



United States Mission to the OSCE

Internet Freedom within the OSCE Region

As delivered by Chargé d' Affaires, a. i. Carol Fuller
to the Permanent Council, Vienna
May 26, 2011

In February of this year, the United States addressed in the Permanent Council concerns over the state of media freedom in several OSCE participating states. Today, I would like to focus on a particular facet of freedom of the media that is being questioned by some participating States within the OSCE: freedom of expression via the Internet. All OSCE participating States have committed themselves to the exercise of all human rights and fundamental freedoms enshrined in the UN Universal Declaration of Human Rights and the Helsinki Final Act. These same universal rights and freedoms, including freedom of expression, extend into the Digital Age and we must protect their exercise via the Internet, social media and mobile phones.

As Secretary of State Clinton has said, the United States supports a free and open Internet whereby all Internet users are free to express themselves and have equal access to knowledge and ideas. Under the UN Universal Declaration and the Helsinki Final Act, all people have the right "to seek, receive and impart information and ideas through any media and regardless of frontiers."

The Internet has provided a vast public space where users can access local and international news, academic publications, and political opinions; can communicate their own ideas and beliefs; and can form associations and movements. The free flow of information over the internet and action based on that information has become a cornerstone of civil society in the 21st century and an important source of political and cultural pluralism. We have witnessed time and again, particularly in the events in North Africa in recent months, how digital technologies enable individual citizens to organize and to demand better governance. The ability to exercise fundamental freedoms of expression, association and assembly over digital technologies can also improve the economic situation of individuals and states by helping to generate new ideas and encouraging creativity and entrepreneurship. Unfortunately, even within the OSCE, we all too frequently see laws and practices that stifle the free flow of information and the individual's freedom of expression online in a manner that is inconsistent with international law.

We note the concerns stated by OSCE Representative on the Freedom of the Media Dunja Mijatovic on May 17 over new internet restrictions that have been announced in Turkey. The government of Turkey plans to introduce a filtering system for Internet users that will not allow anyone to remain outside the system. It is also refusing to issue Internet domain names that contain 138 words like "sister-in-law" and "blond". While we understand these restrictions are allegedly designed to protect children from harmful content on the internet, RFOM Mijatovic correctly states that effectively banning words "in an attempt to eliminate

undesirable content from the Internet cannot succeed." Internet filtering may, in fact, facilitate the suppression of the freedom of expression more than restrictive national laws ever could.

Belarus has used multiple tactics to limit Internet freedom, such as restricting access to certain websites, the compulsory registration of domestic websites, and the collection of personal data of Internet users. The United States is also troubled by reports of Internet censorship in Kazakhstan, Turkmenistan, Uzbekistan, and Tajikistan that restricts the online activities of the members of political opposition and some religious groups.

Several other OSCE states have taken steps to regulate content on the Internet through law. Content regulation on the Internet, for technical reasons, cannot mirror that of other forms of media. Thus, we all should be mindful that restrictions on freedom of expression over the internet are like all restrictions on freedom of expression and must be in accordance with international law, permitted in only the narrowest class of cases.

We have all agreed, most notably in PC Decision 633, that "Participating States should take action to ensure that the Internet remains an open and public forum for freedom of opinion and expression, as enshrined in the Universal Declaration of Human Rights, and to foster access to the Internet both in homes and in schools." Efforts to erect electronic barriers to information networks, to expunge words, names, and phrases from search engine results, may contravene our commitments to the freedom of expression, which apply equally to the Internet. We urge all participating States to recognize the right of all individuals to freedom of expression on the Internet.

Thank you Mr. Chairman.