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INTERNET FREEDOM AT A CROSSROADS

Recommendations for the 45th President's
Internet Freedom Agenda

Executive Summary

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Global Internet Freedom Transcends Partisan Politics

Since the 1990s, the development and expansion of a free and open, globally interconnected internet has been a policy goal of successive Democratic and Republican administrations. It is key to the advancement of human rights, innovation, and economic prosperity around the world and is consistent with U.S. commercial and geopolitical interests.

Despite these efforts and the clear benefits that billions of people around the world have enjoyed, freedom online is under threat. Without positive leadership by the world's major democracies, the world's internet users can expect a continued decline in their freedom to express themselves and access information, while suffering increasingly aggressive attacks by a range of state and non-state actors.

The United States is uniquely positioned to lead the world in a more positive direction. A community of Americans who work across the private and nonprofit sectors, who include Democrats, Republicans, Libertarians, and Independents, is united in the hope that the administration of President-elect Donald J. Trump will protect, promote, and strengthen freedom online—at home and around the world.

Internet Freedom at a Crossroads, published by New America's Open Technology Institute, offers a framework for thinking about how the the Trump administration's policies can build on the work of previous Republican and Democratic administrations by continuing to positively support and shape global internet freedom—a policy objective that transcends traditional partisanship. It sets forth a number of recommendations for the next administration's global internet freedom agenda.

Four years from now, the success of the Trump administration's internet freedom agenda should be measured by the extent to which the global internet is more open and free than it is today. There should be measurable improvement in the ability of people around the world to use the internet to exercise their political, religious, social, cultural, and economic rights.

The goal of this paper is not to provide an exhaustive list of everything we would like the next administration to accomplish in relation to internet policy. Rather, it articulates why, how, and on what issues the United States can and should assert leadership.

Principles for Internet Freedom

Opportunities for U.S. leadership in the advancement of global internet freedom are based on three core principles:

- 1. Internet freedom starts at home:** Build a stronger internet that advances freedom as well as security. Commercial development and government regulation should be consistent with the advancement of global internet freedom.
- 2. Internet freedom needs effective cross-border policy coordination:** Ensure that laws governing cross-border platforms and networks, as well as trade agreements and other bilateral or multilateral agreements related to finance, commerce, and security, will be compatible with global internet freedom.
- 3. Internet freedom needs accountable multi-stakeholder governance:** Work to ensure that the institutions and processes that manage internet resources, set technical standards, and coordinate policy (including but not limited to institutions such as ICANN, the Internet Corporation for Assigned Names and Numbers) are run in a manner that is genuinely accountable, global, and multi-stakeholder.

Recommendations

Free Flow of Information: The U.S. can lead in tackling some of the most challenging policy problems that have arisen over the past decade related to internet access and online content in a manner that bolsters freedom of expression across the globe.

- **Freedom to connect:** Work to end the practice of government-led network shutdowns around the world. Prioritize infrastructure investments and policy initiatives at home and abroad that increase access to broadband and bridge digital divides.
- **Freedom of expression:** Ensure that any government policies related to restricting online speech are consistent with human rights standards for freedom of expression, and that they are transparent, accountable, and firmly grounded in rule of law and due process. Work to ensure that domestic and international efforts to counter violent extremism online do not undermine internet freedom.
- **Smarter sanctions and export controls:** Work with the Treasury Department and global allies to ensure that sanctions and international export control agreements do not inadvertently hurt activists, journalists, small businesses, and security researchers.

People-Centric Security: The U.S. can lead by integrating security, privacy, and human rights as indivisible pillars of national and global security in the internet age.

- **Strong encryption:** Work to build global consensus among countries committed to a free and open internet that companies should not be required to subvert encryption systems in ways that enable authorities to access protected information.
- **Surveillance reform:** Reform domestic surveillance laws to acknowledge the ways people use digital technology in the 21st century. Limit the scope of such laws and improve transparency and oversight around their implementation. Lead a global conversation about the appropriate relationship between surveillance, democracy, and accountable governance.
- **Defend privacy on global internet platforms:** In forging or revising international agreements, ensure that law enforcement access to data across borders does not substantially diminish the privacy protections currently afforded to international users of U.S. services.

Accountable Multi-Stakeholder Governance: The U.S. can play a leading role in strengthening the world's multi-stakeholder internet governance institutions and processes.

- **Work to improve and strengthen ICANN:** Strengthen mechanisms that ensure the independence, accountability, and transparency of ICANN's decision-making processes. Work with the private sector and other governments to build independent and accountable financial support mechanisms for diverse global participation.
- **Strengthen other institutions and processes:** Support the continuation of the Internet Governance Forum, which enables stakeholders from around the world to freely raise and debate internet policy and governance issues. Ensure that institutions such as the Freedom Online Coalition, a coalition of governments that commit to foster and support a free and open internet, demonstrate tangible progress in advancing global internet freedom.

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