

Joint Statement on Internet Shutdowns and Elections

Freedom Online Coalition – October 2023

We, the members of the Freedom Online Coalition, strongly condemn intentional measures taken by States to undermine an open, free, global and interoperable Internet and digital communications platforms through shutdowns and network disruptions before, during, and following electoral periods. Elections are key democratic milestones and help hold governments accountable and responsive to the needs of their citizens. Protecting, respecting, and promoting human rights is essential to foster free and fair elections. This includes the rights to freedom of association and of peaceful assembly, and to freedom of expression and opinion, which includes the freedom to seek, receive and impart information. Access to information is a cornerstone of informed voting and decision-making during elections.

We are deeply concerned by the growing trend of State-sponsored Internet shutdowns and network disruptions amid elections. By their very nature, Internet shutdowns restrict human rights. Internet shutdowns imposed in the context of elections prevent individuals from accessing information that would help them make informed decisions at the polls. Such measures also affect the ability of different actors – including journalists and media workers, election observers, human rights defenders, and political candidates – to participate fully and freely in the electoral process. They also specifically prevent individuals from exercising free expression about the elections, undermine the watchdog role of journalists and media during elections, obstruct the efforts of those documenting elections, which limits information integrity, and restrict electoral campaigning and the organization of political gatherings, online and offline, during electoral periods. Overall, by obstructing the free flow of information, opinions, and expression, which are necessary to build public trust and facilitate free and fair elections, Internet shutdowns threaten the legitimacy of the electoral process.

Extensive data and research from civil society¹ and the United Nations² – including the latter's independent experts³ – provide evidence that Internet shutdowns impact the enjoyment of human rights during electoral periods, have a negative impact on the economy⁴, and can contribute to insecurity, increasing the likelihood of hostilities and violence⁵.

¹ Access Now, "Keepiton: Fighting Internet Shutdowns around the World.", www.accessnow.org/campaign/keepiton/.

² United Nations, General Assembly, Report of the Office of the United Nations High Commissioner for Human Rights, Internet shutdowns: trends, causes, legal implications and impacts on a range of human rights, A/HRC/50/55 (13 May 2022), available from undocs.org/A/HRC/50/55.

³ United Nation, General Assembly, Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Frank La Rue, A/HRC/26/30 (2 July 2014), available from undocs.org/A/HRC/26/30.

⁴ Internet Society, NetLoss Calculator. www.pulse.internetsociety.org/netloss/.

⁵ United Nations, A/HRC/50/55 (13 May 2022), available from undocs.org/A/HRC/50/55.

The Freedom Online Coalition recalls its previous 2017 Joint Statement on State Sponsored Network Disruptions⁶, which calls on States to end Internet shutdowns, and its Accompanying Good Practices for Governments document⁷, along with its 2022 Joint Statement on Internet Shutdowns in Iran⁸. We further call on States to refrain from shutting down the Internet and digital communications platforms before, during, and following electoral periods, as aligned with States' international human rights obligations and commitments, particularly Article 25(b) of the International Covenant on Civil and Political Rights⁹, and the Vienna Declaration and Programme of Action¹⁰. The Freedom Online Coalition further highlights the 2021 General Assembly resolution on *Strengthening the role of the United Nations in enhancing periodic and genuine elections and the promotion of democratization*¹¹, which was adopted by consensus, "strongly condemns any manipulation of election processes," and calls on UN Member States to respect "human rights and fundamental freedoms of all persons."

We call on all States to commit publicly to refrain from restricting the Internet and digital communications amid electoral periods.

⁶ Freedom Online Coalition, Joint Statement on State Sponsored Network Disruptions (March 2017). available from www.freedomonlinecoalition.com.

⁷ Ibid.

⁸ Freedom Online Coalition, Joint Statement on Internet Shutdowns in Iran (October 2022). available from www.freedomonlinecoalition.com.

⁹ International Covenant on Civil and Political Rights (adopted 16 December 1966, entered into force 23 March 1976), 999 UNTS 171 (ICCPR).

¹⁰ United Nations, General Assembly, Vienna Declaration and Programme of Action.A/CONF.157/23 (12 July 1993). available from undocs.org/A/CONF.157/23.

¹¹ United Nations, General Assembly resolution 76/176, Strengthening the role of the United Nations in the promotion of democratization and enhancing periodic and genuine elections, A/RES/76/176 (11 January 2022), available from undocs.org/A/RES/76/176.