



October 2016

FOC Joint Statement on a Human Rights Based Approach to Cybersecurity Policy Making

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The Freedom Online Coalition recognises that as the world has become increasingly interconnected through information and communications technologies (ICTs), cybersecurity has become a critical issue on the international agenda. Cybersecurity threats are increasing in frequency and sophistication, asking for innovative solutions. This creates a growing need for all stakeholders to work together to address these issues in a manner that promotes and respects human rights.

Regrettably, the prevalent worldview is to see human rights and cybersecurity interests in absolute terms – one must be traded-off in the favor of the other. The Freedom Online Coalition maintains that human rights and cybersecurity are complementary, mutually reinforcing and interdependent. Both are essential for the promotion of freedom and security. The Coalition believes there is a pressing need to move beyond the dominant rights versus cybersecurity paradigm, by recognising that individual security is a core component of cybersecurity and a that secure Internet is central to promoting human rights.

The Freedom Online Coalition Working Group 1 “An Internet Free and Secure”, comprised of experts from the private sector, academia, civil society and select member states, is helping bring about this paradigm shift and translating it into action. It is seeking to increase the priority policy makers, private firms and other stakeholders place on individual security and human rights. To this end, the Working Group has developed a definition of cybersecurity that promotes respect for human rights and recognizes individual security as a core component of cybersecurity. Building upon the definition, the Working Group has drafted a set of Recommendations for Human-Rights Based Approaches to Cybersecurity, which will be officially launched at the Freedom Online Conference in Costa Rica, October 17-18.

These Recommendations can help to advance existing cybersecurity policy-making efforts while prioritising, promoting, and respecting human rights. These Recommendations should not be read as creating new international law obligations, or as limiting or undermining any legal obligations a State may have undertaken or be subject to under international law with regard to human rights. The Freedom Online Coalition reaffirms that States must respect their international human rights obligations, including when implementing laws internally.

The Freedom Online Coalition applauds the direction of the work undertaken by Working Group 1 and hopes that this will work towards the realisation of a paradigm shift in cybersecurity policy making that is human rights respecting by design. We encourage all stakeholders involved in cybersecurity-related activities to take into account the Working Group’s Definition and Recommendations in their policy development and deliberations.

Freedom Online Coalition Background

The Freedom Online Coalition is a cross-regional group of 30 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, 26/13 and 32/13, adopted by consensus by the UN Human Rights Council in July 2012, June 2014 and July 2016, as well as resolutions 68/167 and 69/166, adopted by consensus by the UN General Assembly in December 2013 and 2014.

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. For instance, the FOC's multistakeholder working group on "An Internet Free and Secure" seeks to bring a human rights framing to ongoing debates on cybersecurity and aims to develop, through multistakeholder dialogue, meaningful outputs that feed into existing processes.

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 their human rights online in countries where the Internet is censored, not accessible or where freedom is otherwise restricted. More information on the Digital Defenders Partnership is available at: <http://www.digitaldefenders.org/>.

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