

2012 OSCE Human Dimension Implementation Meeting

Written statement to Working Session 1 (Fundamental Freedoms I), Monday 24 September 2012:

Restrictions of internet freedoms

In a 2004 Permanent Council Decision, the OSCE participating States pledged to “take action to ensure that the internet remains an open and public forum for freedom of opinion and expression” and to “foster access to the internet.”¹ However, some participating States are seriously violating these commitments.

A briefing paper² issued by International Partnership for Human Rights and four partner organizations (the Netherlands Helsinki Committee, Kazakhstan International Bureau for Human Rights and Rule of Law, Turkmen Initiative for Human Rights and the Initiative Group of Independent Human Rights Defenders of Uzbekistan) explores problems of censorship and control of the internet in Kazakhstan, Turkmenistan and Uzbekistan. In these countries, restrictive legislation on permissible online content is enforced; websites are monitored and filtered; independent online news portals and political opposition sites are blocked – either temporarily or on an ongoing basis; social networks are occasionally unavailable to users; websites that report alternative information on political developments are subject to invasive cyber attacks; journalists, human rights defenders and others who post material challenging official policies are intimidated, summoned for interrogation, charged with defamation and other offenses...

These are just a few recent examples:

Kazakhstan

- In connection with the December 2011 events in Zhanaozen, access was blocked to Twitter and a number of internet resources that published independent information about these events. Later the website janaozen.net, launched in March 2012 as an online portal for information related to these same events, has been subjected to several cyber attacks.

- In late 2011 representatives of the opposition news site guljan.org were found guilty of defamation in two different court cases concerning investigative articles about public figures that the site had published. In March this year, a journalist with the site was summoned for interrogation in relation to his writings on the Zhanaozen events.

Turkmenistan

- The website of Austria-based Turkmen Initiative for Human Rights, which is well-known for its independent reports on developments in Turkmenistan, has been subjected to several cyber attacks only this year. One of them disabled the site for nine days shortly before the February presidential elections, where the incumbent president was re-elected after facing only formal competition.
- In February gmail accounts were unavailable to Turkmen users for 10 days in connection with the re-inauguration of President Berdymukhamedov, and in June the online forum ertir.com was blocked for weeks following an increase in comments on politically related issues made by its users.

Uzbekistan

- The online discussion forum arbutz.com was closed down by its administrator in December 2011 out of concern for the safety of users. Earlier a number of its users, who had actively participated in the discussion on threads devoted to politically charged issues, had been arrested by security services.
- The popular blog platform LiveJournal, as well as the Uzbek-language version of the online Wikipedia encyclopedia were reported to have been blocked in early 2012.
- In March 2012, independent journalist Viktor Krymzalov was fined for “slander” and “insult” because of an online article about the eviction of a pensioner that he had not even written.

Additional examples can be found in our briefing paper, which was published in November 2011.

Finally, being aware that violations of internet freedoms are not restricted to the three Central Asian countries mentioned by us, we would like to make a number of general recommendations to the community of OSCE participating States:

- Where relevant, use existing means of leverage to encourage the authorities of individual OSCE participating States to take concrete steps to remedy violations of internet freedoms in accordance with recommendations made by

international human rights bodies, including the OSCE Representative on Freedom of Media (such as in a 2011 study on freedom of expression on the internet commissioned by this office³).

- Use high-level meetings, public statements and other means to raise issues of concern regarding freedom of expression in the internet and to defend victims of online repression in the OSCE region in a visible and prominent way.
- Support programs to promote internet use in those parts of the OSCE region where it is currently limited, and facilitate the use of specialized technology to circumvent government imposed internet censorship and to ensure protection against cyber attacks among citizens of states where online expression is under attack.

¹ OSCE PC.DEC/633 on Promoting Tolerance and Media Freedom on the Internet, endorsed by the OSCE Ministerial Council in Sofia, 7 December 2004. See <http://www.osce.org/mc/23133>

² International Partnership for Human Rights, the Netherlands Helsinki Committee, Kazakhstan International Bureau for Human Rights and Rule of Law, Turkmen Initiative for Human Rights and the Initiative Group of Independent Human Rights Defenders of Uzbekistan, *Central Asia: Censorship and Control of the Internet and Other New Media*, November 2012, at http://www.iphronline.org/uploads/9/0/2/7/9027585/ca_internet_20111128_e.pdf

³ *Freedom of Expression on the Internet: Study of legal provisions and practices related to freedom of expression, the free flow of information and media pluralism on the Internet in OSCE participating States*. Study commissioned by the Office of the OSCE Representative on Freedom of the Media. Available at <http://www.osce.org/fom/80723>