



December 2021

# FOC 10<sup>th</sup> Anniversary Helsinki Declaration - Towards a Rules-based, Democratic and Digitally Inclusive World

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## Preamble

We, the Foreign Ministers of the Freedom Online Coalition (FOC) Member States, strongly reaffirm our commitment to protect and promote human rights for all, both online and offline, as set out in the Universal Declaration of Human Rights and other human rights instruments. Today, the FOC's mission to promote Internet freedom and protect human rights online is more vital than ever. Access to free<sup>1</sup>, open, interoperable, secure, and reliable Internet by all worldwide strengthens democracies and security.

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The FOC was established in 2011 in response to the growing recognition of the importance of the Internet for the enjoyment of human rights. Since then the number of Internet users has exploded and revolutionised the way societies function. This digital revolution has generated new possibilities for democratic engagement, including through the free flow of information and interaction between people.

Yet, a significant part of the world's population remains offline or unable to participate meaningfully online. Internet connectivity has become an essential means to access services, participate in society and exercise human rights and fundamental freedoms. The Internet is vital for social and economic development, especially in developing countries where they play a critical role in the achievement of the Sustainable Development Goals.

Democracy and human rights in the digital age hinge on meaningful access to and use of digital technologies for all. This requires not only connectivity, but also digital and media literacy and an online environment conducive to inclusive and open civic participation. A lack of digital inclusion and accessibility of digital solutions prevents people, especially women and persons or groups in a vulnerable situation such as children, persons with disabilities and older persons, from fully realising their human rights and the potential and benefits provided by the use of Internet and digital technologies. We, the Members of the FOC, promote human-rights based and inclusive digitalisation and equal access to and use of the Internet.

New and emerging digital technologies can work as enablers of rights and freedoms, but without appropriate safeguards, they may seriously threaten the realisation of human rights. We unequivocally condemn the use of digital technologies for repressive and authoritarian purposes, through actions such as Internet shutdowns and network disruptions inconsistent with international human rights law as well as arbitrary or unlawful surveillance and censorship. We recognise the indispensable nature of the

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<sup>1</sup> "Free" in this context does not mean "free of cost".

Internet for inclusive, thriving and open societies, including human rights defenders and journalists who are on the front lines defending democratic values.

The spread of disinformation online has the potential to polarise societies and erode trust in democracy. Online hate speech and violence threatens efforts to build inclusive and pluralistic societies and to achieve gender equality. In some cases hate speech may incite acts of discrimination, intolerance and violence. We will foster multi-stakeholder cooperation to address both hate speech, and disinformation in a manner that respects human rights, democracy and the rule of law.

Digital technologies, including artificial intelligence, offer new means and inclusive solutions for providing public and private services. Yet, in some parts of the world, the application of digital technologies that involve facial recognition and massive collection of personal data have been used for political repression and economic exploitation. State and non-state actors should immediately cease actions incompatible with international human rights. We encourage the private sector to promote and increase non-discrimination, transparency, traceability, and accountability in the design, development, procurement, dissemination and use of digital technologies, with appropriate protections for intellectual property.

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On the 10<sup>th</sup> Anniversary of the FOC, we commit to mobilising effectively and gaining momentum in promoting a rules-based, democratic and inclusive world where the use of the Internet and digital technologies reinforces human rights, democracy, and the rule of law.

We renew our commitment to human rights and the rule of law worldwide and seek to champion norms as well as ethical frameworks and standards around the Internet and digital technologies.

We will redouble our efforts in working together for free, open, interoperable, secure, and reliable Internet worldwide through the following actions:

1. *Strengthening* the FOC's leadership in promoting respect for and protection and enjoyment of all human rights including the freedom of opinion and expression, the freedom of association and peaceful assembly, and right to be free from arbitrary or unlawful interference with privacy without any discrimination both offline and online;
2. *Promoting* at the UN and other international fora initiatives and partnerships for achieving universal access to the Internet by 2030;
3. *Taking* action in speaking out against and countering Internet shutdowns, network disruptions and censorship that are inconsistent with international human rights law;
4. *Addressing* disinformation and other harmful content online and ensuring that any measures are in accordance with international law, including international human rights law;
5. *Promoting* vibrant civil society, supporting human rights defenders and combating online violations that shrink civic space, such as arbitrary or unlawful surveillance practices;
6. *Promoting* a human-rights based approach in the design, development, deployment, dissemination, evaluation and regulation of digital technologies;
7. *Promoting* policies, initiatives, education and research that support digital inclusion and public participation with special attention to the empowerment of women and persons or groups in a vulnerable situation such as children, persons with disabilities and older persons;

8. *Encouraging* and *engaging* in dialogue and cooperation with the private sector on the effective implementation of the UN Guiding Principles on Business and Human Rights;

9. *Supporting* and *strengthening* meaningful engagement and cooperation of all stakeholders, including governments, industry, media, civil society and academia, in Internet governance and digitalisation;

10. *Fostering* dialogue to promote a free, open, interoperable, secure and reliable Internet and a human-rights based approach in digitalisation with non-FOC member states.

We will carry out these commitments by enhancing the FOC's advocacy and ability to raise and react to human rights questions in real time. We will strengthen the FOC's diplomatic coordination and proactive engagement in the UN human rights fora and other international and regional fora, and we will continue to work closely with the FOC Advisory Network.

We call upon governments and all stakeholders to join in enacting this Declaration.

## Freedom Online Coalition Background

The FOC is a multilateral coalition of 34 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, the private sector, and other Internet stakeholders to support the ability of individuals to exercise their human rights and fundamental freedoms online. The FOC invites all states that support an open and interoperable Internet to apply to join the FOC.

The mission and vision of the FOC are founded upon the notion that the same rights that people have offline must also be protected online; a pioneering notion originally outlined in the founding FOC Hague Declaration, reaffirmed in the Nairobi Terms of Reference, Tallinn Agenda and San José Statement, and further confirmed in UN Human Rights Council resolutions 20/8, 26/13, 28/16 and 32/13, adopted July 5, 2012, June 26, 2014, March 26, 2015, and July 1, 2016, respectively, as well as resolutions 68/167, 69/166 and 71/199 adopted by consensus by the UN General Assembly respectively on December 18, 2013, December 18, 2014, and December 19, 2016.

The FOC seeks to identify best practices regarding the application of human rights obligations and commitments 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 their human rights online in Internet repressive environments. More information on the Digital Defenders Partnership is available at: <http://www.digitaldefenders.org/>.

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