

Representative on Freedom of the Media: Joint Declaration on Internet Freedom Issued by OSCE and RSF

IRIS 2005-8:1/1

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The 2005 Amsterdam Internet Conference, the third of its kind, closed on 18 June 2005 with the OSCE Representative on Freedom of the Media issuing a “Joint Declaration on Guaranteeing Media Freedom Online” together with the Paris-based NGO Reporters sans frontières.

The conference brought together leading international experts on human rights and the Internet from Western and Eastern Europe, the Caucasus, Central Asia and North America. OSCE Media Freedom and City Council of Amsterdam representatives opened the conference.

Presentations held throughout the conference focused on the early regime of making laws regarding the Internet, on the ECHR decision *Steel & Morris v United Kingdom* and on examples of the new potentials the Internet offers; time was also made for reports on the situation of media freedom on the Internet in South Caucasus and Central Asia.

The Joint Declaration lists six main principles for protecting online media freedom and stresses, inter alia, that in a democratic and open society, citizens should decide for themselves what they wish to access and view on the Internet. Any filtering or rating of online content by governments is unacceptable and websites should not be required to register with governmental authorities.

The declaration states that “any law about the flow of information online must be anchored in the right to freedom of expression as defined in Article 19 of the Universal Declaration of Human Rights”.

It also makes clear that Internet writers and online journalists, including bloggers, should be legally protected under the basic principle of the right to freedom of expression and the associated rights of privacy and protection of sources.

The Declaration once more stresses that Internet Service Providers (ISP) must not be held responsible for the mere conduit or hosting of content unless they refuse to obey a court ruling and that all Internet content should be subject to the legislation of the country of its origin (“upload rule”) and not to the legislation of the country where it is downloaded.

The Amsterdam 2005 Joint Declaration is the latest in a series of recommendations that have been developed in recent years by the OSCE Media Representative; their objective being to protect media freedom on the Internet. The first Internet Conference in 2003, led to the publication of the Amsterdam Recommendations and the conference's findings were compiled and published as Spreading the Word on the Internet (see IRIS 2003-8: 2) . The second Internet Conference, the following year, produced the Media Freedom Internet Cookbook which is available in English and Russian and includes more detailed 'recipes' and good practices (see IRIS 2005-2: 3).

Documents from the Amsterdam Internet Conferences

<http://www.osce.org/fom/documents.html?lsi=true&limit=10&grp=289>

Joint declaration of the OSCE Representative on Freedom of the Media and Reporters Sans Frontieres on guaranteeing media freedom of the Internet from 18 June 2005

http://www.osce.org/documents/rfm/2005/06/15239_en.pdf

