



## **United States Mission to the OSCE**

### **Working Session 3**

### **Challenges to the enjoyment of human rights and fundamental freedoms and human rights in the age of new information and communication technologies, including respect for privacy**

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The Internet has revolutionized the way we receive and share information. As more and more people around the globe gain access to the Internet, we have seen a dramatic change in the ease with which ideas and information can be disseminated. States have affirmed the freedom of expression, including the freedom to seek, receive, and impart information and ideas of all kinds, through any media, regardless of frontiers, and the freedom to hold opinions without interference. These freedoms are vital to democracy.

But with that ease of communication, comes the possibility of abuse. Over the last 40 years we have developed a robust framework for the protection of freedom of expression, but we have seen some of those protections eroded online, for example in the name of counterterrorism. As we gain experience in trying to address old and new challenges through law, policy, and engagement with Internet users and Internet companies, one principle is clear: freedom of expression online must be protected equally as freedom of expression offline. Human rights and fundamental freedoms do not change with new technologies. Once again my delegation calls upon the small handful of states that have not yet done so to join the 51 OSCE participating States that support adoption of the Declaration on Fundamental Freedoms in the Digital Age.

For many Internet users in countries where freedom of expression is under attack, digital safety has become more difficult, particularly for journalists, bloggers and others who share information online. Lacking online anonymity, citizens begin to practice self-censorship, out of fear for themselves or for their families. Some governments have created blacklists of websites they do not like and have used the cover of intellectual property laws to take down information that might embarrass the government.

In many OSCE participating States, online threats and intimidation, especially towards women, are becoming all too common. In these instances, safety in the digital sphere sometimes does not equate with physical safety. We thank the Representative on Freedom of the Media for hosting a groundbreaking event in Vienna titled, "New Challenges to Freedom of Expression: Countering Online Abuse of Female Journalists." We must continue to raise awareness among media professionals and hosts of online fora of the need to support freedom of expression and address practical steps to help support journalists online.

Recent legal trends in some OSCE participating States paint a troubling picture pointing to increasing restrictions on internet freedom, and erosion of respect for freedom of expression. In Russia, several government actions threaten online freedom, including the creation of an official

list of banned websites (which now includes the Internet Archive, blocking access to archived webpages); the sweeping “right to be forgotten” law that could hamper investigative journalism; and continued use of the “extremist” label to ban Internet content. Similarly, in Belarus, new amendments to the media law place further restrictions on online media outlets, as they hold websites responsible for comments made by members of the public.

In Uzbekistan, a law targeting bloggers now makes them vulnerable to prosecution if the content of their blogs is deemed to be “extremist,” “separatist,” or slanderous of politicians, all standards which are difficult to qualify and could be abused by authorities. Politicians should not receive greater protections for their reputations than those given to other citizens and defamation – whether libel or slander – should not be criminalized.

The United States is concerned about the new Internet law in Turkmenistan. While its goal of increasing access to the Internet is laudable, the law codifies restrictions on access to information, requires Internet providers to monitor online activity and filter materials that may be deemed unacceptable, and has unclear registration procedures.

In Turkey, the government has routinely blocked access to certain websites and social media platforms as a means to silence critics. The government has also cracked down on legitimate opposition media by raiding offices and arresting journalists, often on charges of supporting terrorist organizations or disseminating terrorist propaganda.

Madame Chair,

New technologies strengthen the capacity of individuals, acting alone or in community with others, to actively contribute to democratic development, modernization, prosperity and security. We urge all participating States to respect the exercise of human rights and fundamental freedoms by individuals, including through new technologies such as the Internet, mobile networks and social media tools.