

European Parliament: Resolution on Freedom of Expression on the Internet

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Spurred by the realisation that “the fight for freedom of expression has today largely shifted on-line”, the European Parliament adopted a Resolution on freedom of expression on the Internet on 6 July 2006.

One of the underlying premises of the Resolution is that “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”. According to the Resolution, the only restrictions that should be contemplated should target specified illegal activities. Noting the prevalence and growing sophistication of Internet censorship by authoritarian regimes, the Resolution goes on to name a number of incarcerated “cyber-dissidents”, as well as countries that could be seen as “enemies of freedom of expression on-line”, according to a recent Reporters Without Borders report.

The Resolution points out that “companies based in democratic States partly provide” such countries with “the means to censor the web and monitor electronic communications”. Yahoo, Google and Microsoft are specifically named as examples of companies which have been “successfully persuaded” by the Chinese government “to facilitate the censorship of their services in the Chinese internet market”. It also notes that equipment and technology supplied by Western companies has been used by governments to censor expression on the Internet.

Against the background of such practices, the Resolution calls on the Council and 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”. It also reiterates the Parliament’s commitment to the principles agreed upon at the Tunis Summit (eg, the construction of a human rights-based information society; the reduction of the digital divide and the fostering of development; the promotion of forms of Internet governance that are balanced, pluralist and representative).

The Parliament strongly condemns: (i) “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”, and (ii) “the harassment and imprisonment of journalists and others who are expressing their opinions on the Internet”. In consequence, it calls on the Council and the Commission, *inter alia* , to:

- “take all necessary measures vis-à-vis the authorities of concerned countries for the immediate release of all detained Internet users”;
- “draw up a voluntary code of conduct that would put limits on the activities of companies in repressive countries”;
- [when considering EU assistance programmes to third countries] “take into account the need for unrestricted Internet access” by citizens of third countries.

European Parliament Resolution on freedom of expression on the Internet, Resolution, 6 July 2006

<http://www.europarl.europa.eu/sides/getDoc.do?Type=TA&Reference=P6-TA-2006-0324&language=EN>

