



KEEPING THE INTERNET
OPEN • INNOVATIVE • FREE

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ADVANCING GLOBAL INTERNET FREEDOM

CDT Recommendations for the U.S. Government
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On January 21, 2010, Secretary of State Hillary Clinton gave a landmark speech elevating global Internet freedom high on the foreign policy agenda of the United States. CDT applauds Secretary Clinton and the Obama administration for spotlighting Internet freedom at a time when authoritarian regimes are seeking ever more aggressively to control the Internet and even democratic countries are imposing restrictions in the name of addressing various social ills.

Secretary Clinton's speech should be the starting point for a broad and sustained effort by the U.S. government to keep the Internet open, innovative, and free. To implement Secretary Clinton's vision, CDT urges the U.S. government to take action in four areas:

- Internet freedom at home
- Advocacy and diplomacy
- Support for Internet activists around the world
- Corporate social responsibility

The Internet is global and so is the policy framework for Internet growth

The Internet has developed and flourished because of a policy framework based on competition, openness, innovation, and trust. That framework puts power not in the hands of centralized gatekeepers but in users and innovators at the edges of the network. It protects intermediaries such as ISPs and Web hosts from liability for content created by their users. It minimizes government interference. And this framework protects expression and privacy. Under this approach, the Internet is able to fulfill its potential as an engine of democratization, economic growth and human development.

This policy framework, however, is under threat globally. The threats to an open and free Internet do not begin and end with China. Countries all over the world are engaging in practices that limit freedom online, including some of our western and democratic allies: Australia has a very extensive filtering mandate. Italy is seeking to impose liability on YouTube and other Internet platforms for content created by others. U.S. leadership and advocacy is urgently needed worldwide.

1. Internet freedom begins at home

The U.S. must lead by example. Congress and the Administration must reject policies and practices that limit Internet freedom here at home, and policymakers must be aware

how their proposals, however well motivated, are perceived abroad. When we surveil our citizens without a warrant or talk about regulating critical infrastructure in the name of cybersecurity, we implicitly endorse the actions of regimes that do the same in an effort to exercise political control. Issues of current debate inside the U.S. that have global implications include identity management and authentication, filtering and other child protection measures, intermediary liability, standards for government surveillance, intellectual property protection, and cybersecurity (including cooperation between U.S. companies and the intelligence agencies).

2. Advocating for a policy framework that supports openness, innovation, and freedom

The U.S. government should forcefully advocate for the best aspects of our Internet policy architecture in bilateral, multi-lateral and international forums. The U.S. government should work with other nations that share our vision, to promote its acceptance worldwide and to condemn restrictive measures.

- Such policies include:
 - Restoring the balance in the debates over national security and computer security by ensuring due process and human rights receive equal and due consideration.
 - Protecting technology intermediaries against liability for content created by others to prevent their transformation into content gatekeepers.
- We support the Secretary's plan to educate Foreign Service officers on global Internet freedom issues. One goal of such training should be to equip U.S. embassies to educate and support advocates abroad who are promoting better policies in their home states.
- Just as important, the U.S. government must also press our allies when they themselves promote policies that harm Internet freedom.

3. Support for activists and law reform efforts abroad

Circumvention technology and social networking applications are critical tools for user empowerment and human rights advocacy, and the State Department should continue to support the expanded use of such tools.

However, as Secretary Clinton notes, the U.S.'s Internet freedom strategy cannot rest on promotion of these tools alone. It must also include support for policy reform efforts in countries around the world.

- The State Department should fund efforts by NGO partners to train advocates and educate policymakers all over the world on Internet policies that promote a free and open Internet. True change will come in response to domestic pressure and advocates need to build capacity to promote sound policies, in addition to protesting censorship.

- The U.S. government should also help train policymakers in emerging economies as they develop their own domestic Internet policy framework.

4. Promoting corporate responsibility

Technology companies have a responsibility to avoid complicity in human rights violations and have a key role to play in advancing global Internet freedom. Congress and the Obama Administration should encourage and support companies in managing human rights risks associated with the provision of Internet products and services.

- The U.S. government should ensure companies are meeting their responsibilities and urge companies to join collective efforts like the Global Network Initiative to demonstrate their commitment to accountability and human rights.
- The State Department should also support – in public and in private – those companies that are standing up to government demands that threaten Internet freedom. The Green Dam filtering mandate in China (and its eventual termination) provides one recent example of how concerted resistance can ward off bad policy.
- The government should enlist our allies in pressing technology companies worldwide in these efforts.

All the tools at our disposal

At heart, the U.S. government must aggressively explore all means of promoting Internet freedom, using all the tools of trade, foreign aid, and diplomacy at our disposal. The government should:

- Scrutinize positions taken in treaties and global policy bodies (such as ICANN) that have an impact on Internet freedom.
- Make Internet freedom a condition of aid and trade negotiations.
- Assert that blocking of U.S. content and services is a trade barrier.
- Reach out to other democratic countries to collaborate on these efforts.
- Strengthen interagency collaboration to ensure various policies do not work at cross-purposes to the goals that Secretary Clinton has articulated.

In sum, realizing Secretary Clinton's vision of one global Internet that benefits and unites us all requires a broad and sustained effort by the U.S. government and a wide range of stakeholders. CDT looks forward to working with the Administration to keep the Internet open, innovative and free.

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