

Steering Committee on Media and Information Society (CDMSI)



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Proposal by the Internet Society for the Ministerial Conference, Belgrade, Autumn 2013

Open Internet Standards for Human Rights

An open, global and interoperable Internet as a backbone for human rights and freedom of expression

Over the years, the Internet has increasingly become a powerful force to promote and expand human rights around the world. Although the Internet's architects did not conceive the Internet as a tool for human rights activism, they infused its design with basic democratic ideals, which, additionally, have allowed the Internet to grow into a tool for the promotion of human rights. Originally designed as a network that empowers at the edges rather than the centre of its architecture, the Internet is undeniably a democratic and rights fostering platform.

However, the Internet would not be what it is today without its **open and interoperable standards**, which provide the backbone for human rights and freedom of expression online.

Internet standards are key to ensuring that the Internet remains a “network of networks”, interoperable and universally accessible. In other words, they are necessary to foster individuals’ ability to communicate and exchange information and knowledge across frontiers. The Internet holds the potential to reduce barriers among individuals and to facilitate the exercise of a wide range of human rights, including freedom of expression, freedom of association, or access to knowledge.

Without global and interoperable standards, there is a high risk we would have a set of fragmented and incompatible “Internets”, isolated and unable to communicate among each other. Such a scenario would completely undermine the value of the network and its enabling power for the ability “*to receive and impart information and ideas without interference by public authority and regardless of frontiers*” (art. 10 ECHR).

But in order to meet its true potential for freedom of expression, the Internet must be sustained by a development model of Internet standards that is **OPEN**, enabling standards without borders and driving innovation for the benefit of humanity.

Why is it so essential that this model remains Open?

Internet standards are the language of the Internet. Like other languages, they should not be owned, but be freely used by anybody. Anyone should be able to contribute to their evolution.

Indeed, the development of these standards is based on processes, which are completely open and transparent. Bodies like the Internet Engineering Task Force (IETF) require no formal

membership or stakeholder affiliation - anybody has the opportunity to contribute to the development and evolution of the key protocols that enable information and ideas to be broken down into bits and packets, and transmitted from one side of the world to the other.

This model is quite unique in the realm of communication technologies, and it is a perfect fit to the nature of the Internet itself, a fast evolving technology requiring flexible and pragmatic solutions, from the bottom-up.

An example of this emerging model can be found under the **Modern Paradigm for Standards Development**,¹ a movement that gathers five key organizations involved in developing Internet standards - IEEE, IETF, IAB, Internet Society and the World Wide Web Consortium (W3C) – around core principles including commitment to openness, cooperation, transparency or consensus.

Importantly, this open Internet standards model means that compared to any other medium, it is ultimately the users that define what the Internet is and what it will become.

From its very early days, the Internet has evolved through empowered users and community, and its very success depends on this democratic trait. The open standards model is one of the key factors as part of the multistakeholder Internet; no one party dominates or guides standards development, it is rather fed on the input from many parties towards the most effective outcome possible.

The adoption of open standards is also voluntary, which means that no standard is imposed: only those standards that are considered useful are implemented. This again reflects the grassroots and bottom-up nature of this model, which aims to be as close as possible to the community's needs and aspirations.

Eventually, this open approach to standards development has been absolutely instrumental in fueling economic and social transformation, touching billions of lives across the globe.

Why is the Council of Europe' support to this model so important?

The Internet technical community, in particular standards development organisations, is strongly committed to develop the building blocks that underpin the Internet as a platform for human progress, innovation, and the freedom to share information and ideas across frontiers.

The open standards model is, however, not a given, and requires support from all stakeholder groups. Specifically, governments can act as unique players in making sure that the Open Standards Paradigm is promoted alongside other technical standards related to the Internet. This will allow the Internet standards to become part of wider governmental considerations related to their commitment to and their participation in multistakeholder Internet governance discussions.

To this end, the recognition from Council of Europe member states would be extremely valuable in light of the close nexus between the open standards model and the ability to exercise a wide range of human rights in the online environment.

¹ <http://open-stand.org/>

The Council of Europe plays a key role in setting those social standards that ensure citizens' fundamental rights are respected, both offline and online.

An explicit support by the Council of Europe to the existing open model of Internet standards development would contribute to wider awareness and recognition among policy makers on the value of this essential framework for people's ability to exercise their freedom of expression and associated rights in the online environment.

Suggestions for the Serbia Ministerial

1. Suggested edits on Ministerial political declaration

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Resolution 1 on Internet freedom:

In light of the above document, we respectfully suggest it might be more relevant to refer to the Internet's open "architecture" rather than "infrastructure" in the fifth paragraph, and to add a reference to the value of open standards development processes:

We acknowledge that freedom on the Internet includes preserving the Internet's open infrastructure architecture [add: supported and enhanced by open standards development processes], and promoting innovation in the bottom up, decentralised multi-stakeholder manner which has proved so successful for the rapid evolution and spread of access to the Internet and its associated technologies and applications.

2. Organisation of a session at the Ministerial

We suggest it would be valuable for the Ministerial to address and discuss the meaning and value of open Internet standards development for human rights and freedom of expression. A discussion on the relationship between the open Internet architecture and the ability of users to exercise a wide range of human rights online would be timely and would provide an opportunity to engage with the Internet technical community on these important issues.