

Freedom of Expression =
Privacy + Anonymity?

Internet Governance Forum

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Introduction

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The OSCE...

- ...is not the Organization for Economic Co-operation and Development in Europe (OECD).
- ...is certainly not the Organization for Spreading Confusion in Europe.

The OSCE...

- ... is the Organization for Security and Co-operation in Europe.
- ...is including 56 States between Vancouver and Vladivostok.
- ...has its roots in the Conference for Security and Co-operation in Europe (CSCE) and the Helsinki Final Act of 1975.

What does the OSCE do?

- Election Observation
- Border Monitoring
- Conflict Prevention
- Post Conflict Rehabilitation
- Police Training
- Human Rights Implementation
- and many more...

The Representative for Freedom of the Media...

...is one of three independent human rights institutions of the OSCE.

...was established in 1997 and is located in Vienna.

...is the inter-governmental media 'watchdog' for all 56 OSCE countries.

...is monitoring press freedom violations and is providing assistance to OSCE States in fulfilling their media freedom commitments.

Freedom of Expression

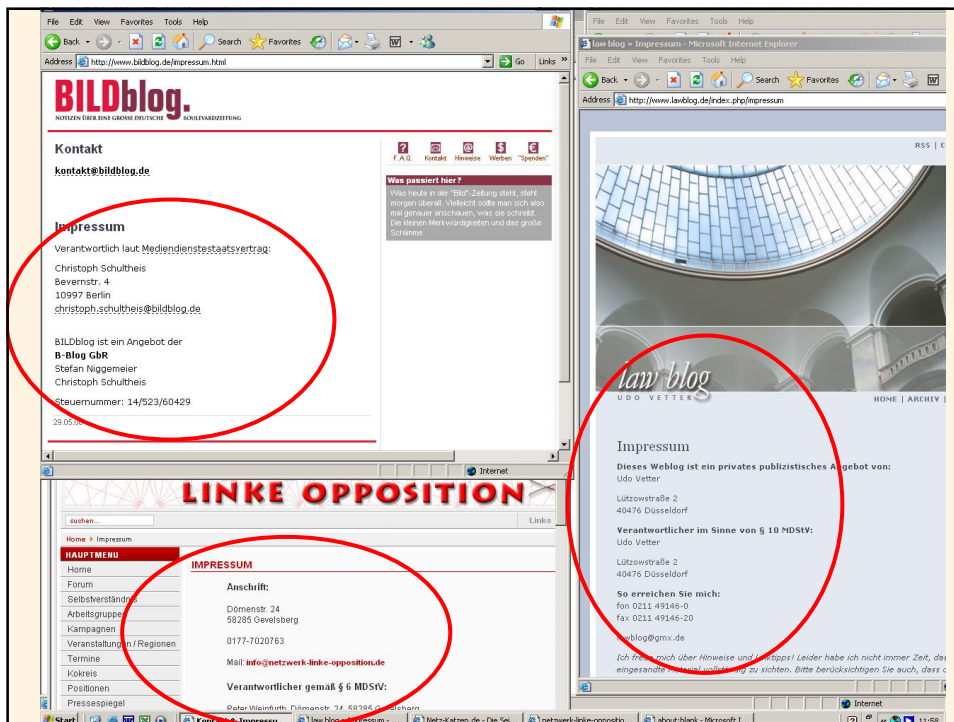
- Article 19 of the Universal Declaration of Human Rights (1948)
- Article 19 of the International Covenant on Civil and Political Rights (ICCPR, adopted 1966, entry into force 1976)
- Article 10 of the European Convention on Human Rights (ECHR, 1950)
- CSCE/OSCE principles e.g. the Helsinki Final Act (1975) as well as many national legislations

Freedom of Expression...

- ...also covers ideas that 'offend, shock or disturb the State or any sector of the population'. (ECtHR)
- ...'This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers.' (art. 10,1 ECHR)

Anonymous Speech

- Leaflets or pseudonyms in the traditional press enabled everyone to speak anonymously
- Allows opposition, dissidents and even lunatics to voice their opinion free from the fear of suppression
- China: Bloggers must register with their real names
- Germany: Websites must name the 'person responsible according to the media law'



'Receive and hold information' I

- Right of Freedom of Expression: Not only distributing information but also to receive and hold information
- Coin-operated vending machine
- News stand
- Subscription
- Internet?



'Receive and hold information' II

- On the Internet it's technically possible:
- to see when and how long you have been online,
- which news sources you (regularly) visit,
- and even which articles you read.

Freedom of Expression = Privacy + Anonymity?

- Anonymity:
The right to voice opinions –even if offending or shocking- anonymously
- Privacy:
To seek and hold opinions
- Only both in combination allows for the right of freedom of expression
- Freedom of Expression = Privacy and Anonymity



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