Civil society in the cyber space – opportunities, threats and recommendations for EU external action.

1.   Context

The trend of shrinking space for civil society has been intensifying over a decade. Regimes across the world are limiting operations of civil society organisations. Major threats also come from non-state actors, most frequently from fundamentalist religious groups, criminal organizations, or groups working as proxies for states (like hackers).

The Internet enables CSOs, journalists and bloggers to work in restrictive environments, because of its open and permissive architecture, without central control and pseudonimity/anonymity for users. Information can be easily disseminated, and solidarity can cross national borders. The Internet, therefore, can level the playing field for marginalised groups and grass roots initiatives, and is a crucial tool for human rights defenders.

States too have realized the power of online spaces. Governmens worldwide adopt laws that criminalise online dissent and expression; block access to websites and social media; or switch off the Internet entirely. In many cases, activists including journalists and bloggers are being harassed, arrested, or even killed for what they say or post online. Online surveillance is enchroaching on freedom of expression online and offline. National security concerns are used as excuses for new and disproportionate restrictions. Moreover, the inequality of access to the Internet is a major challenge in many developing countries. Techological, social, and educational infrastructure required for Internet access is unevenly distributed, within countries, between the countries and regions.

UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression has been mandated to gather information relating to violations of the right to freedom expression and use of violence or harassment directed at persons seeking to exercise this right. He is also authorised to make recommendations on ways and means to better promote and protect the right to freedom of opinion and expression in all its manifestations.

The EU's response to these challanges is based on a range of policy mechanisms and instruments. The *EU Action Plan on Human Rights and Democracy*, the *Guidelines on Freedom of Expression Online and Offline, the Guidelines on the Human Rights Defenders* outline how the EU tries to prevent legislation, regulation, or government pressure that unduly limits freedom of expression online and space for the human rights defenders.The EU is expected to take steps to prevent violence against bloggers and creating an enabling environment for bloggers and online activists to work safely without fear of harassment, censorship and persecution. Tools include raising the issue during high-level visits and human rights dialogues, consultations in Brussels and in the third countries, provision of technical support to individuals on the ground, and supporting third countries to bridge the digital divide through its external financial instruments.

2. Objectives:

The main objective of the event is to discuss how the EU and its member states can improve its external actions to support civil society in taking advantage ofthe Internet, and counter threats in countries where the online space is closing. The discussion is aimed at the following three operational outcomes:

1. Provide recommendations to the EU and member states on how to streamline and better implement its human rights toolbox (EU Action Plan on Human Rights and Democracy, EU guidelines on protecting freedom of expression online and offline and EU guidelines on human rights defenders) and possibly feed into future discussions on this subject in the Council;

2. Raise the profile of human rights online and ensure the coherence between discussions in different formats (Digital for Development, resilience, cyber security strategy) taking place during the Estonian Presidency;

3. Follow-up on earlier discussions on the value-based digital foreign policy (including the results of the recent pre-RightsCon event hosted by Marietje Schaake, https://marietjeschaake.eu/en/tech-and-foreign-policy-bridging-the-gap).

3. Time and place:

5 September 14:00-16:30 *followed by a reception*
Permanent Representation of Estonia to the EU, Rue Guimard 11/13
There will be a livestream of this event

4. Format and participants:

Opening address:
- Lembit Uibo, PSC Ambassador of Estonia

Keynote speakers:
- Mariejte Schaake, Member of European Parliament
- David Kaye, UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression

First mini-panel (45 min):
- Arzu Geybulla, blogger and journalist, Azerbaijan/Turkey
- Sanne Stevens, Program Officer for Hivos at the Digital Defenders Partnership
- Mercedes García Pérez, Head of Division for Human Rights, European External Action Service

Second mini-panel (45 min)
- Waqass Goraya, Pakistan
- Niels ten Oever, Head of Digital at Article 19
- Kees van Baar, Human Rights Ambassador, Dutch Ministry of Foreign Affairs

Moderators:
- Tanel Tang, Permanent Representation of Estonia to the EU
- Marijn Speth, Permanent Representation of the Netherlands to the EU

Please register your attendance by **Wednesday 30 August** by sending an email to EEPRES.CFSP.permrep@mfa.ee.