The IRPC Charter of Human Rights and Principles for the Internet

- Area: SET OF INTERNET GOVERNANCE PRINCIPLES
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- Doc Attached: Click here to see the doc 1
- Doc Attached: Click here to see the doc 2

Abstract

With this submission the Internet Rights and Principles Coalition (www.internetrightsandprinciples.org) presents the Charter of Human Rights and Principles for the Internet (IRPC Charter) as a formative contribution to the development of Internet Governance Principles. Included in this submission is the IRPC Ten Internet Rights and Principles. These distil the IRPC Charter?s 21 clauses into 10 broad principles without supplanting the substantive content, and aim of the Charter to ensure that Internet Governance is based on ?policy principles or implementation principles that ? are required to support human rights?. The IRPC Charter was released in early 2011 and since then has been widely acknowledged as one of the most successful examples of the multistakeholder model in the Internet Governance context. It is an historical achievement that should be considered in full for this process of developing Internet Governance Principles.

Document

A Charter of Human Rights and Principles for the Internet

submitted by the Internet Rights and Principles Coalition (UN Internet Governance Forum)

With this submission we present in its entirety the *Charter of Human Rights and Principles for the Internet* (IRPC Charter - Figure 1) as a formative contribution to the development of Internet Governance Principles. Included in this submission is the IRPC "Ten Internet Rights and Principles" (IRPC Ten Principles - Figure 2) which distil the Charter's 21 clauses into 10 broad principles without supplanting the substantive content and aims of the Charter to ensure that Internet Governance principles are those "policy principles or implementation principles that … are required to support human rights" (IRPC Charter Booklet, page 7). The IRPC 10 Principles are on page 7 of the IRPC Charter Booklet and at http://internetrightsandprinciples.org/site/wp-content/uploads/2014/03/IRP_booklet_6March2014_10principles.pdf . They are also available online in 22 languages at http://internetrightsandprinciples.org/site/campaign.

The IRPC Charter is widely acknowledged as one of the most successful examples of the multistakeholder model in the Internet Governance context. Its grounding in international human rights law, the input from members of all stakeholder groups from all over the world, together with the role of human rights experts in the drafting process means that the Charter is an authoritative and relevant Internet-specific human rights framework for identifying universal Internet governance principles. The full Charter and the Ten Principles (which are derived from the Charter) are available in booklet form at http://internetrightsandprinciples.org/site/wp-content/uploads/2014/02/IRP_booklet_2nd-Edition14Nov2013.pdf.

The driving force behind the IRPC Charter is the Internet Rights and Principles Coalition (IRPC) of the UN IGF. This coalition formed at the 2008 IGF meeting in Hyderabad (www.internetrightsandprinciples.org) and started work as one of the IGF dynamic coalitions in 2009 at the Sharm el Sheikh IGF (http://www.intgovforum.org/cms/dynamiccoalitions/72-ibr). The various stages in the Charter's drafting, consultations, and release in 2010-2011 made full use of collaborative tools and multistakeholder working practices established in the IGF. It drew inspiration and wisdom from the Marco Civil process and precursor initiatives from Civil Society during the WSIS thanks to the input of IRPC participants engaged in these likeminded undertakings. The IRPC Charter is a highly regarded example of multistakeholder best practice within the remit of the WSIS Tunis Agenda and the IGF. Through this process the IRPC has been able to forge bridges between technical, private, and public stakeholders concerned with the Internet's design, access, and use. The Charter underscores the need to take human rights into account, from the point of view of individual rights as well as

throughout the Internet's architecture and the processes of Internet governance that concern this meeting.

Basing this Charter on the *Universal Declaration of Human Right*s (UDHR) and addressing what the UDHR Articles mean for the online environment was a productive way to engage stakeholders from all sectors in the drafting and consultation phases. The international legal grounding of the text was ensured through the work of a group of human rights experts who finalised this version (Version 1.1) in early 2011. The current version of the IRPC Charter and accompanying Ten Principles were published in this booklet form (the IRPC Charter Booklet) for the 2013 IGF meeting in Bali. Since then the booklet has been translated into Arabic and disseminated within human rights and media networks in the MENA region. This translation underpins a campaign around the IRPC Ten Principles, in English and Arabic, launched to raise awareness about the importance of recognizing Internet rights (http://igmena.org/click-rights). At this time of submission we are pleased to note that the IRPC Charter has also been translated into Spanish (http://internetrightsandprinciples.org/site/wp-content/uploads/2014/01/Carta-DDHH-Internet-Espa%C3%B1ol-Final.pdf) with translations into other languages - including German, Serbo-Croatian, Bangla, and Italian - underway.

The IRPC Charter as an authoritative framing of human rights and principles for the Internet has received major recognition from intergovernmental organizations.

- The UN Special Rapporteur on Freedom of Expression, Mr Frank La Rue recognized the fundamental premise of this undertaking in his 2011 report to the UNHRC (http://www2.ohchr.org/english/bodies/hrcouncil/docs/17session/A.HRC.17.27_en.pdfURL). Regional consultations on the Charter took place alongside the regional consultations for the Special Rapporteurs report. In the following year 47 member states of the United Nations Human Rights Council passed a landmark Resolution A/HRC/20/L.13 that upholds the "promotion, protection, and enjoyment of human rights on the Internet" (2012).
- The Council of Europe also began work developing a *Guide on Rights for Internet Users* - which is currently reaching its final stages - based on the IPRC Charter working model and involving many of the same human rights experts[1].

- The Charter has also played a critical role in pushing human rights issues to the top of the agenda at the global, regional and national Internet Governance Forums. It is used as a resource document of Internet rights within all stakeholder groups.

To illustrate the relationship between human rights and principles and Internet Governance processes, we would like to highlight two Clauses:

Clause 19 of the IRPC Charter recalls Article 28 of the UDHR and calls an appropriate social and international order for the Internet. The article calls for governance of the Internet that “upholds and expands human rights to the fullest extent possible … (through) principles of multilingualism, pluralism, and heterogeneous forms of cultural life in both form and substance... (in which) all those affected by a policy or decision shall be represented in the governance processes, …in particular disadvantaged groups in global, regional and national decision-making”.

Clause 20 recalls Article 29 of the UDHR and highlights that in the online environment rights come with duties. In the case of the Internet these duties include “the duty and responsibility to respect the rights of all individuals in the online environment” and the responsibility of power holders to “exercise their power responsibly, refrain from violating human rights and respect, protect and fulfill them to the fullest extent possible”.

Furthermore the IRPC Charter demonstrates that the full range of UDHR rights are impacted by the Internet and so a necessary element of any set of Internet Governance principles. For instance, along with those rights that are currently in the public eye since the Snowden revelations, privacy and freedom of expression (Clauses 8 and 5), the Charter highlights some of the less-considered rights such as rights of children and young people, cultural diversity, gender equality, development, and disability.

The IRPC Charter is a historical achievement that should be considered in full in the Net Mundial process towards developing Internet Governance principles. To conclude, we would like to emphasize the following key points:

1) The Charter derives its relevance to agreements on Internet Governance principles by taking internationally recognized human rights and translating them for the online

environment and corollary digital contexts in which we live, work, and govern.

2) The Charter's 21 clauses inform all undertakings to formulate universal Internet Governance principles that respect individual human rights as well as inform such principles for Internet Governance as a process that enables and protects human rights at all levels of Internet design, access, and use.

3) In this respect the Charter is the most comprehensive delineation of the respective areas of human rights and principles for Internet Governance that exists to date.

4) As such it is a document that can provide clear guidance and directions regarding decisions about Internet Governance by states; the role of private actors in innovation and development of critical internet resources; the role of the technical community in human-centred Internet design; and the legal, social, and cultural dimensions of an open, equitable, and accessible Internet for all.

5) As it is governments who make law and who uphold human rights on behalf of citizens, we put the IRPC Charter forward as an instrument and framework for the work ahead on refining existing human rights laws and covenants for the online environment.

6) We furthermore urge all parties who have a role in the future of the Internet along with governments – business, academia, and civil society organizations - to take all the clauses in the IRPC Charter into their specific domains and apply them within their spheres of influence.

With many thanks,

The Internet Rights and Principles Coalition

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The formative role of the IPRC Charter is explained on the Council of Europe website here:
http://www.coe.int/t/informationsociety/Rights%20of%20Internet%20Users/Draft%20Council%20of%20Europ