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MOTION FOR A RESOLUTION

with request for inclusion in the agenda for the debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 115 of the Rules of Procedure

by Pasqualina Napoletano, Catherine Trautmann and Christa Prets

on behalf of the PSE Group

on 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 reports on the situation of human rights in the world;
 - having regard to its previous resolution on human rights and freedom of the press in Tunisia and evaluation of the World Summit on the Information Society held in Tunisia of December 2005;
 - having regard to the EU Guidelines on Human Rights Dialogue (2001) and on Human Rights Defenders (2004) and their first evaluation under the Austrian Presidency;
 - having regard to the EU policy on human rights and democratisation in third countries adopted by the Council in December 2005;
 - having regard to the European Instrument for Democracy and Human Rights (EIDHR);
 - having regard to Rule 115 of its Rules of Procedure,
- A. whereas the fight for freedom of expression has today largely shifted on-line as the internet has become a means of expression of choice for political dissidents, democracy activists, human rights defenders and independent journalists worldwide;
- B. whereas authoritarian regimes and governments have been working on ever more far-reaching methods of controlling the net, chiefly using more and more sophisticated filtering technology and surveillance of electronic communications and setting-up cyber-police;
- C. whereas a number of countries can be seen as enemies of freedom of expression on-line: China, Belarus, Burma, Cuba, Iran, Libya, Maldives, Nepal, North Korea, Uzbekistan, Saudi Arabia, Syria, Tunisia, Turkmenistan and Vietnam;
- D. welcoming the statement of the World summit in Tunis on 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;
- E. welcoming the fact that the Tunis Summit has recognised the benefits information and communication technologies (ICT) can bring to people, and the manner in which they can transform people's activities; the Internet in particular is becoming a critical element helping local communities attract businesses, provide healthcare, and improve education and access to government services;

- F. whereas companies based in democratic states provide these countries with the means to censor the web and to monitor electronic communication;
- G. whereas in particular companies such as Yahoo, Google and Microsoft agree to censor their services by following orders from the governments, other companies like Secure Computing and Fortinet supply governments with the means to censor the internet;
- H. whereas CISCO Systems sold to police forces in various countries equipment allowing surveillance of internet users and Yahoo has been collaborating for several years with the judiciary system of States resulting in arrests of journalists and political dissidents;
- I. concerned by the fact that in Cuba, a country in which the internet is heavily censored, it is a EU firm, Telecom Italia, which runs the network;
- J. concerned by the fact that Wanadoo, a subsidiary of France Telecom, announced in April of last year that it was launching a broadband service with Tunisian operator, Tunisia Planet while the Tunisian government decided to make all opposition websites inaccessible in the country;
- K. welcoming the fact that US legislators introduced a draft law in February 2006, the Global On-line Freedom Act, aimed at regulating the activities of the internet sector businesses when they operate in repressive countries;
- L. believing that 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 expression 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. Réitère son attachement aux principes qui ont été confirmés au Sommet de Tunis, à savoir:
 - bâtir la société de l'information sur le socle des droits de l'homme et des libertés fondamentales,
 - lutter contre la fracture numérique et rechercher les moyens à accorder aux plans d'action pour favoriser le développement,
 - rechercher une gouvernance de l'Internet plus équilibrée, pluraliste et représentative des différents répondre aux nouveaux défis technologiques (spam, protections des données, etc.),
 3. Calls, in this respect, on the EU Council and its 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;
 4. Calls on the Commission and the Council to draw up a code of conduct to commit themselves not to participate in online repressive activities;

5. 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.
6. Recalls that freedom of expression is one of the priority issue of the EU human rights dialogue and a key element of the EU's policy in promoting human rights and democratisation in third countries; calls, in this respect, on the EU to take all necessary measures vis-à-vis the authorities of the concerned countries for the immediate release of all detained Internet users;
7. Expresses its concern at the policies of major internet firms such as Yahoo which have bowed directly and indirectly to censorship; calls for a ban on the automatic use of the search engines of such companies in the web-site of the European Parliament as long as they do not comply with a code of conduct which binds them to respecting freedom of expression;
8. Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States;