



**EUROPEAN COMMISSION**

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**Freedom of expression as the foundation of democracy.**

Check Against Delivery  
Seul le texte prononcé fait foi  
Es gilt das gesprochene Wort

***"Internet, the frontline of freedom" lecture***

Humboldt University, Berlin, 21 January 2013

It's a pleasure to speak to you today. I want to talk about freedom of expression, online and offline. And how the Internet matters to defend and to secure this human right. Inside and outside the EU.

In many ways, the Internet is the frontline of freedom. There are so many illustrations of that.

Last year in Pakistan we saw one brave girl, Malala Yousafzai, who stood up to the Taliban. She exposed their tyranny, challenged their authority, and put fear into their hearts. And what weapon was she using? A blog.

She was a 14 year-old girl, armed only with the Internet. She terrified the Taliban so much they tried to murder her. But they failed: they won't silence her, and they won't silence her message.

Meanwhile, in Syria, we continue to see a protracted struggle against the Assad regime: and a violent response. But the world is much more aware, thanks to the Internet. You can't deny atrocities when they are on YouTube. Not credibly, anyway.

But, also in Europe, we've seen restrictions on media outlets and government interference in the work of journalists. On a very different scale than for example in Syria, but these restrictions can weaken our democratic foundations.

You might recall the Greek journalist put on trial for publishing a list of alleged tax fraudsters.

But, fortunately, online channels also give bloggers and journalists a new voice for self-expression; a new platform to carry out their essential democratic role; a new way to examine and challenge the actions of those in power.

Clearly, the online world matters. And this year we've seen how much it matters to our people: especially the younger generation. We saw their profound passion when they protested about ACTA. They see the Internet as a theatre of freedom, a vital arena to assert their right to express themselves. Many of us are deeply concerned by any perceived threats to that openness.

I want to make three points about freedom of expression online and offline. And then talk about what we're doing for it, now and in the future.

My first point: **freedom needs security**.

Some people see these two concepts as opposed. I say: far from it. Freedom depends on security. Indeed the European Convention on Human Rights guarantees, in the same breath, the "right to liberty and security of person".

I know that "security" is sometimes used as a spurious excuse for curbing freedom, in ways that are illiberal or draconian. That is regrettable; it should be challenged. But that doesn't change the fact that you are not free unless you are secure. For example: it's no good having the right to state your opinion "freely", if you are afterwards imprisoned for it. As one person put it to me in Azerbaijan recently, we need not just freedom of speech, but freedom after speech.

And likewise, you are not "free" online, if you risk being the victim of spying, hacking or cyber-attack.

That is why we are publishing a European strategy on cyber security very soon. A strategy to support freedom, and keep the online world a secure place to exercise it.

Similarly, remember our rights can also be restricted offline. Including the right to self-expression. We need an honest discussion about preventing undue government interference in those rights: are we doing enough?

My second point: **the Internet is not a parallel universe with different rights, responsibilities and rules. The online world is part of our world.**

Yes, by nature the Internet is multi-jurisdictional and cross-border: different characteristics to the "real" world, presenting different challenges.

But online freedoms are precious: not because they are online, but because they are a kind of freedom. Online and off, that's something to treasure; online and off, the same principles and objectives apply.

Nor, in practice, does having the rules for a free and open Internet magically guarantee freedom. It needs the right supporting environment, too; reliability and trust.

Online freedom should not be an end in itself, but it is crucial to protect a democratic society. Malala wasn't campaigning for Internet freedom; nor are the Syrian opposition. She was campaigning for the right to women's education; they are struggling for the end of a brutal regime.

Yet the Internet is helping those different campaigns. It makes them easier to pursue, the message better heard, the objective more likely to be achieved. And that will continue to happen whenever there is access to an open Internet. Because this is another tool for positive change. Another platform for new, diverse, democratic voices. A powerful instrument, and one worth protecting.

The third point I'd like to make today is that, **when it comes to fundamental rights, digital tools can cut both ways.**

Rights support each other. Freedom of expression flourishes only if privacy is also protected. And it's no good if you boost one freedom while diminishing another.

For example, we see repressive governments using digital tools to spy on citizens, like in Syria. We should ensure activists are aware of these risks, and have the tools to avoid them. And all without damaging the open, innovative character of the Internet.

Meanwhile, in Saudi Arabia, the Government seems to be using ICT to track women, so that, when women leave the country, their fathers or husbands receive an automatic text message to warn them. It's as though women, adult women, were little more than property.

In Europe, fortunately, the problems are of a different nature. But many Europeans still have legitimate concerns about privacy and safety - offline and online. These are concerns we need to address, to protect human rights, and boost confidence in the online world.

The EU should play a strong role in all these areas. For one thing, because online information spreads easily across borders. But the EU can only be credible in the international arena if we practise what we preach: defending and ensuring freedom of expression also within Europe.

Take the media sector for example: most media outlets grew up on national lines. But if you have a website - and most do - you aren't limited, you can freely cross borders, within and beyond the single market. Then media restrictions and self-censorship in one Member State have a direct negative impact across the whole EU.

What's more, in our interactions with third countries, we have powerful levers, like trade. Sometimes, the products we trade in with third countries support online freedom – and sometimes they diminish it. We must recognise that.

But, most importantly, the EU has a role because we are more than a single market. We are a place of common values and fundamental rights. When those values are threatened, people turn to the EU and expect us to act: for example, in the case of Hungary. In late 2010, Hungary introduced a new media law. Certain parts were incompatible with substantive European law: either our legislation on audiovisual media services, or our Treaty rules on freedom to provide services. Not least because rules about registration and balanced reporting could have imposed heavy obligations on all kinds of online content, from online forums to personal blogs. So I pushed for, and achieved, changes to those proposed rules.

But that was not enough. We still have concerns that this law is not fully compatible with European norms – the Hungarian government has thus far been unwilling to fulfil these norms, as identified by the Council of Europe Secretary General Thorbjorn Jagland and his experts.

Clearly there are high public expectations about the EU's ability to act. But we can only enforce fundamental rights in areas subject to EU law. So we need to think seriously about whether the EU has sufficient powers in this area to protect our values. And we will do that better, more effectively, more coherently, if we work together.

So how are dealing with these issues? How does the EU ensure coherence in the defence of its values offline and online, inside and outside Europe?

We have to start with ourselves. In 2011 I concluded that we need a debate on principles, so I convened a group of four wise people, a High-Level Group on media freedom and pluralism in Europe, chaired by former Latvian President Vaira Vike-Freiberga. I asked them to assess the risks in Europe, and to recommend concrete ideas for action.

Today I received their public report with 30 recommendations. It provides exactly what I was looking for: wide-ranging ideas addressed to the Member States, the media itself and to the Commission. For example, to enshrine protection of journalistic sources by legislation in all Member States. For media organisations to establish & publish codes of conduct. Or to raise journalistic freedom in all international fora where human rights are discussed. We also need to discuss the distribution of competences in Europe.

Looking at my portfolio, ensuring the independence of regulators across the Member States and their cooperation will be high on my agenda.

The recommendations in this report are an important basis for the tough and principled discussion we urgently need in the EU. It starts today. I want your reactions: how do we protect freedom of expression in Europe?

I am determined to ensure a free and pluralistic media sector within the EU. As a backbone of our democracy and fundamental rights, and taking advantage of all the opportunities of the digital age.

Let's look beyond Europe.

In Egypt alone, the EU has committed several billion euros for democratisation. In his recent visit to Cairo, Herman Van Rompuy made clear that freedom of expression and freedom of religion are essential for that.

Already one year ago, I announced how the European Commission would make the Internet and ICTs a force for freedom in non-democratic countries. I called it our "No-Disconnect" strategy: because those who struggle for democracy should have the tools to stay connected, and avoid surveillance.

And I set out four areas to focus on: 1) developing technologies, 2) training and awareness, 3) improving our understanding of what's happening on and offline, and 4) boosting cooperation with industry, EU Member States and third countries.

What have we done since then?

For a start, we recognise that, these days, securing human rights means fighting cyber-censorship. So, within the European Instrument for Democracy and Human Rights, last year alone, we have set aside 3 million euros for that purpose. Already, at least one of those EU-funded projects is up and running: the *Reporters without Borders* website "We Fight Censorship". And other projects could start early next year.

In addition, many NGOs are out there on the ground developing tools to get around censorship or combat invasions of privacy. But they need to test those tools thoroughly for bugs. Because for activists, errors could mean the difference between success and imprisonment, or worse. So we are giving them access to the EU's large-scale Internet test-beds and mesh networks - to test these tools before it's too late.

Sometimes, as I have already noted, technological tools are used not by activists, but by the repressive regimes they struggle against. So here's another thing. Imagine if EU companies were supplying that kind of technology to tyrants.

Making human rights part of corporate social responsibility is common sense. If not for legal reasons, then for ethical or reputational ones. Imagine, say, if an EU company were found to be supplying surveillance systems to a despotic government: This is more than just an image problem, it is a major ethical problem. So we are preparing guidance on human rights, as part of the corporate social responsibility of the ICT industry.

The "No Disconnect" strategy applies to non-EU countries, those on the path to democracy. Countries within the EU, fortunately, are in a different position; a much better one. But, even if we use different tools, our actions within the EU follow exactly the same philosophy - that digital tools can and should enhance freedom and democracy.

Doing all these things, within the EU and beyond, is not easy. It means working together in new ways. It means close cooperation and honest debate with Member States and foreign governments. And indeed with all people of goodwill, NGOs, campaigners and industry.

But it's worth it. In the EU, fundamental rights, freedom, and security are not just our brand, they're our beacon to the world. I want that beacon to shine for people within the EU, and to enlighten and inspire those beyond.

As the world goes online, as every citizen goes digital, we need freedom to go digital too.