



FREE AND SECURE INTERNET FOR ALL

Freedom Online • April 28-29, 2014 • Tallinn

Freedom Online Coalition conference in Tallinn, Estonia

April 28-29, 2014

Concept Paper by the Estonian e-Governance Academy

Summary

The 4th annual conference of the Freedom Online Coalition shall continue open and inclusive discussions in a multi-stakeholder arena. The conference will first focus on the continued promotion of fundamental freedoms online. An epoch of Big Data provides the second key topic, asking about the role of business in advancing an open and free Internet. Keeping the Internet a unified and de-centralised forum and a tool for global free expression shall be the third focus point. Development will continue to be an important element of all discussions.

Frame of Reference

The Internet has been a driving force behind most global developments in the 21st century so far. A tool for information exchange, learning, business, e-governance and development, it now brings together more than 2.5 billion people from around the world. Global use of the Internet is increasing. Regarding development, the Istanbul Program of Action for LDCs foresees that we should strive to provide everyone access to the Internet by 2020 and the Post-2015 Report of the High-Level Panel of Eminent Persons¹ proposes a Sustainable Development Goal (SDG) to guarantee the public's right to information and access to government data². All users of the Internet should enjoy freedom of expression and other human rights on the Internet in the same way as foreseen by the Universal Declaration of Human Rights. Questions about where the Internet is headed, whether, how and by whom it can or should be regulated have risen increasingly over the past few years.

The Freedom Online Coalition (FOC) unites 22 governments with a broad scope of partners from the private and NGO sectors. On 28-29 April 2014 the FOC shall meet in Tallinn for a high level conference. In addition to discussions and debates on the acute issues of freedom online, the Tallinn meeting aims to agree on Recommendations for Freedom Online: a comprehensive document jointly developed by all the constituents of the global Internet community and adopted by the FOC governments. The Recommendations will be designed to ensure the free and global nature of the Internet, benefitting everyone. The Recommendations are meant to cover both the existing best practices from around the world as well as first-hand novel proposals for still unsolved challenges.

Recommendations for Freedom Online

The Recommendations outline best practices for guaranteeing the free development of the Internet in the following aspects:

1. Fundamental Freedoms Online
2. Role of Business in Advancing an Open and Free Internet
3. One Internet

Discussions in the run-up and during the Tallinn conference will also be held within the framework of these subjects. The Recommendations will be developed and negotiated jointly by governments, companies and NGO-s from all regions of the world and will contribute to the future expansion of the Internet, free and secure for all. The potential for ICT-assisted development that was explicitly recognised by the World Summit on the Information Society in 2003, including through the promotion of gender equality and the empowerment of women, will remain an integral part of the discussion in Tallinn.

Scope of the proposed Recommendations

Recent initiatives such as for example the UN resolution on *Right to Privacy in the Digital Age*³, *Reform Government Surveillance*⁴ or the *Necessary and Proportionate principles*⁵ demonstrate that the international community is engaging actively in the discussion on how human rights can be guaranteed online.

The Recommendations of the Freedom Online Coalition provide a tool for guaranteeing universal freedoms online for all while providing everyone with a safe environment to express themselves, create content and use e-services.

THE RECOMMENDATIONS SHALL BE OUTLINED IN THE THREE FOLLOWING CATEGORIES:

Fundamental Freedoms Online

It is fundamental for the further development of a free and secure Internet that human rights are applied equally offline and online. It is equally fundamental that protection of these rights be governed transparently and by the rule of law. As the Internet has evolved rapidly over the last years, new issues have emerged that call for a more specified and concrete understanding of how the universal rights and freedoms, including issues related to privacy and freedom of expression, should be applied online.

Questions that deserve to be addressed include *inter alia*:

- » What conditions are needed on the domestic and international level to guarantee fundamental freedoms online for everyone?
- » How can privacy be (re)defined in the digital age?
- » What should be the procedures for responding to harmful online content? What positive actions can we take to ensure an open and tolerant online environment?
- » What are the transparency standards that regulators, Internet Service Providers and others should adhere to regarding online content?
- » What is the kind of privacy protection that everyone should have the right to? What are examples of established privacy standards that can be adopted for use online?
- » How can we ensure approaches to cyber security which uphold human rights standards and values? How can governments and other stakeholders assure ample cyber security measures to protect citizens operating online, while working from the basis of an open, accessible and transparent internet? What are the existing best practices in this regard?

Role of Business in Advancing an Open and Free Internet

The Internet has become a prolific launch pad for new businesses and an engine of growth in the world. The share of the digital economy in world GDP is growing constantly and at an increasing pace. With such growth comes the need to guarantee that business conducted online or via online channels has a positive impact with respect to human rights and fundamental freedoms worldwide.

Questions that deserve to be addressed include *inter alia*:

- » What should be the agreed standards for the freedom of doing business online? What conditions are needed to stimulate innovation and the free flow of ideas?
- » How can governments facilitate net neutrality, so that all users and creators of data can enjoy the same freedoms everywhere online?
- » What should be the commonly agreed guidelines to ensure the free movement of data globally?
- » How should companies be engaged in protecting the online rights of citizens?
- » What are the responsibilities of companies in protecting human rights online? What are companies currently doing to protect human rights?
- » How do governments and businesses address the transfer of dual-use technology?
- » How can privacy be integrated into the development of innovative technology? How to best stimulate companies in this regard, e.g. in uptake of privacy-enhancing technological solutions?
- » What are best practices in private sector transparency?

One Internet

The Internet has been able to serve as a tool for freedom chiefly because it has been universally and uniformly open, regardless of from where or by whom it was accessed, with few lamentable exceptions. Preserving the fundamentally uniform character of the Internet is crucial. All attempts to fracture and divide the structure of the Internet may lead to a practical decrease in freedoms both on- and offline. The technical and political aspects of “one Internet” therefore need to be addressed and guidance needs to be provided by the multi-stakeholder community on how to maintain the integrity and global interoperability of the Internet.

Questions that deserve to be addressed include *inter alia*:

- » What are the best practices in e-governance that thrive on the one, unified and de-centralised model of the Internet?
- » How can governments prevent fragmentation of the Internet into smaller segments that impose different standards of freedom? What should be avoided?
- » How can we safeguard the unified nature and “oneness” of the Internet?
- » How can we strengthen the multistakeholder model of internet governance?
- » What approaches to development and increasing Internet access will support and protect human rights and an open Internet? How can we ensure open and secure access for various groups, including women, minorities, and LGBT persons?

¹ <http://www.post2015hlp.org/>

² <http://report.post2015hlp.org/digital-report-goal-10-ensure-good-governance-and-effective-institutions.html>

³ http://www.un.org/ga/search/view_doc.asp?symbol=A/C.3/68/L.45/Rev.1

⁴ <http://reformgovernmentsurveillance.com/>

⁵ <https://necessaryandproportionate.org/>