Parliamentary Assembly
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Recommendation 1998 (2012)[1]

The protection of freedom of expression and information on the Internet and online media

Parliamentary Assembly

1. Referring to its Resolution 1877 (2012) on the protection of freedom of expression and information on the Internet and online media, the Parliamentary Assembly recalls the Action Plan of the 3rd Summit of the Heads of State and Government of the Council of Europe (Warsaw, 2005) which instructed the Organisation to elaborate principles and guidelines to ensure respect for human rights and the rule of law in the information society and to address challenges created by the use of information and communication technologies (ICTs) with a view to protecting human rights against violations stemming from the abuse of such technologies.

2. The Assembly therefore recommends that the Committee of Ministers:

2.1. take account of Resolution 1877 (2012) in its own work and forward it to the competent national ministries and regulatory authorities responsible for media based on ICTs;

2.2. develop guidelines on domestic jurisdiction over, and the legal and corporate responsibility of, private companies which are intermediaries for ICT-based media, focusing such work in particular on the responsibility of intermediaries for the functioning of the Internet and online media and the respect for freedom of expression and information;

2.3. co-operate with the European Commission and the European Union Body of European Regulators for Electronic Communications (BEREC) to ensure a common application of Article 10 of the European Convention on Human Rights (ETS No. 5) and Article 11 of the Charter of Fundamental Rights of the European Union with regard to freedom of expression and information on ICT-based media;

2.4. promote the signature and ratification of the Convention on Cybercrime (ETS No. 185) and its Additional Protocol concerning the criminalisation of acts of a racist and xenophobic nature committed through computer systems (ETS No. 189) by all member States as well as by non-member States and the European Union.

1. Assembly debate on 25 April 2012 (15th Sitting) (see Doc. 12874 and addendum, report of the Committee on Culture, Science, Education and Media, rapporteur: Ms Postanjyan). Text adopted by the Assembly on 25 April 2012 (15th Sitting).