wisdoms of our age is the common belief that the Internet is not only qualitatively freer than all previous media forms but also that its freedom is invincible, due to the unique technology and the global character of the Web.

Now, the truth is sobering. The Internet *can* be controlled, conditioned, and curtailed. More than that, it *can* be censored and suppressed. The OSCE democracies, when addressing what their governments or communities see as “bad content” on the Internet, must be aware that they *can* go too far. The experience of China – potentially the biggest Internet market – proves that even the Internet can be fully subjugated to the political needs of the Government.

This guide, the work of cutting-edge experts in modern communication technology, modern media, and modern freedoms, is aware of the real-life dilemmas of the Internet. As our experts point out, the “bad contents” on the Internet are of course very different in nature, impact, or legal and cultural recognition, and therefore all need to be treated differently. But it is beyond doubt that terrorism is real, hate speech is real, and child pornography is real, to mention three of the most-cited types of “bad content”.

The Cookbook is therefore not the fruit of a denial of the challenges posed by the freedom of the Internet. It offers insights into:

- What media freedoms or even media types can get lost in the hands of uninformed or uncaring legislators;
- How good intentions of uninformed or uncaring legislators result only in loss of freedom rather than helping to fight “bad content”;
- What are the unexplored non-regulatory ways of fighting “bad content”, methods that use the potential of the Internet itself and of the communities that create and consume media on the Internet.

I would like to thank the governments of the Netherlands and Germany for all their support to the Amsterdam conferences and this Cookbook. I hope that it will contribute in the OSCE region to the never-ending learning process of living with the free media.

Vienna, November 2004

Christian Möller and Arnaud Amouroux
The Media Freedom Internet Cookbook
Introduction

Media freedom on the Internet first became a concern of this Office in 2002, when Freimut Duve was the OSCE Representative on Freedom of the Media. A first workshop, held that year in Vienna, showed that although the Internet in its decentralized design had so far proved to be a suitable tool to circumvent censorship and to share ideas across borders, this in itself is no safeguard against government (or industry) censorship. Government-imposed blocking and filtering occurs in a number of countries around the world – also in the OSCE region. The Internet can only stay a free place through the active promotion and implementation of good practices.

In 2004, delegations from all OSCE participating States were invited by the Representative to consult Internet experts and together develop the agenda for the 2nd Amsterdam Internet Conference. The aim was to find out more about the needs, concerns and questions of the participating States and to develop tailored answers and solutions.

The 2nd Amsterdam Internet Conference in August 2004 brought together over 80 international experts and 25 speakers. Delegates from the OSCE, the Council of Europe, UNESCO, academia, media, industry and several non-governmental organizations from the whole OSCE region reported on the status quo, discussed possible solutions, collected lessons learned and shared experiences.

The results of the conference are published in this Cookbook. The book combines concrete recommendations – the Recipes – of the OSCE Representative on Freedom of the Media with background papers, grouped in six different chapters. It also acknowledges the results from the *Meeting on the Relationship between Racist, Xenophobic, and anti-Semitic Propaganda on the Internet and Hate Crimes*, which was held in Paris in June 2004, as well as other OSCE Human Dimension conferences to which the Representative contributed with expert side events.

The Recipes in the first part of the book form the 2004 Internet Recommendations of the OSCE Representative on Freedom of the Media and hopefully provide guidelines for OSCE participating States. These recommendations would not have been possible without the valuable input from, and enriching co-operation with, experts from a wide range of institutions, companies and organizations. They also complement the 2003 Amsterdam Recommendations that can be found in the appendix of this publication.

However, the recommendations do not stand alone. The second part of the Cookbook comprises papers by outside experts, which provide background information and insights into current debates about the Internet. These also include lessons learned and examples of successful initiatives and good (or best) practices.

One of the aims of this Cookbook is to find a common terminology that will help people to understand the unique qualities of the Internet. This necessitates explaining, clarifying and differentiating. Eventually, users, governments and other stakeholders will hopefully come to the conclusion that the Internet is not the “evil” black hole some people might think. On the contrary, the potential that the Internet offers

to build tolerance and foster mutual understanding has yet to be fully exploited.

The Office would like to thank Christiane Hardy (Vienna) and Karin Spaink (Amsterdam) for their initiatives and co-operation.

An evaluation of the outcomes of this book will take place during the 3rd Amsterdam Internet Conference in 2005.

Vienna, November 2004