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PRESS RELEASE

G8-The Deauville Declaration on Internet Fails to Recognise Importance of Human Rights Including Freedom of Expression

London 27.05.11: The Declaration on Internet, developed by the G8 leaders at the Deauville Summit, fails to properly recognize states' international human rights obligations on freedom of expression and the right to information. We call upon G8 leaders to express a clear political commitment to champion freedom of expression and the right to information on the internet, through G8 agreements and national policies.

The Declaration on “Renewed Commitment for Freedom and Democracy” was released by the leaders of the Group of Eight (G8) on 27 May. It includes 19 paragraphs on internet related issues and principles.

“The internet is more than ‘a helpful tool’ for citizens, as stated in the Declaration. It is a central platform for exercising freedom of expression and opinion in the modern world” says Dr Agnes Callamard, ARTICLE 19 Executive Director. “Freedom of expression on the internet must be fully recognised as a core principle”, continues Dr Callamard.

ARTICLE 19 welcomes the Declaration’ assertion in paragraph 9 that “openness, transparency and freedom” along with non-discrimination and fair competition are “key to its development and success”. We believe, however, that protection of human rights should be recognised as a core principle above all others rather than only included in a framework to be balanced with rule of law and protection of intellectual property.

The Declaration’s assertion in paragraph 10 that “the exercise of individual rights and responsibility have to be achieved simultaneously” is particularly concerning. In asserting this, the Declaration ignores the international legal obligations that states owe under international human rights treaties, in particular the International Covenant on Civil and Political Rights (“ICCPR”). Human rights, as protected under international law, do not place obligations on citizens.

In addition, ARTICLE 19 believes that paragraph 11 on freedom of expression fails to fully recognise the international commitments that states must implement. Although the Declaration states that “freedom of opinion, expression, information, assembly and association must be safeguarded on the Internet as elsewhere”, it fails to

acknowledge that under international human rights law, restrictions on freedom of expression and the flow of information – including via the Internet – should only be applied in exceptional and limited circumstances. Any restrictions on Internet content therefore must be set clearly in law, pursue a legitimate aim, and be proven as necessary and proportionate. The Declaration only criticises “arbitrary or indiscriminate” censorship, which is weaker than international law and would allow many forms of censorship currently being conducted by countries such as Iran and China.

ARTICLE 19 is also particularly concerned with paragraph 15 which appears to endorse new restrictions on internet speech by increasing enforcement of intellectual property such as through the controversial Anti-Counterfeiting Trade Agreement (ACTA) and domestic “three-strikes laws” which fail to fully recognise - and often violate - the right to freedom of expression.

ARTICLE 19 also notes that while the Declaration positively recognises the importance of the multi-stakeholder model of Internet governance, the e-G8 Forum held prior to the main meeting was almost entirely made of up governments and corporations and few civil society groups were invited. Similarly, the ACTA negotiations have been held entirely in secret with no public participation.

ARTICLE 19 calls on the G8 leaders to recognise that freedom of expression and the free flow of information should not be limited through restrictions on the Internet unless in accordance with international human rights law.

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- The full text of the Declaration is available here: <http://www.g20-g8.com/g8-g20/g8/english/live/news/renewed-commitment-for-freedom-and-democracy.1314.html>
- ARTICLE 19 is an independent human rights organisation that works around the world to protect and promote the right to freedom of expression. It takes its name from Article 19 of the Universal Declaration of Human Rights, which guarantees free speech.