

## Minutes of the Freedom Online Coalition's Strategy and Coordination Meeting

### Day 1

13:00 - 15:00 UTC - 23 June 2020, Virtual

Attendance: Austria, Canada, Costa Rica, Czech Republic, Denmark, Finland, Germany, Ghana, Ireland, Mexico, Netherlands, Sweden, Switzerland, United Kingdom, United States; FOC Support Unit [SU]

#### 1. Welcome and Opening Remarks

- Lea Kaspar [Support Unit] welcomed Members to Day 1 of the Meeting and noted that this is the first time it takes place completely virtually.
- SU welcomed Denmark - the newest Member to join the FOC, and invited the Danish representative to provide remarks.
- Tour de Table - SU invited all participants to introduce themselves.

#### 2. Housekeeping

- SU provided an overview of the agenda noting that the virtual Meeting was divided into two parts - Day 1 on Tuesday, 23 June and Day 2 on Wednesday, 24 June.
- SU provided an overview of upcoming meetings and events
  - Internal FOC meetings:
    - The Joint FOC & FOC Advisory Network (FOC-AN) Roundtable that will take place on Thursday, 2 July.
    - The next Friends of the Chair calls are scheduled to take place on Wednesday, 29 July and Wednesday, 26 August. The Friends of the Chair call in June has been cancelled due to the Strategy and Coordination Meeting.
    - The next FOC-AN monthly call will be held this Thursday, 25 June.
    - The next monthly calls of the Task Force on AI and Human Rights (T-FAIR) will take place this Thursday, 25 June and Thursday, 30 July.
    - The next T-FAIR learning call is scheduled for July and will focus on AI in Content Moderation. The exact date and time will be confirmed.
  - External events:
    - Due to COVID-19, RightsCon was postponed and all in-person meetings were cancelled. RightsCon Online will now take place from 27 to 31 July.
      - FOC will host a session based on the Joint Statement on COVID-19 and Internet freedom.
      - Canada noted that the T-FAIR will host a workshop and will work with global civil society to feed into the upcoming Joint Statement on AI and Human Rights.
- SU updated members on status of actions from the last Strategy and Coordination Meeting (SCM) which took place on 5 February 2020 on the margins of the Freedom Online Conference in Accra, Ghana.
  - Following consultations with Members, some of the action items were moved for discussion during this SCM, such as establishing a task force to identify best practices for developing joint statements as well as identifying leads for FOC diplomatic networks.
- SU provided an update on finance.

**Action>>** SU to share more information on registration and participation for RightsCon taking place on 27-31 July.

**Action>>** Members who are able to provide financial support to the FOC are encouraged to reach out to the SU.

3. SU provided a progress update on FOC Program of Action 2020 activities.

- Shaping Global Norms
  - In the first half of 2020, the FOC issued 3 joint statements:
    - **Digital Inclusion** led by Germany and Ghana, and launched in Accra, Ghana on the margins of the FO Conference.
      - Germany delivered a [statement on digital inclusion](#) on behalf of Members of the FOC during the general debate of the 43rd Session of the Human Rights Council in Geneva.
      - Germany proposed to either consider shorter statements or to divide them into two parts, including a short opening part and a longer annex that goes in greater detail into norms and guidance.
      - Ireland expressed support for Germany's recommendations.
    - **Human Rights Impact of Cybersecurity Laws, Practices and Policies**, led by Estonia and the Netherlands, and developed by a multi-stakeholder task force on cybersecurity and human rights. It was also launched in Accra, Ghana on the margins of the FO Conference.
    - **COVID-19 and Internet Freedom**, led by the United States, Canada and Finland, and launched virtually on 8 June.
      - The United States, Sweden and Ireland thanked Members for their input and collaborative work on the statement.
- Diplomatic Coordination
  - FOC coordination in the 2nd substantive session of the Open-ended working group in New York:
    - Several FOC Member States, including Canada, the Czech Republic, Estonia, Finland, Germany, Ghana, Ireland, the Netherlands, Switzerland and the UK, referenced the FOC Joint Statement on Human Rights Impact of Cybersecurity Laws, Practices and Policies in their remarks.
    - Following the second substantive session, the Chair of the OEWG published a pre-draft of the OEWG-report for Member States' input. Several FOC Members provided input into the pre-draft, and the Czech Republic, Estonia, the Netherlands and Switzerland referenced FOC's Joint Statement in their input.
  - FOC coordination in Geneva:
    - Germany delivered a statement on behalf of FOC Members at the general debate of the 43rd Session of the Human Rights Council. The statement used agreed language from the FOC Joint Statement on Digital Inclusion and was signed by over 20 FOC Members.
  - SU noted that diplomatic coordination is an area for improvement that surfaced in the Independent Diplomat's report on improving FOC advocacy and communication efforts.
- Multistakeholder Engagement
  - SU extended gratitude to Ghana for hosting the 8th Annual Freedom Online Conference in Accra that gathered 300 participants from civil society, private sector and academia from 60 countries from all over the world.

- The FOC-AN selected its second cohort of Members for a 2-year term in March 2020. SU noted that 25 out of the 30 Members renewed their membership. After a competitive selection process, 5 new Members out of over 30 applications were selected to join the FOC-AN.
- Other Developments
  - Denmark joined the FOC as its 32nd Member in June 2020.
  - Finland was confirmed as FOC Chair for 2021. SU is working with Finland and the Friends of the Chair to develop the Program of Action for 2021.
  - Switzerland joined the Friends of the Chair for 2020.
  - FOC commissioned a report by Independent Diplomat to conduct a study and report on improving FOC's advocacy and communication efforts.
- Outstanding Activities
  - There are currently two joint statements under preparation.
    - Canada provided an update on the Joint Statement on Artificial Intelligence and Human Rights noting that it had previously been postponed for this year.
      - The plan is to finalise the statement by the Internet Governance Forum in November with opportunities to seek input during sessions at RightsCon and AI for Global Good Summit.
        - Canada will host a virtual workshop at RightsCon to kick off the development of the statement with specific groups discussing facial recognition technology and content moderation.
      - Canada noted that the FOC Task Force on Artificial Intelligence and Human Rights (T-FAIR) hosted a learning call on facial recognition technology and will host one on content moderation in July. In addition, T-FAIR Members participate in a spotlight series during each monthly call where they highlight policy initiatives and share best practices from a local or regional perspective.
      - Canada noted that T-FAIR Members have agreed on two main deliverables: a Joint Statement and an actors mapping exercise to visualise international stakeholders on AI governance, led by Austria.
      - Some T-FAIR Members lead on different files, for example on OSCE, UNICEF AI's and Children's Rights project and UN High Level Panel on Digital Cooperation. Members provide monthly updates on opportunities for engagement.
    - Finland and the United Kingdom provided an update on the Joint Statement on Disinformation.
      - Finland suggested to focus on the normative developments and standards rather than the technological developments.
      - The UK supported Finland's suggestion to have a shorter, more focused statement.

**Action>>** SU to include discussion on the Joint Statement on Disinformation as an agenda item for the Joint FOC and FOC-AN Roundtable Meeting on Thursday 2 July.

#### 4. AOB

- SU noted that the next Strategy and Coordination Meeting is planned for November on the margins of the Internet Governance Forum.
  - SU will consult with Finland as incoming FOC Chair for 2021 if there is a need for another SCM in September.

- Finland noted that if there is interest among Members, taking into consideration the developments of the COVID-19 pandemic, there might be a possibility to meet in person at the end of this year.
  - SU will follow up on this item in the fall once there is more clarity on travel restrictions for the rest of the year.
- SU noted that earlier this week a proactive advice from the FOC-AN had been circulated to Members. This is the second time that the FOC-AN has provided proactive advice to the FOC; the first proactive advice from the FOC-AN was shared in 2018 to inform the development of the [Joint Statement on the International Telecommunications Union's \(ITU\) Plenipotentiary Conference](#).
  - FOC-AN is proposing to set up a learning call with FOC Members to discuss content regulation, rule of law, Internet freedom health and funding.
  - SU noted that in terms of protocol, it is considered good practice to share a response to proactive advice provided there are no objections.
    - The United States and Germany asked whether FOC-AN expects to educate on the topics or to look for commitments from FOC Members.
    - The Netherlands and Sweden found the learning call to be of interest.
    - Members agreed to discuss the topic further on the Joint FOC and FOC-AN Roundtable Meeting on 2 July.
- Sweden noted that the Human Rights on the Internet resolution at the Human Rights Council had been postponed to the 47th session of the HRC in June 2021. The core group, however, will deliver a statement in the 44th Session of the HRC in July 2020.
- Canada noted that the resolution on New and Emerging Digital Technologies and Human Rights will be delivered in the 44th Session of the HRC in July 2020.
- Ireland noted that the resolution on Civil Society Space has been postponed to the 47th session of the HRC.
- The Netherlands noted that the resolution on Freedom of Expression will be delivered in the 44th session of the HRC.
- Members agreed to share any additional information on upcoming resolutions and discuss them further on Day 2 of the SCM.
  - SU noted that they would add an agenda item on HRC into the agenda for Day 2.

**Action>>** SU to share an acknowledgement of the proactive advice with the FOC-AN and thank them.

## Day 2

*15:00 - 17:00 UTC - 24 June 2020, Virtual*

Attendance: Austria, Canada, Denmark, Estonia, Finland, Germany, Ghana, Ireland, Mexico, the Netherlands, Sweden, Switzerland, the United Kingdom, the United States; FOC Support Unit [SU]

### 5. Opening Remarks and Overview of the Agenda

- Lea Kaspar [SU] welcomed the FOC Members to Day 2 of the Strategy and Coordination Meeting (SCM) and provided an overview of the agenda.
- SU provided a short recap of Day 1 and noted that a new agenda item on Human Rights Council resolutions has been added following conversations from Day 1.
- SU invited Members who did not attend Day 1 of the SCM to introduce themselves.
- SU noted that the FOC and FOC-AN Joint Roundtable Meeting, moderated by Andrew Puddephatt, is scheduled for Thursday 2 July at 15:00 UTC.

## 6. Discussion on Resolutions of the Human Rights Council (HRC)

### ● Resolution on **Freedom of Expression**

- Zero draft of the resolution has been introduced and will be discussed during the 44th Session.
- Lead FOC countries: The Netherlands, Sweden and Canada.
- Thematic focus of the resolution will be on access to information, and the resolution will touch upon many Internet freedom issues such as human rights offline/online, the digital divide, access to information technologies and Internet shutdowns.
- The Netherlands noted that detailed information about the resolution had been circulated via email to the FOC Members, including the zero draft. FOC members are invited to support the initiative. If Members have any questions, they are welcome to email the two contacts as noted in the previously circulated email.
  - The United States expressed interest in the process of providing input to the resolution either via FOC directly or via diplomatic networks. The Netherlands will provide further updates once they become available.
  - Ireland noted that they will be feeding input via their delegation in Geneva.

### ● Resolution on **New and Emerging Digital Technologies and Human Rights**

- Discussion on the text expected to take place during the 47th Session of the HRC.
- Lead FOC country: Denmark.
- Panel discussion on impacts, opportunities and challenges of new and emerging digital technologies with regard to the promotion and protection of human rights is scheduled to take place on **Wednesday 8th July**, organised by the Office of the United Nations High Commissioner for Human Rights (OHCHR).
  - OHCHR has not yet finalised the planning of the panel discussion.
  - Denmark noted that Members can find the preliminary concept note in the previously circulated email by Denmark.
  - Canada suggested that the FOC could engage via the Task Force on Artificial Intelligence and Human Rights (T-FAIR).

### ● Resolution on **Human Rights on the Internet**

- Discussion on the text expected to take place during the 47th Session of the HRC.
- Lead FOC country: Sweden.
- Sweden noted that the leads are planning a statement to be issued during the 44th session and are encouraging any interested FOC Member to join.

### ● Resolution on **Civil Society Space**

- Discussion on the text expected to take place during the 47th Session of the HRC.
- Lead FOC country: Ireland.
- Ireland noted that the discussion on the resolution has been postponed and that a joint statement for delivery at the 44th Session of the HRC will be circulated at Geneva-level in the coming days.

### ● Resolution on **the Promotion and Protection of Human Rights in the Context of Peaceful Protests**

- Lead FOC countries: Switzerland, Costa Rica
- The first open-ended informal is scheduled for Monday 6 July.

## 7. FOC Chairship 2021

- Finland provided context on the challenges and opportunities for open, free and secure Internet, including Internet shutdowns and disinformation during a health emergency.

- Finland noted that the FOC is uniquely positioned to defend and promote free Internet in the context of global open Internet vs. censorship models.
- Finland discussed bridging the digital divide and promoting access to the Internet globally as well as current cyber technology innovations and their impact on human rights.
- Regarding content moderation, disinformation and hate speech, Finland noted that the priority should be on taking practical steps.
- Finland outlined their suggested thematic priorities for 2021:
  - Finland strives to strengthen FOC's activities, in particular in promoting FOC language/joint statements in relevant international fora and resolutions, and emphasising the value of open Internet as part of inclusive development. Finland also noted combating disinformation as part of the safe use of the Internet, including through supporting trust-building and non-discrimination in the context of cybersecurity, and developing new joint statements for discussion on (health) surveillance and content moderation.
  - Finland discussed their focus for 2021, including maintaining the current Program of Action structure and activities, and making FOC's diplomatic coordination more long-term and more up to date on the most relevant political themes of multilateral counterparts. Finland noted their interest in having a long-term dialogue with the FOC Advisory Network and utilizing their expertise.
  - Finland further emphasised the importance of a strategic outreach to the global South, including regional intergovernmental organisations, in particular in the African region. Examples include the African Union Digital Transformation Strategy and the World Bank Trust Fund for Inclusion and Human Rights.
  - In addition, Finland noted engaging countries that have taken positive steps towards Internet freedom but do not yet fulfil membership criteria.
  - Finally, Finland's focus is on visibility around FOC's 10th Anniversary. Finland noted that it is planning to host a ministerial-level event at the margins of the United Nations General Assembly high level week 2021. The 9th Freedom Online Conference in Finland is planned for November/December 2021.
- SU shared the summary of the survey results on FOC Members' priorities for the Program of Action for 2021:
  - Eight Members responded to the survey identifying the following common priorities: wider outreach and engagement with both existing and prospective Members in the global South (both governmental and non-governmental stakeholders), more meaningful engagement with civil society and private sector, improving the communications/ advocacy on FOC activities, especially on the joint statements, and strengthening the diplomatic coordination in international and multilateral processes.
  - In addition to policy priorities in the past year, SU noted that Members had suggested focusing on digital authoritarianism and cyber sovereignty, democratisation, elections, digital literacy and cooperation for achieving the Sustainable Development Goals.
  - Members had also suggested that the Program of Action could include FOC's operational priorities and that the Program's timeline could be expanded beyond a year to allow longer-term planning and continuity of priorities and activities.
- The SU welcomed a discussion on priority areas for the Program of Action for 2021.
  - Members expressed their support for a ministerial-level event on the margins of the United Nations General Assembly which will increase visibility of the FOC for non-Members and for the countries from the global South.
    - The United States noted that the event could include a deliverable.

- The United States proposed that FOC Member States could be points of contact for diplomatic coordination in New York, Geneva, Paris and Vienna instead of the FOC Chair.
- The United States also suggested advocating for digital authoritarianism and Internet shutdowns to be policy priorities or the topic of the ministerial-level event.
- Sweden suggested to re-open the Program of Action 2021 survey for a second round to collect a wider sample of responses.
- Austria proposed strengthening FOC's ties with the private sector by extending FOC's existing networks beyond multilateral organisations and establishing a presence in Silicon Valley. Austria also noted that FOC Members who do not have representation in the Silicon Valley could also participate in the initiative via their consulates in Los Angeles or embassies in Washington, DC.
- Germany expressed support for the continuation of digital inclusion as a theme in the Program of Action for 2021.

## 8. FOC Working Methods

- Development and dissemination of Joint Statements
  - SU shared feedback from Members on good practice and lessons learned from statement development such as having shorter statements and a narrower focus, and having more clarity among Member states on redline edits and on new edits in various versions of the statement. SU also noted that statement consultations provide a way for all Members to contribute to FOC's work by placing value on bilateral/multilateral calls and negotiations.
  - On statement dissemination, SU shared Members' feedback such as planning and developing dissemination strategy from the beginning of the drafting process and incorporating recommendations from the Independent Diplomat report on statement dissemination.
  - Ireland thanked the lead drafters on the development of statements and suggested that the SU could circulate all comments with Members for transparency.
  - Members supported the idea of integrating a dissemination strategy in the drafting process.
  - Germany noted that the length of consultations and drafting of statements could be a disincentive for participation in the process.
  - Members noted the role of the FOC-AN in the process of drafting and disseminating statements.
  - Members agreed that there is a need for clear guidelines and rules for input on statements to create an incentive for more Members to take a role in the drafting process.
    - The United Kingdom suggested using a traffic light system - redlines, orange (preferred), and green (new ideas).
- Diplomatic coordination
  - SU shared feedback from Members on improving diplomatic coordination such as strengthening capital-level coordination and engaging non-active Members, identifying country leads for each local diplomatic network, organizing FOC coordination meetings and side events in the margins of relevant processes and developing a schedule/timeline of relevant activities and events in each network. There were two additional diplomatic networks that were suggested - in San Francisco and in Strasbourg.
  - Members proposed to use FOC language and to replicate it on an ad-hoc basis in local contexts. SU noted, however, that FOC's policy dictates not to issue country-

specific statements. Members were welcomed to use FOC statement language in their bilateral diplomatic efforts.

- The United States noted that FOC Members can coordinate among themselves to issue independent statements and use FOC not only as a platform to raise issues but also use FOC language to incorporate at UN resolutions and at multilateral fora.

9. AOB

- SU noted that the agenda for the Joint FOC and FOC-AN Roundtable Meeting scheduled for Thursday 2 July will be discussed on the monthly FOC-AN call on Thursday 25 June. SU will then circulate the agenda with both FOC and FOC-AN.
  - The proposed agenda included discussions on HRC resolutions, the FOC Joint Statement on Disinformation, the FOC-AN learning call and the Program of Action for 2021.
- Switzerland flagged that it is leading an HRC resolution on the Promotion and Protection of Human Rights in the Context of Peaceful Protests.

**Action>>** SU to circulate the agenda for Joint FOC and FOC-AN Roundtable Meeting in advance of the Meeting.