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Developments in the field of information and telecommunications in the context of international security

Letter dated 29 January 2021 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a statement by the Federation Council of the Federal Assembly of the Russian Federation in connection with the violation of the principle of freedom of speech by global American Internet companies (see annex I) and a statement by the Ministry of Foreign Affairs of the Russian Federation on actions of American Internet monopolies (see annex II).

I would be grateful if the present letter and its annexes could be circulated as a document of the General Assembly under agenda item 98.

(Signed) Vassily Nebenzia



Annex I to the letter dated 29 January 2021 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

[Original: Russian]

Statement by the Federation Council of the Federal Assembly of the Russian Federation in connection with the violation of the principle of freedom of speech by global American Internet companies

The Federation Council of the Federal Assembly of the Russian Federation strongly condemns the actions of global American Internet companies, which are, for political reasons, without legitimate grounds and contrary to international law, restricting freedom of speech on online social media networks.

The developments following the presidential elections in the United States of America have shown that American Internet giants have embarked on a path of widespread censorship, in contravention of the principles of democracy and the universally recognized right of citizens to seek, receive and impart information, and unlawful blocking of alternative platforms. Given that social media networks are being subordinated to the political objectives of the ruling establishment in the United States, there is a risk that their users will have forced on them a one-sided, biased view of what is happening not only in that country, but also around the world.

It is particularly alarming that restrictions on freedom of speech are being imposed not in accordance with the law, but at the discretion of the chief executives of Internet companies, in an arbitrary manner and with no legal basis. Access to information is thus being restricted outside the law for hundreds of millions of Internet users, who are being deprived of the right to freely express opinions that do not contradict the law.

The key issue here is that Internet companies representing one country, namely, the United States, with close ties to United States government agencies, have a monopoly on the Internet worldwide, which is likely to result in one State controlling most of the Internet exchanges around the world.

The unlawful decisions of the chief executives of American social media networks have once again confirmed that the usurpation of control over the Internet is not an imaginary threat but a reality. Such control represents a powerful weapon that is not only used to attack civil liberties and freedom of speech directly in the United States, but that can also be directed against other countries, including with the aim of influencing public opinion, provoking domestic political crises and swaying the will of the people and the outcome of elections.

The senators of the Russian Federation consider the position of American Internet companies to be unacceptable, as they heavily censor political opinions that are not to their liking while failing to uphold their obligations to combat the spread of misinformation, including misinformation aimed at actively encouraging Russian citizens to participate in unauthorized protests when there is a high risk of catching the novel coronavirus disease (COVID-19). Despite the fact that misinformation has been officially debunked on multiple occasions, the chief executives of those companies have deliberately refrained from removing or blocking such content.

In this regard, the Federation Council of the Federal Assembly of the Russian Federation wishes to point out to the legislatures of all the States of the world that it is urgent and necessary to develop national laws to curtail the omnipotence and

lawlessness of global Internet companies. The unilateral decisions of their chief executives should not be allowed to supersede the laws of sovereign States.

Every State has the legitimate and inalienable right to regulate Internet companies under its jurisdiction in order to protect the information space and the right of citizens to freely receive and impart information. Russia considers such regulation, together with the development of its own social media networks and Internet platforms, to be an important and necessary part of ensuring national digital sovereignty.

The Federation Council of the Federal Assembly of the Russian Federation calls upon the Secretary-General of the United Nations, the Director General of the United Nations Educational, Scientific and Cultural Organization, the relevant monitoring mechanisms of the Human Rights Council, the Secretary-General of the Council of Europe, the Chairperson-in-Office of the Organization for Security and Cooperation in Europe (OSCE) and the OSCE Representative on Freedom of the Media to make curtailing the lawlessness of global American Internet companies a priority, with a view to averting the risk of their establishing a “digital dictatorship”. This issue also deserves serious consideration at meetings of the General Assembly and the relevant Main Committees, the Parliamentary Assembly of the Council of Europe and the OSCE Parliamentary Assembly.

In the light of the new threat of the unchecked dominance of global Internet companies, work to elaborate an international convention on the regulation of their activities must urgently begin. The aim of this work should be to develop generally accepted norms that will prevent arbitrary decisions and provide a firm basis in international law for global Internet exchanges.

The World Wide Web should be a space for free speech and freedom of information within the law, not a policy tool for one State and the media monopolies that are closely associated with it.

Federation Council of the Federal Assembly of the Russian Federation

Annex II to the letter dated 29 January 2021 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

[Original: Russian]

Statement by the Ministry of Foreign Affairs of the Russian Federation on actions of American Internet monopolies

Moscow, 27 January 2021

We support the statement by the Federation Council of the Federal Assembly of the Russian Federation in connection with the violation of the principle of freedom of speech by global American Internet companies.

The restrictions imposed by the largest American social media companies on content posted on their platforms have dealt a blow to the democratic system of values and the international information architecture.

Allowing the arbitrary and non-transparent censorship of media content by digital platforms without a relevant court decision undermines the role of the State as guarantor of the international obligations to ensure freedom of expression by individuals under its jurisdiction.

The provisions of the International Covenant on Civil and Political Rights, the Helsinki Final Act and several other decisions of the Organization for Security and Cooperation in Europe (OSCE) – all of which have been signed by the United States of America – have been violated.

This creates a precedent whereby American information technology giants are free to shape the face of modern communications infrastructure at their own discretion, in the interests of the corporations and their “curators”, while ignoring fundamental democratic and ethical norms. As a result, the international community is faced with the challenges of an information space that is completely ungovernable and the lack of protection of the personal data collected by social media networks.

“Fake news” about Russia is widely disseminated by American digital platforms, which systematically circulate provocative content that is disseminated in turn by the United States Embassy in Moscow in a coordinated manner. A note of protest with a warning that Russia reserves the right to take action in response was handed to the representative of the Embassy, who was summoned to the Ministry of Foreign Affairs on 27 January 2021.

The risks to free communication and respect for human rights posed by the monopoly of the American information technology giants in the media market have been discussed for a number of years in relevant international forums. However, any attempts to increase the regulation of social media are met with resistance from Western colleagues and are classified as “attacks on freedom of speech”.

The media are obviously subject to regulations and laws. Constructive dialogue should be established with all stakeholders to mobilize efforts to develop and enshrine in international instruments clearly defined requirements for transparent policies on the moderation of content on social media.

There is an urgent need for substantive work to be carried out collaboratively under relevant international structures, first and foremost, within the United Nations, the Council of Europe and OSCE.