



Internet freedom of expression under fire

'In case of doubt, burn your hard disk'

By Florentine van Lookeren Campagne

Protecting the rights of Internet users is becoming more important, as revealed at the Hivos Conference *Expression under Repression* in Amsterdam on Wednesday 7 June. 'The struggle for freedom of expression will be waged largely online during the next decade.'

'I view the Internet as a network of people that will ultimately be stronger than a government.' Dutch Labour Party House of Representatives member Martijn van Dam is optimistic. Garrie van Pinxteren, former correspondent for the Dutch newspaper NRC and Dutch Radio 1 in China is hopeful as well. 'Internet is the freest form of communication there is in China. The abundance of reports and the speed at which they are posted on the Internet has made far more information available, even if some reports remain online for only twenty minutes. The Internet offers an escape from China, an escape from isolation. Using the Internet requires proof of identification, and much is prohibited. Still, people can create a niche for themselves.'

Julien Pain, head of the Reporters Sans Frontières Internet Desk, is less delighted. When he started three years ago, his job was an oasis of tranquillity, because the more restrictive regimes still focused on traditional media, such as newspapers, television and radio. Internet censorship hardly existed and was virtually ineffective. Now he is very busy. 'In Cuba computer purchases and Internet access are subject to party authorization. China reports that it employs 30,000 people to monitor Chinese surfing practices. Worldwide, 58 dissidents are now in prison as a direct consequence of their Internet activities. In Tunisia somebody has received a 26-year prison sentence for visiting forbidden websites. In Vietnam three people are in prison for participating in an American chat forum.' The worst, in his view, are the companies collaborating with the investigations. One person is in prison in Tunisia, because Yahoo reported him to the regime. The evidence: the company is listed explicitly in the judgement. He believes that Cisco Systems, which produces Internet equipment such as routers, has helped China build what is known as the 'gold shield': a filter that monitors Internet communication. Cisco insists that this is standard equipment, and waives all liability for how customers use it. The only other customer for this equipment is the U.S. police, explains Pain. He also knows that China is now advising other dictators as well about blocking access to their Internet and telecommunications.

This demonstrates the resilience of the Chinese system, which everybody had predicted would collapse with the rise of Internet, explains Van Pinxteren. 'That would have been too easy. Foreign companies that operate in China appear to be adapting to Chinese regulations. They have no choice. Yahoo and other companies cannot be expected to criticize the regime. China is their growth market.' Nor is boycotting these companies likely to be very effective in her opinion. 'The only hope is that in the long run, censorship will prove harmful to economic growth in China, and the hierarchical Chinese society will turn out to be unfit for the capitalist economy. More likely, however, China will develop as Singapore has: an economically affluent but unfree society.'

What next? First, various technical devices make Internet use safe. Dmitri Vitaliev and Wojtek Bogusz have devised an 'NGO in a box', which is a small box containing software and instructions for safe Internet use and data storage. Forbidden sites may be accessed via proxies, which are 'friendly' computers abroad, and important data may be stored in memory sticks with secret compartments. Many people are amazed to learn that 'delete' does not actually mean that their data are gone, explain Dmitri and Wojtek. Data remain on your desktop or in the recycle bin. True zealots can even retrieve them after the recycle bin has been emptied. The NGO in a box instructions explain how to erase these data. But 'if a person's life depends on these data, unscrew the hard disk and burn it.' They were not kidding.



Journalist Pain urges regulating the way that companies handle their information: 'Google knows more about people than they think. If the police want to know who has searched the term 'Hitler' in the past five years, Google can tell them. Do you trust Google not to use the information against you? Or would you prefer that governments draft regulations forcing companies to respect your privacy?'

Can Dutch politicians do anything? Labour Party House of Representatives member Martijn van Dam believes their options are limited: 'The West has protested extensively against certain measures of President Mugabe of Zimbabwe, but he remains in office. We have a duty to object, because we believe in freedom of expression, but change needs to come from within a system.'

Taurai Maduna, an information specialist at Hivos partner Kubatana in Zimbabwe, believes otherwise. When the Zimbabwean government prohibited foreign funding for NGOs, an international outcry ensued. The measure has since been rescinded.' The West also needs to take care to use the Internet wisely,' argues Maduna. 'If President Bush is allowed to install wiretaps, why should President Mugabe not be able to do likewise?' His remark instigated a debate about the European directive for storing Internet and telecom data. According to Van Dam, regulations in Europe are sound and prohibit storing personal data.

XS4all technical director Simon Hania, however, perceives danger on the horizon. 'We are already expected to intercept certain messages from specific individuals. The technology we use is neutral. We could, for example, block searches for "mortgage interest deductions". We want the government to allow us to make our operations transparent and visible to parliament.' One Dutch participant at the conference already uses one of the NGO in a box devices to cover his tracks on the Internet. 'At present, traffic data are stored only in important cases, but the boundaries may gradually be extended. Data are stored for longer periods, and more data are being stored and are accessible to more people. Already, a forestry officer can access my Internet data. All investigative authorities can retrieve the name, address and place of residence associated with an Internet address without a court order. These are loopholes in the law,' he explains. 'Dutch people may think: that guy is paranoid, but if this were happening under a less benign regime, everybody would say, "of course they should not be allowed to do this, we should not permit it".'

The Dutch government should protect freedom of expression in countries with a dictatorial regime, insists Manuela Monteiro, managing director of Hivos.

She said this on Wednesday 7 June at the *Expression under Repression* conference that Hivos organized about freedom of expression on the web. Worldwide, 58 dissidents are now in prison as a direct consequence of their Internet activities, according to Julien Pain of Reporters Sans Frontières. In Tunisia somebody has received a 26-year prison sentence for visiting forbidden websites. In Vietnam three people are in prison for participating in an American chat forum. The Netherlands should team up with the European Union to demand that these people be released, asserts Monteiro. 'Rights that apply in the real world apply in the virtual one as well.' The same holds true for the Netherlands. 'Nor should we compromise in our own country,' argues Monteiro, referring to the debate about Internet data storage. 'The Dutch government regularly emphasizes the importance of access to information and freedom of expression as pre-conditions for democracy to function. And at the same time stresses the need to invest in knowledge and innovation. The interfaces of those fields are where the opportunities lie, as well as the tensions. We should embrace the opportunities, not the fears that new technologies inspire,' suggests Monteiro.

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