



August 2014

# FOC Joint Statement on Restrictions on Access to Social Media

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The Freedom Online Coalition is deeply concerned about the recent increase in the number and types of observed restrictions on access to social media platforms in a variety of countries and contexts, including legislation restricting social media in violation of human rights law and temporarily or permanently banning access to social media sites.

Access to social media provides invaluable opportunities for citizens to exchange information and organize within and across national boundaries. It empowers ordinary citizens and members of civil society organizations to access educational information and material as well as facilitates advocacy of and mobilization for the promotion of human rights, accountability, and democracy.

In addition, social media platforms enable unprecedented levels of communication and commerce. The free flow of information across borders boosts prosperity including immense economies of scale, promotes innovations, and fosters healthy economic environments ripe for entrepreneurial and commercial activities.

Freedom of expression is a human right, and includes the right to seek, receive and impart information and ideas of all kinds through any media without impermissible interference by public authorities. Individuals must be free to communicate and choose freely the means to do so. Just as important for the realization of the potential of the Internet are the related freedoms of association and peaceful assembly.

Restrictions on content or links shared via social media sites are only permissible in accordance with International human rights law, in particular Article 19(3) of the International Covenant on Civil and Political Rights. Such legal provisions should be established pursuant to democratic processes, narrowly tailored, and enforced with appropriate transparency.

The Freedom Online Coalition strongly condemns restrictions in violation of human rights law of content shared via social media, and in particular the wholesale blocking of social media sites, to restrict individuals from exercising their human rights online. We also note with concern efforts by states to use third-parties to impermissibly restrict access to content or undermine the security and stability of social media sites. Equally troubling are instances where national security or public order is evoked as pretext to block social media.

As stated in the Freedom Online Coalition's "Tallinn Agenda", we call upon governments worldwide to promote transparency and independent, effective domestic oversight related to electronic surveillance, use of content take-down notices, limitations or restrictions on online content or user access and other similar measures, while committing ourselves to do the same.

The Freedom Online Coalition also notes that, as outlined in the U.N. Guiding Principles on Business and Human Rights, social media companies have human rights-related responsibilities, and recommends they emphasize appropriate transparency in their actions that may affect the exercise of human rights, consistent with applicable law.

## Freedom Online Coalition Background

The Freedom Online Coalition is a cross-regional group of 23 governments that collaborate to advance Internet freedom worldwide. The Coalition provides a forum for like-minded governments to coordinate efforts and work with civil society and the private sector to support the ability of individuals to exercise their human rights and fundamental freedoms online.

The mission and vision of the Freedom Online Coalition are founded upon the notion that human rights apply online as well as offline, as confirmed in resolutions 20/8 and 26/13, adopted by consensus by the UN Human Rights Council in July 2012 and June 2014, as well as resolutions 68/167, adopted by consensus by the UN General Assembly in December 2013.

The FOC seeks to identify best practices regarding the application of human rights in the evolving online landscape, as well as to call attention to conditions that undermine those rights.

The FOC, through the Digital Defenders Partnership, also provides rapid response to a range of threats to Internet freedom; from supporting bloggers and cyber activists who find themselves under digital attack, to helping them exercise human rights online in countries where the Internet is censored, not free or not accessible. More information on the Digital Defenders Partnership is available at: <http://www.digitaldefenders.org/>.

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