

RENMUN VII

Peace in Permanence



March 5-6, 2022

Chair Report

Chair Introduction

Dear delegates,

Welcome to the Human Rights Council! We are your chairs, Harsha and Ian. The United Nations Human Rights Council was first established on March 15, 2006, through the UN General Assembly. It seeks to uphold all human rights and eradicate all violations or restrictions of human rights.

Digitalization is the trend of the century and more and more activities are taking place on the internet. It is important to safeguard human rights on the internet, as if it were the same in real life. The freedom of speech has given a lot of advantages to people, which ensures the right is important. The discussion points of the topic are about the limitations of freedom of speech and how to safeguard human rights on the internet as much as possible.

Please read the chair report carefully and use the links provided in the bibliography. The chair report has all the information you need to prepare for the conference, but we always encourage delegates to do additional research.

Human Rights Council is labelled as a beginner committee for MUNers, but believe in yourself and do your best. Do sufficient research and preparation to the topics, write fascinating speeches, ask POIs with depth and you will do well. With that said, please do not refrain from contacting either one of us provided you have any questions or concerns regarding the council. We hope that all delegates gain an educational experience, allowing them to better understand the United Nations and international affairs. Best of luck, delegates!

We look forward to seeing you at RENMUN VII.

Head Chair Harsha Madhu

21madhuh1@rchk.edu.hk

Deputy Chair Ian Tsai

tsaim2@rchk.edu.hk

Addressing digital protections to safeguard freedom of speech on the internet

According to the United Nations, human rights are inherent to all human beings, regardless of race, sex, nationality, ethnicity, language, religion or any other status. Article 19 of the Universal Declaration of Human Rights states that everyone has the right to freedom of opinion and expression; including freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Nowadays, opinions and speeches are no longer only shared physically, but also shared and expressed through the internet. Online Service Providers (“OSPs”) control and provide the majority of platforms where online communications are conducted. Users are able to enjoy and engage in communications through OSPs; at the same time also contributing large amounts of content for the platform itself. OSPs may adopt a passive role in hosting user generated content, or controlling content directly. With the internet evolving into the predominant marketplace for the expression of ideas, OSPs have the responsibility to provide a platform where individuals can freely express themselves and still be protected online. Discussions have risen on whether regulatory regimes should hold OSPs accountable for moderating illicit content such as copyright infringements or hate speech, while ensuring that the freedom of expression is also respected. Resolution 32/13 “The promotion, protection and enjoyment of human rights on the internet” was adopted by the Human Rights Council on 1 July 2016 due to the manner of human rights on the internet . According to resolution 32/13, “the same rights that people have offline must also be protected online”. With that said, delegates in HRC of RENMUN VII shall be discussing policies and measurements to safeguard and protect freedom of speech of internet users globally through debate, resolutions and amendments.

Key Terms

Term	Definition
Freedom of speech	Article 19 of the Universal Declaration of Human Rights (General Assembly resolution 217 A): Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas

	through any media and regardless of frontiers.
Safeguard	A measure taken to protect someone or something or to prevent something undesirable.
Online Service Provider (OSP)	A commercial computer commercial service in which members could dial via a computer, the service's private computer network, and access various services and information resources such as bulletin boards, files, programmes, news articles, chatrooms, social media and electronic mail services. Well known examples of OSPs are Meta (Facebook Group), Google and Twitter.
Moderation system	A method adapted by the OSP to sort user generated content that are irrelevant, obscene, illegal, harmful or insulting with regards to useful or informative content.
User generated content	Any form of content, such as images, videos, text and audio that has been posted by users on online platforms.
Illicit content	Illicit means illegal; hence, it is any information which, in itself or by its reference to an activity, including the sale of products or provision of services is not in compliance with the law of member nations.
Liability	Person or an organisation responsible or obligated in law.
Automated decision making	The use of data, artificial intelligence, machines or algorithms to make decisions in a range of contexts, without human involvement or intervention
Censorship	The suppression or prohibition of any parts of content: books, films, news, etc. that are considered obscene, politically unacceptable, or a threat to security.
Marginalised	(of a person, group, or concept) treated as

	insignificant or peripheral.
Net neutrality	The principle that internet service providers should enable access to all content and applications regardless of the source, and without favouring or blocking particular products or websites.

Background Information

In the digital environment of today, Online Service Providers control the majority of platforms where online communications are conducted. Individuals are able to engage in communications and expressions through OSPs; but at the same time also contributing large amounts of content for the platform itself.

OSP may play a passive role in hosting user-generated content, or they may exert direct forms of control. The question of control in internet speeches has engendered discussions on whether the freedom of internet users would be affected by the measures of content moderation system adopted by the OSPs. OSPs are not liable for user-generated content on its platforms, but they are required to observe local laws and voluntary code of practises to expeditiously remove all illegal content upon receiving a valid notice. In recent years, OSPs have adopted automated decision making to illicit content such as copyright infringements, threats, violent, criminal material, false information and hate speech content. OSPs such as Facebook had recently been repeatedly criticised for censoring political messages, criticism on the OSP itself, minority and marginalized groups (race, sexual orientation, identity...). One major question here is whether OSPs should only exist as a passive role, purely providing a platform for users, or whether OSPs should directly control user generated content published on the platform. Censorship is also an area of concern, where OSPs have the right to censor or control non-illicit content on its own platform, damaging the internet freedom of speech of users.

Recent events

Other than OSPs, the government or regulatory authorities of nations also play a huge role in safeguarding freedom of speech and expression on the internet. Some nations take an approach where internet speeches containing no illicit content or copyright infringement are not interfered. However, some nations take a restrictive approach to internet freedom of speech. Those may restrict content on the internet, access to the internet, sponsoring pro-regime content, direct control and monitor over platforms and content, manipulation of information (often propaganda), and apply artificial intelligence algorithms to censor and filter content through keywords.

The major discussion points are the internet control, censorship and surveillance of each nations' policy.

Potential Clashes

Internet censorship and control by the government of a regime

Previously said, regulatory authorities of governments could take either an approach where only illicit content such as copyright infringements or terrorism would be interefered. However, some nations censor political messages, disadvantageous or opposition speeches to the government on online platforms. A key discussion point on this clash is the role of the government in safeguarding internet freedom of speech and whether or not the government has the right to censor content from the internet platform. It is also key to define the stance, whether your respective delegation nation takes a passive and subtle approach to internet speeches or an assertive role, having active intervention to internet content.

The right and responsibilities of OSPs

In some nations, including the USA and EU nations, OSPs have signed voluntary code of practises to expeditiously remove all illegal content upon receiving a valid notice from the respective regulatory authority. There will be conflicts of stance between member nations, whether the code of practises of removing illegal content from regulatory authorities shall be voluntary or mandatory. There is also a large discussion area, whether OSPs have the right to monitor, censor or remove user generated content from its platform. When writing resolutions, delegates are also encouraged to consider the legal responsibilities of OSPs, including discussion areas like whether OSPs are accountable for user generated content on its platform, and whether OSPs are held liable for the occurrence of criminal activity on its platform.

Conflict of interest in safeguarding internet freedom of speech

Though member nations shall be protecting the basic human rights of individuals, including the freedom of speech physically and online. But additionally safeguarding the freedom of speech on the internet may have a conflict of interest for some regimes, as some might censor or filter internet content with an intention.

Role of OSPs in spreadings of disinformation

The role of OSPs is always highly debatable, and it is more complicated when it comes to the topic of disinformation. Internet platform users are supposed to enjoy the freedom of speech, but the wide and rapid spread of disinformation can cause actual damages and events to occur. Notable example and case study of the clash can be the Capitol Hill Riot. Speeches and messages were spread across OSP platforms such as but not limited to Twitter, after Trump had given a speech related

to protests in Washington. Sources such as the New York Times believed that the riot was organised on social media, since messages about directions to avoid police and advocating violent behaviours were spreaded across social media platforms. There is a large discussion area in terms of the responsibilities of OSPs in spreading disinformation, and the limiting of disinformation while protecting users' internet freedom of speech.

Controversy on OSPs censoring or banning political content and figures

As a result of the January 6th, 2021 Capitol Hill Riot, president-at-the-time Donald Trump's social media accounts were suspended across OSPs including Facebook and Twitter. The action is called deplatforming, where a certain user is prevented from contributing to a forum, containing the action of blocking from a website. Supporters to the action of deplatforming claimed that this could prevent extremists from expressing extremism ideologies onto the internet. But for people against deplatforming, it is concerning that the concept of blocking terrorism and extremism with deplatforming is growing to become a tool of political censorship. Additionally, there are also collateral consequences brought by the action of deplatforming certain groups. After the blockings of major OSPs, the extremist groups will move or create a platform that more radical information can be spreaded, causing more dangerous ideologies to be spreaded across the internet.

Key Stakeholders

Stakeholder	Involvement with the Issue
United States of America	The United States of America is home to major OSPs, such as Google, Facebook and Twitter. The USA is traditionally an advocate for human rights, freedom and civil rights, with no exception on the matter of online activity. Regarding the freedoms of speech on the Internet, the US Congress has passed the Communications Decency Act in 1996 to define the intermediary liability of OSPs. Section 230 of the Communications Decency Act of 1996 "No provider or user of an interactive computer service shall be treated as the publisher or speaker of any information provided by another information content provider." This gave online providers and users protection from lawsuits, with exceptions for copyright infringements, sex-work related material and violations of

	<p>federal criminal law with section 230(c)(2). In general, OSPs are not liable for their voluntary decisions to host or delete user-generated content, nor are they required to monitor their platforms for illicit activities. Yet, copyright infringement is an exception as OSPs are required to take down such content upon receiving a valid notice from copyright holders. During Trump’s administration, FOSTA (Allow States and Victims to Fight Online Sex Trafficking Act) bill was signed in April 2018. The intention of the bill were to curb sex trafficking and illegal sex work. However, some have argued that websites are pressured into deleting content, whether or not it has anything to do with sex work, damaging the internet freedom of speech.</p> <p>Another notable recent involvement with the issue is the Capitol Hill riot. Groups have claimed that the riot is caused by allowing disinformation and hate speech to be spreaded on the internet.</p>
People’s Republic of China	<p>The People’s Republic of China (China) has the largest number of internet users inside the nation, with 1,010,740,000 internet users recorded in 2021 by the China Internet Network Information Center. The government of China had introduced a combination of legislative actions and enforcements to regulate the internet, officially named 数据跨境安全网 (<i>sic</i>), known as the “Great Firewall”, and is operated by the Cyberspace Administration of China. The “Great Firewall” blocks Chinese (Excluding HKSAR, Macao SAR, Taiwan province) internet users from accessing selected foreign websites, including Google, Facebook and Whatsapp. Ma Zhaoxu, Ministry of Foreign Affairs of China has given a comment on February 17, 2011 relating to the matter. Ma expressed that the Chinese government encourages and supports the</p>

	<p>development of the Internet, and protects citizens' freedom of speech, including online freedom of speech, in accordance with the law. The Chinese government is willing to strengthen communication and exchanges with other countries on Internet-related issues. However, the Chinese government opposes any country's pretext for Internet freedom and other issues to interfere in China's internal affairs.</p>
<p>United Kingdom of Great Britain and Northern Ireland</p>	<p>British citizens are entitled to have a negative right to freedom of expression under the common law system of the UK. UK was listed among the "Enemies of the Internet" in 2014 by Reporters Without Borders, claiming that UK "mark themselves out not just for their capacity to censor news and information online but also for their almost systematic repression of internet users". Since then, the British government has been criticized for its overblocking and filter on internet content, affecting areas of sex education, politicians, support services for rape and domestic abuse, and even schools and charity websites. As to child protection, content containing such as but not limited to suicidal and eating disorders, discriminatory languages, encouragement of drug use, pornography, and gore content are blocked for internet users under 18 years old. People in favour debated that the action made by the British government has brought effective child protection, combating early sexualization of children. But people against the action, including the Washington Post, criticised that the action creates the potential for the government to be expanded to stifle dissent for political ends.</p>
<p>European Union</p>	<p>The European Union has always claimed itself as a front runner in protecting an open internet. The EU attempts to safeguards the internet freedom of speech as well as the right to privacy</p>

	<p>with equal respect. It introduced the e-Commerce Directive in 2000 specifying that there is no general obligation on OSPs to monitor the information on their platforms. Nevertheless, OSPs are still required to observe EU laws and voluntary codes of practises to expeditiously remove all illegal online content upon receiving a valid notice. In recent years, OSPs have been subject to additional restrictions imposed on specific types of content such as copyright infringements, hate speech and disinformation. Net neutrality in the European Union is laid by Article 3 of EU regulation 2015/2120. The net neutrality rule meant that no operators can block or slow down the internet. The rule ensured access by all users to all content and services of their own choice. And also ensuring access by all content or service providers to all users. The Netherlands, a member nation of the EU, is the second in the world, after Chile, to enact a network neutrality law. Though the EU has been praised for the up-to-date and quick response to the digital world, it has been criticised that there were too many loopholes to be exploited.</p>
Russian Federation	<p>In 2019, the Federal Security Service (FSB) of the Russian Federation required searching engines, social media and messenger apps to install special equipment giving the FSB automatic access to their information and encryption keys to decrypt user communications without authorization through any judicial process. According to Human Rights Watch, legislators have justified these rules by citing a need to protect state security, the Russian internet, and the privacy of Russian users. But in reality, these requirements facilitate mass censorship and blanket surveillance, introduce non-transparent content-blocking procedures and endanger the security and confidentiality of people's communications online.</p>

India	India has the second largest population of internet users in the world, with 833,710,000 users in the nation. The internet of India is seen as partly free, where in 2017, the Ministry of Electronics and Information Technology confirmed that 23,030 websites had been blocked. Reports have also shown that a number of users have faced difficulty in accessing platforms, including Reddit, Indian Kanoon (Largest free legal database in India), Telegram, SoundCloud and various VPNs. In April 2019, the Madras high court issued an order to ban TikTok, having 120 million active users in India, on the grounds of “encouraging pornography”. Google reported receiving 1,190 content removal requests affecting 6,202 items from January to June 2018. Twitter received a total of 667 removal requests between July to December 2018. There is a lack of clarity on under what grounds and laws that the contents and platforms were removed/ blocked.
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Possible Solutions

For this topic, delegates will need to come up with a solution that very most of the member nations of HRC would accept and agree with. With that being said, delegates should be reminded of the current situation of the internet of a specific nation, the political environment, rights and responsibilities of OSPs, government and users, and also avoid conflict of interest. In order to effectively safeguard internet users' freedom of speech, a sufficient amount of worldwide action and cooperation would need to be done as an internet platform can technically be accessed in every country, with the help of VPNs. International organisations and treaties can be established to have an effective management of internet freedom of speech across nations. In order to protect internet users' freedom of speech in the long term, government authorities of member nations must also sustain an observation of the matter. Lastly, a clear definition of the limitations, rights and responsibilities of internet users and OSPs should be made to declare the protection of internet freedom of speech.

Past Actions

Resolution A/HRC/32/L.20 of The Promotion, Protection and Enjoyment of Human Rights on the Internet on 27 June 2016

The resolution 32/20 of the United Nations Human Rights Council reaffirms that the same rights that people have offline must also be protected online, in particular freedom of expression. The UN also recognizes that the internet is a driving force in accelerating progress towards global development, including in achieving the Sustainable Development Goal, recognizing the good of the internet. The UN also calls upon all states to address security concerns in accordance with their international human rights obligations to ensure protection of freedom of expression, freedom of association, privacy and other human rights online, including through national democratic, transparent institutions, based on the rule of law, in a way that ensures freedom and security on the Internet so that it can continue to be a vibrant force that generates economic, social and cultural development. The resolution has built a strong and straightforward framework for the development of possible solutions, preambles of the resolution A.HRC/32/L.20 should be taken into consideration by delegates in the process of writing up a resolution or brainstorming solutions to the matter.

Guiding Questions

- What are the rights and responsibilities of OSPs?
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- Is freedom of speech completely “free”?
- Should there be a limit of what an internet user can do on the internet?
- How can a government monitor the freedom of speech on the internet while avoiding conflict of interest in political messages on the internet?
- How impactful are messages/ speeches given on the internet? What are the consequences?

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