

	INTERNATIONAL ORGANIZATIONS		
ISSUE/NAME	(OECD) COMMUNIQUÉ ON PRINCIPLES FOR INTERNET POLICY-MAKING	(UN Human Rights Council) The promotion, protection and enjoyment of human rights on the Internet	(UN, OAS, OSCE, ACHPR Freedom of Expression Rapporteurs) Joint Declaration concerning the Internet
URL	http://www.oecd.org/internet/innovation/48289796.pdf	http://daccess-dds-ny.un.org/doc/UNDOC/LTD/G12/147/10/PDF/G1214710.pdf?OpenElement	http://www.oas.org/en/iachr/expression/showarticle.asp?artiD=848&IID=1
(principles of procedure)			
Compliance to international standards/Declarations			
General Accordance with other rights/declarations	n/a	Affirms that the same rights that people have offline must also be protected online, in particular freedom of expression, which is applicable regardless of frontiers and through any media of one's choice, in accordance with articles 19 of the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights	n/a
Governance structure			
Multistakeholder governance	<p>[Encourage multi-stakeholder co-operation in policy development processes]</p> <p>The Internet's complexity, global reach, and constant evolution require timely, scalable, and innovation-enabling policies. Due to the rapidly changing technological, economic and social environment within which new policy challenges emerge, multi-stakeholder processes have been shown to provide the flexibility and global scalability required to address Internet policy challenges. These multi-stakeholder processes should involve the participation of all interested stakeholders and occur in a transparent manner. In particular, continued support is needed for the multi-stakeholder environment, which has underpinned the process of Internet governance and the management of critical Internet resources (such as naming and numbering resources) and these various stakeholders should continue to fully play a role in this framework. Governments should also work in multi-stakeholder environments to achieve international public policy goals and strengthen international co-operation in Internet governance.</p>	n/a	n/a
democracy and the rule of law	n/a	n/a	n/a
Decentralization	n/a	n/a	n/a
Transparency/Transparency governance	<p>[Ensure transparency, fair process, and accountability] In order to build public trust in the Internet environment, policy-making processes and substantive policies that ensure transparency, fair process, and accountability should be encouraged. Transparency ensures that Internet users have timely, accessible, and actionable information that is relevant to their rights and interests. Fair process provides predictable decision-making procedures to govern the definition, assertion, and defence of rights. Accountability is achieved through policies that make parties answerable, where appropriate, for their actions on the Internet.</p>	n/a	n/a

Code of Conduct/Best Practices of a sector	[Foster voluntarily developed codes of conduct] Governments may be able to achieve certain policy goals through flexible, adaptive means by encouraging, facilitating and supporting the development of codes of conduct that are supported by effective accountability mechanisms. These codes would be developed by voluntary participants in a multi-stakeholder process and, if appropriate, enforceable under appropriate governmental authority. Such codes of conduct should encourage and facilitate voluntary cooperative efforts by the private sector to respect the freedoms of expression, association and assembly online, and to address illegal activity, including fraudulent, malicious, misleading and unfair practices taking place over the Internet. Such co-operative efforts should be balanced and consistent with the applicable legal framework and where those co-operative efforts are not forthcoming, other policy options consistent with these principles should be considered in consultation with relevant stakeholders.	n/a	n/a
Instrument Enforcement			
Enforcement	[Give appropriate priority to enforcement efforts] Encouraging investment and innovation in the Internet marketplace requires clearly defined legal rights and a robust and fair process to protect those rights, including users' rights, consistent with the need of governments to enforce applicable law. It is important in this regard that governments, industry and civil society work together to foster respect for the law and protect fundamental rights. Sufficient government enforcement resources and industry co-operation should also be available to ensure that Internet-based activities comply with law. Current legislative and regulatory provisions could be reviewed to ensure that they can be effectively enforced and are consistent with fundamental rights. Finally, co-operation on cross-border investigations and enforcement actions should be improved.	Encourages the special procedures to take these issues into account within their existing mandates, as applicable Decides to continue its consideration of the promotion, protection and enjoyment of human rights, including the right to freedom of expression, on the Internet and in other technologies, as well as of how the Internet can be an important tool for development and for exercising human rights, in accordance with its programme of work	n/a
(principles of subject matter)			
General			
[Hardware]			
Internet Accessibility			

Access to internet	n/a	<p>Calls upon all States to promote and facilitate access to the Internet and international cooperation aimed at the development of media and information and communications facilities in all countries</p>	<p>[6. Access to the Internet]</p> <p>a. Giving effect to the right to freedom of expression imposes an obligation on States to promote universal access to the Internet. Access to the Internet is also necessary to promote respect for other rights, such as the rights to education, health care and work, the right to assembly and association, and the right to free elections.</p> <p>b. Cutting off access to the Internet, or parts of the Internet, for whole populations or segments of the public (shutting down the Internet) can never be justified, including on public order or national security grounds. The same applies to slow-downs imposed on the Internet or parts of the Internet.</p> <p>c. Denying individuals the right to access the Internet as a punishment is an extreme measure, which could be justified only where less restrictive measures are not available and where ordered by a court, taking into account the impact of this measure on the enjoyment of human rights.</p> <p>d. Other measures which limit access to the Internet, such as imposing registration or other requirements on service providers, are not legitimate unless they conform to the test for restrictions on freedom of expression under international law.</p> <p>e. States are under a positive obligation to facilitate universal access to the Internet. At a minimum, States should:</p> <p>i. Put in place regulatory mechanisms – which could include pricing regimes, universal service requirements and licensing agreements – that foster greater access to the Internet, including for the poor and in 'last mile' rural areas.</p> <p>ii. Provide direct support to facilitate access, including by establishing community-based ICT centres and other public access points.</p> <p>iii. Promote adequate awareness about both how to use the Internet and the benefits it can bring, especially among the poor, children and the elderly, and isolated rural populations.</p> <p>iv. Put in place special measures to ensure equitable access to the Internet for the disabled and for disadvantaged persons.</p> <p>f. To implement the above, States should adopt detailed multi-year action plans for increasing access to the Internet which include clear and specific targets, as well as standards of transparency, public reporting and monitoring systems.</p>
Universality of the Internet	n/a	n/a	n/a
Broadband development	<p>[Promote investment and competition in high speed networks and services]</p> <p>High speed networks and services are essential for future economic growth, job creation, greater competitiveness and for people to enjoy a better life. Public policies should promote robust competition in the provision of high speed broadband Internet that is available to users at affordable prices and promote investment also to attain the greatest geographic coverage of broadband Internet.</p> <p>(sentence 2 moved to competition, sentence 3 to diversity)</p>	n/a	n/a
Net reliability	n/a	n/a	n/a

Open standards	[Promote the open, distributed and interconnected nature of the Internet] As a decentralised network of networks, the Internet has achieved global interconnection without the development of any international regulatory regime. The development of such a formal regulatory regime could risk undermining its growth. The Internet's openness to new devices, applications and services has played an important role in its success in fostering innovation, creativity and economic growth. This openness stems from the continuously evolving interaction and independence among the Internet's various technical components, enabling collaboration and innovation while continuing to operate independently from one another. This independence permits policy and regulatory changes in some components without requiring changes in others or impacting on innovation and collaboration. The Internet's openness also stems from globally accepted, consensus driven technical standards that support global product markets and communications. The roles, openness, and competencies of the global multi-stakeholder institutions that govern standards for different layers of Internet components should be recognised and their contribution should be sought on the different technical elements of public policy objectives. Maintaining technology neutrality and appropriate quality for all Internet services is also important to ensure an open and dynamic Internet environment. Provision of open Internet access services is critical for the Internet economy.	Recognizes the global and open nature of the Internet as a driving force in accelerating progress towards development in its various forms	n/a
Interoperability	n/a	n/a	n/a
Net Neutrality	n/a	n/a	[5. Network Neutrality] a. There should be no discrimination in the treatment of Internet data and traffic, based on the device, content, author, origin and/or destination of the content, service or application. b. Internet intermediaries should be required to be transparent about any traffic or information management practices they employ, and relevant information on such practices should be made available in a form that is accessible to all stakeholders.
[content]			
fundamental rights			
Access to knowledge (IP etc)	n/a	n/a	n/a
Right to dignity	n/a	n/a	n/a
family autonomy	n/a	n/a	n/a
Education	n/a	n/a	n/a
Duties and Responsibilities	n/a	n/a	n/a
participation			
right to participation	n/a	n/a	n/a
right to association	n/a	n/a	n/a
user empowerment			
user awareness	n/a	n/a	n/a

media/digital literacy	n/a	n/a	[1. General Principles] f. Awareness raising and educational efforts to promote the ability of everyone to engage in autonomous, self-driven and responsible use of the Internet should be fostered ('Internet literacy').
freedom of expression			
Freedom of expression	n/a	n/a	[1. General Principles] a. Freedom of expression applies to the Internet, as it does to all means of communication. Restrictions on freedom of expression on the Internet are only acceptable if they comply with established international standards, including that they are provided for by law, and that they are necessary to protect an interest which is recognised under international law (the 'three-part' test). b. When assessing the proportionality of a restriction on freedom of expression on the Internet, the impact of that restriction on the ability of the Internet to deliver positive freedom of expression outcomes must be weighed against its benefits in terms of protecting other interests. c. Approaches to regulation developed for other means of communication – such as telephony or broadcasting – cannot simply be transferred to the Internet but, rather, need to be specifically designed for it. d. Greater attention should be given to developing alternative, tailored approaches, which are adapted to the unique characteristics of the Internet, for responding to illegal content, while recognising that no special content restrictions should be established for material disseminated over the Internet. e. Self-regulation can be an effective tool in redressing harmful speech, and should be promoted. (f. moved to Internet literacy) [3. Filtering and Blocking] a. Mandatory blocking of entire websites, IP addresses, ports, network protocols or types of uses (such as social networking) is an extreme measure – analogous to banning a newspaper or broadcaster – which can only be justified in accordance with international standards, for example where necessary to protect children against sexual abuse. b. Content filtering systems which are imposed by a government or commercial service provider and which are not end-user controlled are a form of prior censorship and are not justifiable as a restriction on freedom of expression. c. Products designed to facilitate end-user filtering should be required to be accompanied by clear information to end-users about how they work and their potential pitfalls in terms of over-inclusive filtering.
Freedom of (religious) belief	n/a	n/a	n/a
censorship		n/a	
Privacy			

Privacy	[Strengthen consistency and effectiveness in privacy protection at a global level] Strong privacy protection is critical to ensuring that the Internet fulfils its social and economic potential. Current privacy challenges are likely to become more acute as the economy and society depends more heavily on broadened and innovative uses of personal information that can be more easily gathered, stored, and analysed. (sentence3 moved to individual control) Privacy rules should be based on globally recognised principles, such as the OECD privacy guidelines, and governments should work to achieve global interoperability by extending mutual recognition of laws that achieve the same objectives. Cross-border enforcement co-operation will further protect privacy and promote innovation. Privacy rules should also consider the fundamental rights of others in society including rights to freedom of speech, freedom of the press, and an open and transparent government.	n/a	n/a
Data Protection	n/a	n/a	n/a
Individual Control over personal data	[Maximise individual empowerment] The Internet offers potential for individuals to exercise control over the information that they receive as well as the personal data that is disclosed about them. To maximise this potential governments, the private-sector, the Internet technical community and civil society should all work together to provide the capacity for appropriate and effective individual control over the receipt of information and disclosure of personal data, which should include user education and digital literacy initiatives. [Strengthen consistency and effectiveness in privacy protection at a global level] (sentence3) As individuals increasingly engage via the Internet in their public and private lives, they should be empowered to better understand how their personal data may be used, exercise greater control over those uses, and be confident that it will be handled fairly.	n/a	n/a
Surveillance	n/a	n/a	n/a
development			
Development (social and economic)	n/a	n/a	n/a
Green ICT	n/a	n/a	n/a
Workplace access to the Internet	n/a	n/a	n/a
economic growth			

Innovation	<p>[Promote Creativity and Innovation]</p> <p>Numerous factors account for the extraordinary creativity and innovation found on the Internet, including intellectual property protection for creative endeavours and low barriers to entry which have enabled creation and deployment of new technologies, products and services. The Seoul Declaration of the OECD on the Future of the Internet Economy highlighted some of these factors including an open environment that supports the free flow of information, research, innovation, entrepreneurship, the wide accessibility to public sector information and content, the encouragement of basic and applied research on the Internet and of collaborative knowledge and innovation networks involving universities, governments, and public research. Low barriers to entry enabled by the open platform nature of the Internet environment have been crucial to online creativity and innovation. Policies and practices should continue to encourage and promote an Internet environment which is conducive to launching creative and innovative technologies, businesses, and other endeavours that respect recognised legal rights without having to obtain permission or affirmative co-operation from established service providers. Intellectual property protection is a fundamental tool for the advancement of innovation and creativity on the Internet. New and complementary approaches balanced to ensure effective protection of intellectual property should also be encouraged where necessary, and should also ensure protection of legitimate competition and fundamental principles such as freedom of expression, access to lawful content and Internet services and technologies, fair process, and privacy. Sound Internet policy should encompass norms of responsibility that enable private sector voluntary co-operation for the protection of intellectual property. Appropriate measures include lawful steps to address and deter infringement, and accord full respect to user and stakeholder rights and fair process. In keeping with the multi-stakeholder processes set out in this document, all parties have a role to play, including individuals, providers, intermediaries, and judicial authorities.</p>	n/a	n/a
competition	<p>[Promote investment and competition in high speed networks and services]</p> <p>(sentence2 from Broadband) They should also promote an optimal level of investment by creating demand for high speed broadband networks and services, in particularly in areas where governments play a key role such as in education, health, energy distribution and transport.</p>	n/a	n/a
E-commerce	n/a	n/a	n/a
Consumer Protection	n/a	n/a	n/a
individual economic growth			
Property right	n/a	n/a	n/a
Right to contract	n/a	n/a	n/a
diversity			

(expression of) Cultural and linguistic diversity	[Promote investment and competition in high speed networks and services] (sentence3 from Broadband) Public policies should help foster a diversity of content, platforms, applications, online services, and other user communication tools that will create demand for networks and services, as well as to allow users to fully benefit from those networks and services and to access a diversity of content, on nondiscriminatory terms, including the cultural and linguistic content of their choice.	n/a	n/a
Non-discrimination (underrepresented people)	n/a	n/a	n/a
minorities			
Disabled People	n/a	n/a	n/a
children			
Protecting Children	n/a	n/a	n/a
security			
security of means	[Encourage co-operation to promote Internet security] Policies to address security threats and reduce vulnerabilities are important to the continued vitality of the Internet. The implementation of internationally recognised, market-driven security standards and best practices to promote online security should be encouraged. In addition, breakthrough R&D on novel security systems capable of dealing with the high complexity of ICT networks, information systems and applications should be encouraged. Policies to enhance online security should not disrupt the framework conditions that enable the Internet to operate as a global open platform for innovation, economic growth, and social progress and should not be used as pretence for protectionism. Policies should also aim to enhance individual and collective efforts for selfprotection and promote trust and confidence. Their consistency with, and potential impact on, other economic and social dimensions of the Internet should be carefully assessed through a multistakeholder process prior to adoption and implementation.	n/a	n/a
security of access	n/a	n/a	n/a
security of persons	n/a	n/a	n/a
role of gov			
Government's non-interference	n/a	n/a	n/a
E-government	n/a	n/a	n/a
Social Services	n/a	n/a	n/a

Public Data (in the context of EU)	(Develop capacities to bring publicly available, reliable data into the policy-making process) // Publicly available data can increase the quality of all stakeholders' participation in Internet policymaking as well as governments' ultimate policy decisions. The collection, validation and public dissemination of objective data to inform Internet policy decisions should be reinforced and used to augment the combined research capacities of governments, other competent authorities and other stakeholders. International comparable metrics will help to quantify the ongoing economic developments and assess the proportionality and effectiveness of any policy solutions created in multi-stakeholder processes. Data gathering should be undertaken so as to avoid administrative burdens and data analysis should be done carefully to enable sound policymaking.	n/a	n/a
role of companies			
responsibility of companies	n/a	n/a	n/a
Internet Intermediary	[Limit Internet intermediary liability] Appropriate limitations of liability for Internet intermediaries have, and continue to play, a fundamental role, in particular with regard to third party content. Internet intermediaries, like other stakeholders, can and do play an important role by addressing and deterring illegal activity, fraud and misleading and unfair practices conducted over their networks and services as well as advancing economic growth. Limitations play an important role in promoting innovation and creativity, the free flow of information, and in providing the incentives for co-operation between stakeholders. Within this context governments may choose to convene stakeholders in a transparent, multi-stakeholder process to identify the appropriate circumstances under which Internet intermediaries could take steps to educate users, assist rights holders in enforcing their rights or reduce illegal content, while minimising burdens on intermediaries and ensuring legal certainty for them, respecting fair process, and more generally employing the principles identified in this document. In achieving these current objectives the social and economic costs and benefits, including impacts on Internet access, use, security and development of the policy options should be assessed as part of their development process as should also be their compatibility with the protection of all relevant fundamental rights and freedoms and their proportionality in view of the seriousness of the concerns at stake.	n/a	[2. Intermediary Liability] a. No one who simply provides technical Internet services such as providing access, or searching for, or transmission or caching of information, should be liable for content generated by others, which is disseminated using those services, as long as they do not specifically intervene in that content or refuse to obey a court order to remove that content, where they have the capacity to do so ('mere conduit principle'). b. Consideration should be given to insulating fully other intermediaries, including those mentioned in the preamble, from liability for content generated by others under the same conditions as in paragraph 2(a). At a minimum, intermediaries should not be required to monitor user-generated content and should not be subject to extrajudicial content takedown rules which fail to provide sufficient protection for freedom of expression (which is the case with many of the 'notice and takedown' rules currently being applied).
Independence of Media companies	n/a	n/a	n/a
[Software]			
data			
data processing transparency	n/a	n/a	n/a
cross-border flow			

