

Freedom of expression on the Internet

European Parliament resolution on freedom of expression on the Internet

The European Parliament,

- having regard to its previous annual resolutions on the situation of human rights in the world,
 - having regard to its previous resolutions on human rights and freedom of the press and on the evaluation of the World Summit on the Information Society held in Tunisia in December 2005,
 - having regard to Article 19 of the Universal Declaration of Human Rights,
 - having regard to Article 10 of the European Convention on Human Rights,
 - having regard to the EU Guidelines on Human Rights Dialogue (2001) and on Human Rights Defenders (2004) and their first evaluation under Austrian Presidency,
 - having regard to the Declaration of Principles adopted by the World Summit on the Information Society on 12 December 2003
 - having regard to the Joint Declaration of 21 December 2005 by the UN Special Rapporteur on Freedom of Opinion and Expression, the OSCE Representative on Freedom of the Media and the OAS Special Rapporteur on Freedom of Expression,
 - having regards to the EU policy on human rights and democratisation in third countries adopted by the Council in December 2005,
 - having regard to the European Initiative for Democracy and Human Rights (EIDHR),
 - having regard to Rule 115 of its Rules of Procedure,
- A. whereas Article 19 of the Universal Declaration of Human Rights states that everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers;
- B. welcoming the statement of the World Summit in Tunis of 16-18 November 2005 on the primary importance of the information society for democracy and respect for human rights and fundamental freedoms; in particular the freedom of expression and opinion, as well as the freedom to receive and access information;
- C. whereas the fight for freedom of expression has today largely shifted on-line as the Internet has become a mean of expression of choice for political dissidents, democracy activists, human rights defenders and independent journalists worldwide;

- D. whereas access to the Internet can strengthen democracy and contribute to a country's economic and social development and restricting such access is incompatible with the right to freedom of expression;
- E. whereas restrictions should only exist in cases of using the Internet for illegal activities, such as incitement to hatred, violence and racism, totalitarian propaganda and children's access to pornography or their sexual exploitation;
- F. whereas, according to Reporters Without Borders, authoritarian regimes and governments have been working on ever more far-reaching methods of controlling the Internet, chiefly using more and more sophisticated filtering technology and surveillance of electronic communications and setting-up cyber-police;
- G. whereas, according to human rights organisations, a large number of cyber-dissidents are detained in prison - most of them in China - including Hao Wu, Chinese blogger and documentary filmmaker, Yang Zili, Chinese cyber-dissident, Shi Tao, Chinese journalist at the daily Dangdai Shangbao, Motjaba Saminejad, Iranian blogger, Mohammed Abbou, Tunisian lawyer, Pham Hong Son, Vietnamese doctor and Habib Saleh, Syrian online journalist; whereas the most recent cases concern the Egyptian bloggers Mohamed Sharkawy and Karim Lel-shaer;
- H. whereas a number of countries can be seen as enemies of freedom of expression on-line as stated in the last Reporters Without Borders report, including China, Belarus, Burma, Cuba, Iran, Libya, Maldives, Nepal, North Korea, Uzbekistan, Saudi Arabia, Syria, Tunisia, Turkmenistan and Vietnam.
- I. whereas companies based in democratic States partly provide these countries the means to censor the web and to monitor electronic communication;
- J. whereas Chinese government has successfully persuaded companies such as Yahoo, Google and Microsoft to facilitate the censorship of their services in the Chinese internet market; also notes that other governments have required the means for censorship from other companies;
- K. whereas equipment and technologies supplied by Western companies such as CISCO Systems, Telecom Italia, Wanadoo, a subsidiary of France Telecom have been used by governments for the purpose of censoring the Internet preventing freedom of expression;
- L. whereas US legislators introduced a bill in February 2006, the Global On-line Freedom Act, aimed at regulating the activities of Internet businesses when they operate in repressive countries;
- M. whereas the EU should demonstrate that the rights of Internet users are at the heart of its concerns and that it is ready to act to promote free speech on-line;
- 1. Reaffirms the fact that freedom of expression is a key value shared by all EU countries and that they have to take concrete steps to defend it;
- 2. Calls, in this respect, on the Council and the EU Member States to agree on a joint statement confirming their commitment in favour of the protection of the rights of internet users and of the promotion of free expression on the internet world-wide;

3. Reiterates its commitment to the principles which were confirmed at the Tunis Summit, viz.:
 - building the information society on the basis of human rights and fundamental freedoms,
 - combating the digital divide and seeking resources for action plans to foster development,
 - developing Internet governance arrangements which are more balanced, pluralist and representative of the States involved, to meet the new technological challenges (spamming, data protection, etc.);
4. Strongly condemns restrictions on Internet content, whether they apply to the dissemination or to the receipt of information, that are imposed by Governments and are not in strict conformity with the guarantee of freedom of expression; strongly condemns the harassment and imprisonment of journalists and others who are expressing their opinions on the Internet; calls, in this respect, on the Council and the Commission to take all necessary measures vis-à-vis the authorities of the concerned countries for the immediate release of all detained Internet users;
5. Calls on the Commission and the Council to draw up a voluntary code of conduct that would put limits on the activities of companies in repressive countries;
6. Calls on the Commission and the Council to maintain the presence and active participation of the EU and the presentation of common positions especially with ECOSOC, ITU, UNESCO and UNDP;
7. Calls on the Council and the Commission when considering its assistance programmes to third countries to take into account the need for unrestricted Internet access by their citizens;
8. Welcomes the Joint Investor Statement on Freedom of Expression and the Internet at the initiative of Reporters Without Borders; stresses that corporations which provide Internet searching, chat, publishing or other services should have a responsibility to ensure that the rights of users are respected;
9. Instructs its President to forward this resolution to the Council, the Commission, and the governments and parliaments of the Member States.