



United States Mission to the OSCE

STATEMENT IN SUPPORT OF FUNDAMENTAL FREEDOMS IN THE DIGITAL AGE (FFIDA)

As delivered by Ambassador Ian Kelly
to the Permanent Council, Vienna
June 14, 2012

The United States wishes to commend the Chair-in-Office for organizing the upcoming Dublin Conference on Internet Freedom. With our OSCE colleagues, we look forward to participating in what promises to be a far-reaching discussion of one of the defining issues of the 21st Century.

At the close of the Vilnius Ministerial last December, looking ahead to the OSCE's work in 2012, I urged that we keep our focus on issues of principle and concern to men and women across the OSCE's vast community and beyond. Internet freedom is just such an issue. Each day that passes, the Internet and other connection technologies are having an ever greater impact on the way our citizens communicate and interact on matters mundane and momentous.

I wish in particular today to address these technologies in the context of the human dimension and our commitments to respect the exercise of human rights and fundamental freedoms.

As my government sees it, our work on Internet freedom has two important components, and they are inseparable: one, ensuring that the Internet remains global, open and free; and two, ensuring that people are free to employ the new technologies to exercise their enduring rights.

When the Universal Declaration of Human Rights was adopted in 1948, only a handful of households had a television. When the Helsinki accords were signed in 1975, photocopiers were not easily accessible to the public. When the Copenhagen Document was adopted two decades ago in 1990, fax machines were relatively new, and no one imagined that personal computers and smart phones would be tools of daily life for tens of millions of people across the planet.

Increasingly, digital technologies are the tools people are using, in the words of Principle VII of the Helsinki Final Act, "to know and act upon" their rights. This is the new reality. But

there is nothing new about our obligations under international law and our OSCE commitments to respect human rights and fundamental freedoms.

The OSCE has long pioneered what in Astana we called “the important role played by civil society and free media in helping us to ensure full respect for human rights, fundamental freedoms, democracy, including free and fair elections, and the rule of law.” Citizens using connection technologies also are keys to economic progress and to tackling societal issues. Modern societies cannot succeed and thrive without informed and engaged citizens equipped with the latest tools.

There is no Internet that is just for business and scientific advancement, but not for human rights. There is just the Internet. Nor can we meaningfully discuss freedom for the Internet without discussing freedom for the people who use it.

Wherever you find serious online and offline restrictions on freedom of expression—the fundamental freedom so effectively championed by OSCE’s Representative on Freedom of the Media Dunja Mijatovic—the freedoms of association, assembly and religion also are restricted in real space and cyberspace. The interconnections among fundamental freedoms become more apparent as new technologies converge—for example, social media are capable of facilitating actual and virtual conversations, associations and assemblies in real time.

A basic precept of OSCE’s work on Internet freedom should be that the same international protections of human rights and fundamental freedoms that apply in real space also apply in cyberspace.

In advance of the Dublin Conference, let me take this occasion to state that the initiative on Fundamental Freedoms in the Digital Age that we and two dozen co-sponsors put forward last year becomes more relevant to men and women across the OSCE with every passing day. We urge the OSCE to reaffirm that human rights and fundamental freedoms do not change with new technologies and that all participating States have the responsibility to ensure protection of these rights and freedoms online and off.

Adoption of the Fundamental Freedoms in the Digital Age Declaration would not entail a single new commitment. Rather, we would be reaffirming that our longstanding commitments to respect the exercise of human rights and fundamental freedoms have not changed and will not change, whatever technological advances the future may bring.

We regret that the objections of certain participating States prevented full discussion of this initiative in the preparatory committee at Vilnius last December. We will press forward with this initiative because we believe the precept animating the initiative remains profoundly important. This would not be the first time in the history of the OSCE that an initiative enjoying the support of many participating States and non-governmental organizations did not find consensus the first, second or even tenth time it was advanced: one has only to recall the negotiating history of the OSCE’s human dimension.

Even as we press forward with this initiative, we also will welcome other contributions here in the OSCE and elsewhere that would enrich international efforts to keep the Internet global,

open and free, and that would strengthen the protection of fundamental freedoms online. For example, we welcomed the conference last December hosted by the Netherlands which resulted in the formation of the worldwide Freedom Online Coalition. Many of the participating States, including my own country, are members of this Coalition.

Mr. Chairman, the Helsinki process has been a major international vehicle for championing human rights and fundamental freedoms. The OSCE should continue to be so in the 21st century. Building upon the OSCE's rich human dimension, we can make an important contribution to global thinking on Internet freedom. To that end, we invite all participating States that have not yet done so to join us in advancing the Declaration on Fundamental Freedoms in the Digital Age.

Thank you, Mr. Chairman.