

COUNCIL OF EUROPE OPEN FORUM

YOUR INTERNET, OUR AIM: GUIDE INTERNET USERS TO THEIR HUMAN RIGHTS!

Wednesday, 3 September 2014,
9:00 am - 10:30 am, Room 9

On 16 April 2014, the Council of Europe Committee of Ministers [recommended the first Guide on Human Rights for Internet Users](#). The 47 members of the Council of Europe have jointly recommended [the Guide](#), thus explicitly highlighting that human rights and fundamental freedoms apply equally offline and online while reiterating the state duty to protect and promote such rights and freedoms.

The Guide is based on the European Convention on Human Rights and consolidates the jurisprudence of the European Court of Human Rights and Committee of Ministers standards defining an enabling environment for fundamental rights online. The Guide has been designed as a tool to:

- provide guidance on what human rights Internet users enjoy and how they apply online;
- help governments and public institutions to discharge their obligations to protect, respect and promote human rights;
- be a kick-starter for national debates on the protection and promotion of human rights of Internet users and their empowerment in Internet environments;
- strengthen corporate social responsibility by encouraging the private sector to act responsibly and with respect for the human rights of every person with whom they have contractual relations.

This Open Forum aimed at exploring how to implement the Council of Europe Guide on Human Rights for Internet Users in order to foster Human Rights protection and promotion at the global level. Particularly, panellists and attendees provided concrete examples of actions to implement the Guide maximising its impact both at the national and international level.

Participants stressed that the Guide is a timely response to increasing demand of further human right protection online on the part of Internet users due to *e.g.* privacy violations, online hate speech, illegitimate blocking and filtering practices, etc.

The Guide has been adopted by the 47 member states of the Council of Europe, reaffirming that states have a duty to respect, protect and fulfil the rights and freedoms and business actors have a responsibility to respect human rights. Hence, according to the Recommendation CM/Rec(2014)6 of the Committee of Ministers to member States on a Guide to human rights for Internet users, national frameworks as well as intermediaries' terms of service have to respect human rights in Europe.

Lastly, participants stressed that despite the European origin of the Guide, this document can be used as a reference and deploy its usefulness on a global level.

Outcomes

Attendees agreed that the Guide is a starting point for a collaborative process aimed at strengthening the effectiveness of judicial and extra-judicial remedies to human rights violations online.

Consensus emerged on the need for capacity building, stressing the importance of training national officers and judges with particular regard to the Guide and other Council of Europe's standards on Human Rights and the Internet. Furthermore, participants highlighted the need for tailored versions of the Guide in order to raise the awareness of different types of audience. Notably, the Guide's language should be adapted to the general public.

A general agreement emerged on the fact that the Guide's implementation should be a common goal aimed at:

- Raising users' awareness and thereby empowering them to exercise and seek/demand effective remedies.
- Identifying and connecting users to available remedies found both within national frameworks and in the terms of service of Internet intermediaries.
- Identifying any gaps in the offer of effective remedies.
- Identifying best practices to help state and business actors to protect and promote human rights.
- Building the capacity of other Internet actors to protect users' rights and freedoms.

Lastly, participants highlighted the interest of a monitoring mechanism in order to facilitate the implementation of the Guide.

The outcomes of this Open Forum will be included in the Guide Implementation Project, to be elaborated by the Council of Europe by the end of 2014.