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to public procurement, in order to maintain its competitiveness vis-à-vis major players in industry and research;

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35. Instructs its President to forward this resolution to the Council and the Commission.

P7_TA(2012)0470

A digital freedom strategy in EU foreign policy

European Parliament resolution of 11 December 2012 on a Digital Freedom Strategy in EU Foreign Policy (2012/2094(INI))

(2015/C 434/03)

The European Parliament,

- having regard to the resolution of the UN Human Rights Council of 5 July 2012 entitled ‘The promotion, protection and enjoyment of human rights on the Internet’, which recognises the importance of human rights protection and the free flow of information online ⁽¹⁾,
- having regard to the reports of the UN Special Rapporteur Frank La Rue, of 16 May 2011 (A/HRC/17/27) and 10 August 2011 (A/66/290), on the promotion and protection of the right to freedom of opinion and expression, which underline the applicability of international human rights norms and standards regarding the right to freedom of opinion and expression on the internet, seen as a communications medium,
- having regard to the resolution of the UN Human Rights Council of 28 March 2008 (7/36) establishing the mandate of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression,
- having regard to the UN report of 16 June 2011 entitled ‘Guiding Principles on Business and Human Rights: Implementing the United Nations “Protect, Respect and Remedy” Framework’ (reflecting the work of UN Special Representative John Ruggie),
- having regard to the resolution adopted by the Inter-Parliamentary Union Governing Council on 19 October 2011 ⁽²⁾,
- having regard to the Strategic Framework on Human Rights and Democracy, adopted by the Council on 25 June 2012 ⁽³⁾,
- having regard to its recommendation to the Council of 13 June 2012 concerning the EU Special Representative for Human Rights ⁽⁴⁾,
- having regard to its resolution of 12 June 2012 entitled ‘Critical information infrastructure protection — achievements and next steps: towards global cyber-security’ ⁽⁵⁾,

⁽¹⁾ <http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session20/Pages/ResDecStat.aspx>

⁽²⁾ Resolution adopted unanimously by the IPU Governing Council at its 189th session (Berne, 19 October 2011) - <http://www.ipu.org/english/issues/hrdocs/189/is01.htm>

⁽³⁾ http://eeas.europa.eu/delegations/un_geneva/press_corner/focus/events/2012/20120625_en.htm

⁽⁴⁾ Texts adopted, P7_TA(2012)0250.

⁽⁵⁾ Texts adopted, P7_TA(2012)0237.

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- having regard to its resolution of 20 April 2012 entitled ‘A competitive digital single market — eGovernment as a spearhead’⁽¹⁾,
- having regard to its resolution of 18 April 2012 on the Annual Report on Human Rights in the World and the European Union’s policy on the matter, including implications for the EU’s strategic human rights policy⁽²⁾,
- having regard to its resolution of 16 February 2012 on access by blind people to books and other printed products⁽³⁾,
- having regard to the 2012 General Budget of 29 February 2012, in particular the call for creating a ‘Global Internet Freedom Fund’⁽⁴⁾,
- having regard to the communication of 12 December 2011 by the Commissioner for the Digital Agenda on the ‘No Disconnect Strategy’,
- having regard to the joint communication of the High Representative of the Union for Foreign Affairs and Security Policy and the Commission to the European Parliament and the Council of 12 December 2011 entitled ‘Human Rights and Democracy at the Heart of EU External Action — Towards a more effective approach’ (COM(2011)0886)),
- having regard to its resolution of 17 November 2011 on the open internet and net neutrality in Europe⁽⁵⁾,
- having regard to the Commission communication of 25 October 2011 entitled ‘A renewed EU strategy 2011-2014 for Corporate Social Responsibility’ (COM(2011)0681),
- having regard to the UN Guiding Principles on Business and Human Rights,
- having regard to its resolution of 13 September 2011 on an effective raw materials strategy for Europe⁽⁶⁾,
- having regard to its resolution of 7 July 2011 on EU external policies in favour of democratisation⁽⁷⁾,
- having regard to the Joint Communication of the High Representative of the Union for Foreign Affairs and Security Policy and the Commission of 25 May 2011 entitled ‘A new response to a changing Neighbourhood’ (COM(2011) 0303),
- having regard to its resolution of 12 May 2011 on the cultural dimensions of the EU’s external actions⁽⁸⁾,
- having regard to its resolution of 25 November 2010 on corporate social responsibility in international trade agreements⁽⁹⁾,
- having regard to its resolution of 15 June 2010 entitled ‘Internet governance: the next steps’⁽¹⁰⁾,
- having regard to its resolution of 15 June 2010 on the Internet of Things⁽¹¹⁾,
- having regard to its resolution of 14 February 2006 on the human rights and democracy clause in European Union agreements⁽¹²⁾,

⁽¹⁾ Texts adopted, P7_TA(2012)0140.

⁽²⁾ Texts adopted, P7_TA(2012)0126.

⁽³⁾ Texts adopted, P7_TA(2012)0059..

⁽⁴⁾ OJ L 56, 29.2.2012, p. 1.

⁽⁵⁾ Texts adopted, P7_TA(2011)0511.

⁽⁶⁾ Texts adopted, P7_TA(2011)0364.

⁽⁷⁾ Texts adopted, P7_TA(2011)0334.

⁽⁸⁾ OJ C 377 E, 7.12.2012, p. 135.

⁽⁹⁾ OJ C 99 E, 3.4.2012, pp. 101.

⁽¹⁰⁾ OJ C 236 E, 12.8.2011, pp. 33.

⁽¹¹⁾ OJ C 236 E, 12.8.2011, pp. 24.

⁽¹²⁾ OJ C 290 E, 29.11.2006, pp. 107.

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- having regard to its resolutions on urgent cases of breaches of human rights, democracy and the rule of law, where they raise concerns regarding digital freedoms,
 - having regard to its position of 27 September 2011 on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 1334/2000 setting up a Community regime for the control of exports of dual-use items and technology ⁽¹⁾,
 - having regard to Council Regulation (EU) No 36/2012 concerning restrictive measures in view of the situation in Syria and repealing Regulation (EU) No 442/2011 of 18 January 2012 and introducing export restrictions on ICTs and monitoring tools ⁽²⁾,
 - having regard to Council Regulation (EU) No 264/2012 of 23 March 2012 amending Regulation (EU) No 359/2011 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Iran and introducing export restrictions on ICTs and monitoring tools ⁽³⁾,
 - having regard to Articles 3 and 21 of the Treaty on the Functioning of the European Union,
 - having regard to Article 207 of the Treaty on the Functioning of the European Union,
 - having regard to the European Union's Guidelines on Human Rights,
 - having regard to the Universal Declaration of Human Rights and to all relevant international human rights instruments, including the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights,
 - having regard to the UN Convention of 17 April 2003 for the Safeguarding of Intangible Cultural Heritage ⁽⁴⁾,
 - having regard to the United Nations Charter,
 - having regard to the European Convention on Human Rights and the ongoing negotiations on the EU's accession to the Convention,
 - having regard to the Charter of Fundamental Rights of the European Union,
 - having regard to Rule 48 of its Rules of Procedure,
 - having regard to the report of the Committee on Foreign Affairs and the opinion of the Committee on International Trade (A7-0374/2012),
- A. whereas technological developments enable individuals all over the world to use new information and communication technologies (ICTs) and to connect to the internet, thus fostering revolutionary changes in societies, the functioning of democracy, governance, the economy, business, media, development and trade;
- B. whereas the internet is a key enabler of access to information, freedom of expression, freedom of press, freedom of assembly, and economic, social, political and cultural development;
- C. whereas there is a global consensus, reflected in international law, that restrictions on fundamental rights must be foreseen by law;
- D. whereas human rights need to be protected and promoted by the EU, both offline and online;

⁽¹⁾ Texts adopted, P7_TA(2011)0406.

⁽²⁾ OJ L 16, 19.1.2012, p. 1.

⁽³⁾ OJ L 87, 24.3.2012, p. 26.

⁽⁴⁾ <http://unesdoc.unesco.org/images/0013/001325/132540e.pdf>

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- E. whereas inclusion, the fostering of e-skills and bridging digital divides are key in harnessing the empowering potential of the internet and ICTs;
- F. whereas ICTs, while they have been key instruments in organising social movements and protests in various countries, notably with regard to the Arab Spring, are also used as tools of repression through (mass) censorship, surveillance and tracing and tracking of information and individuals;
- G. whereas ICTs may also play the role of a useful tool for terrorist organisations to prepare and perform attacks;
- H. whereas the context in which technologies are used determines, to a great extent, the impact they can have as a force for positive developments or for repression instead;
- I. whereas these changes create new contexts which call for the adapted application of existing laws, on the basis of a strategy to mainstream the internet and ICTs in all EU external action;
- J. whereas the internet has flourished and developed organically as a platform of huge public value; whereas, however, the misuse of the new opportunities and instruments made available by the internet also creates new risks and dangers;
- K. whereas the internet has also become a factor in the development of international trade which demands continuing vigilance, particularly in relation to consumer protection;
- L. whereas restrictions should only exist in cases of use of the internet for illegal activities, such as incitement to hatred, violence and racist attitudes, totalitarian propaganda, and children's access to pornography or their sexual exploitation;
- M. whereas the global and borderless nature of the internet requires new forms of international cooperation and governance with multiple stakeholders;
- N. whereas Article 21 of the Treaty on European Union states: 'The Union shall ensure consistency between the different areas of its external action and between these and its other policies. The Council and the Commission, assisted by the High Representative of the Union for Foreign Affairs and Security Policy, shall ensure that consistency and shall cooperate to that effect';
- O. whereas net neutrality is an essential principle for the open internet, ensuring competition and transparency;
- P. whereas digital security and digital freedom are both essential and cannot replace one another;
- Q. whereas the EU only leads by example on digital freedoms when these are safeguarded in the EU;

Human rights and development

1. Recognises that uncensored access to the open internet, mobile phones and ICTs have impacted on human rights and fundamental freedoms, exerting an enabling effect, by expanding the scope of freedom of expression, access to information, the right to privacy and freedom of assembly across the world;
2. Recognises the vast enabling, creating and catalysing potential of the open internet and ICTs for community-building, civil society, and global economic, social, scientific, cultural and political development, contributing as such to the progress of humankind as a whole; is aware, nevertheless, of the new risks and dangers for human rights arising from the misuse of ICTs;
3. Recognises that the internet and social media enable governments to engage in direct diplomacy and the facilitation of increased people-to-people contact around the world; stresses that open debates on ideas can help refute extremism and improve intercultural engagement and understanding;

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4. Considers culture to be a facilitator of access and contact where political relations are blocked or troubled; recognises that freedom and culture are closely intertwined and that digital cultural diplomacy is of strategic interest to the EU;
5. Recognises the role of artistic freedom, and the freedom to imitate and reuse, as cornerstones for creativity and freedom of expression and ideas; is aware of the significant presence of exceptions and limitations in the copyright ecosystem, especially in the areas of journalism, quotation, satire, archives, libraries and ensuring access to and usability of the cultural heritage;
6. Calls on the Commission to duly address the fact that there are countries practising the repression and control of citizens, civil society organisations and activists, while business in some countries involves a growing technological component in terms of the blocking of content and the monitoring and identification of human rights defenders, journalists, activists and dissidents; further calls on the Commission to act against the criminalisation of legitimate expression online and the adoption of restrictive legislation to justify such measures; reaffirms, therefore, that such practices are contrary to the Copenhagen criteria;
7. Stresses that the recognition and implementation of the principles of Corporate Social Responsibility by internet service providers, software developers, hardware producers, social networking services/media, etc., is necessary to guarantee the freedom of action and safety of human rights defenders as well as freedom of expression;
8. Stresses that the promotion and protection of digital freedoms should be mainstreamed and annually reviewed so as to ensure accountability and continuity, in all the EU's external actions, financing and aid policies and instruments, under the leadership of the High Representative and the EEAS; calls for a proactive approach in this regard, and for action to ensure that there is horizontal cooperation and coordination between and within the relevant EU institutions and agencies;
9. Endorses the Commission's recognition that safe access to the internet is part of the Copenhagen criteria and that limitations on freedom of expression, including on the internet, should be justified by a pressing social need and, in particular, should be proportionate to the legitimate aim pursued;
10. Is aware of the concerns over the protection and promotion of human rights and freedoms online which exist in all countries, while recognising the critical distinctions affecting the context within which ICTs are used, as in the cases of the existence of the rule of law and the right of redress;
11. Calls on the Commission to ensure coherence between the EU's external actions and its own internal strategies when defending strictly necessary and proportionate restrictions on fundamental rights, and particularly when upholding basic principles of international law, such as that restrictions must be based on law and not introduced in an ad hoc manner by the industry;
12. Encourages the EU Special Representative for Human Rights to name digital freedoms and the 'No Disconnect Strategy' among his key priorities;
13. Stresses that effective EU development and human rights policies require mainstreaming ICTs and bridging the digital divide, by providing basic technological infrastructures and facilitating access to knowledge and information and promoting digital literacy all over the world;
14. Considers ICTs to be enablers of transparency and good governance, literacy, education, sexual and reproductive healthcare, effective election monitoring and disaster relief, especially in remote areas and developing societies;
15. Stresses that EU development and human rights programmes should include aid programmes fostering digital freedoms, above all in societies in non-democratic countries, as well as in countries going through post-conflict or political transitions; believes that EU regulatory experts are essential interlocutors for purposes of training counterparts and

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embedding basic rights and principles in new (media) regulation and legislation in third countries; stresses that aid in the form of building ICT infrastructures should be made conditional on the implementation and preservation of open access to the internet and information online; as well as on digital freedom more broadly;

16. Draws attention to the importance of developing ICTs in conflict areas to promote peace-building activities at civil society level, with a view to providing secure communications between parties involved in peaceful resolution of conflicts, thereby actively overcoming physical hindrances and risks affecting bilateral contacts for people and organisations in such areas;

17. Hopes that the appropriate use of new communications technologies, and in particular social media, will help to reinforce direct democracy among citizens of the EU and of third countries by creating social platforms for formulating legislation;

18. Stresses that the digital collection and dissemination of evidence of human rights violations can contribute to the global fight against impunity; considers that these materials should be admissible under international (criminal) law as evidence in court proceedings;

19. Emphasises the need to ensure that rare earth materials used in the production of ICTs are obtained under conditions of respect for human, labour and environmental rights, and are not subject to monopolistic practices or to limitations on trade access introduced on purely political grounds; believes that a multilateral approach to ensuring access to rare earth materials in humane circumstances is a requisite for achieving these goals;

Trade

20. Recognises that the internet has become a part of the public space where new forms of crossborder trade are realised, along with innovative market development and social and cultural interaction; believes that digital freedoms and crossborder trade should go hand in hand in order to create and optimise business opportunities for European companies in the global digital economy;

21. Is aware that there is concern that some people increasingly hear the word 'copyright' and hate what lies behind it; acknowledges the important role that foreign trade policy has played in shaping copyright enforcement mechanisms;

22. Deplores the fact that EU-made technologies and services are sometimes used in third countries to violate human rights through censorship of information, mass surveillance, monitoring, and the tracing and tracking of citizens and their activities on (mobile) telephone networks and the internet; urges the Commission to take all necessary steps to stop this 'digital arms trade';

23. Calls for a ban on exports of repressive technologies and services to authoritarian regimes; believes that such a ban should set a precedent for structural restrictive measures; considers it prudent, however, to specify that any such bans must be decided on a case-by-case basis, taking into account specifics when dealing with conflict zones or authoritarian regimes;

24. Regards certain targeted jamming, surveillance, monitoring and interception technology products and services as 'single-use' items, and therefore calls for the establishment of a list, to be regularly updated, of countries which are violating freedom of expression in the context of human rights and to which the export of the above 'single-use' items should be banned;

25. Stresses the need to implement and monitor EU sanctions relating to technologies at Union level, so as to ensure that Member States comply equally and the level playing field is preserved;

26. Stresses that the Commission should be able to provide companies that are in doubt as to whether to apply for an export licence with real-time information on the legality or potentially harmful effects of trade deals; this should also apply to EU or EU-based companies entering into contractual relations with third-country governments, whether in order to win

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operating licenses or negotiate standstill clauses or by accepting public involvement in business operations or public use of networks and services;

27. Stresses the importance of the protection of consumers' rights in the context of international agreements concerning ICTs;

28. Urges the Commission to submit, during 2013 at the latest, proposals requiring increased transparency and accountability on the part of EU-based companies, as well as the disclosure of human rights impact assessment policies, with a view to improving the monitoring of exports of ICTs, products and services aimed at blocking websites, mass surveillance, tracking and monitoring of individuals, breaking into private (email) conversations or the filtering of search results;

29. Calls on the Commission to submit proposals for an EU legal framework that would oblige companies engaging in public procurement in Member States to perform human rights impact assessments on the relevant ICTs, starting at the R&D phase, and ensure non-complicity in possible human rights violations in third countries;

30. Believes companies should design and implement business practices aimed at monitoring the possible impact of new ICT products on human rights, including at the research and development phase, and ensuring non-complicity in possible human rights violations in third countries; calls on the Commission to provide EU businesses with a wide range of information so that they can strike the right balance between business interests and corporate social responsibility;

31. Deplores, in this respect, the active involvement of European companies and international companies operating in the EU in countries deploying repressive government policies against human rights activists and political dissidents with regard to digital rights, internet access and ICTs; urges the Commission to exclude companies engaging in such activities from EU procurement procedures and calls for tender;

32. Calls on the Commission to provide EU businesses with a wide range of information and guidance, based on the UN's 'Ruggie principles', so as to ensure compliance with both business interests and corporate social responsibility;

33. Stresses the need to consider the effect of technological standard-setting for ICT and telecom products and services in the EU, where such goods and services are exported to third countries where concepts such as 'lawful interception' have different implications, for example where the rule of law does not exist;

34. Recognises that the internet has become a public space as well as a marketplace, for which the free flow of information and access to ICTs are indispensable; therefore takes the stance that digital freedoms and free trade must be promoted and protected simultaneously in order to encourage and support the free exchange of ideas, as well as increased business opportunities for EU citizens in an increasingly digital global economy;

35. Calls for the inclusion of conditionality clauses in EU FTAs, stipulating transparent safeguards, preserving unrestricted access to the internet, and ensuring the free flow of information;

36. Calls on the Commission and Council to ensure that mandates for multilateral and bilateral trade negotiations, as well as the conduct of the negotiations themselves, are effectively conducive to the achievement of important objectives of the EU, in particular the promotion of its values of democracy and the rule of law, the completion of a true digital single market and respect for development cooperation policy;

37. Calls on the EU to provide political backing to European companies which are faced with requests to remove user-generated content or provide personal information in ways that breach fundamental rights and curtail the freedom to conduct business;

38. Calls on the EU to challenge and minimise the extraterritorial impact of third-country legislation on EU citizens and businesses online;

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39. Notes that e-commerce has developed outside of traditional trade regulatory frameworks; stresses the importance of increased international cooperation in the WTO and WIPO in order to protect and ensure the development of the global digital market; calls for the revision and updating of the current Information Technology Agreement (ITA) in the WTO and for the EU to explore the possibilities of an International Digital Economy Agreement (IDEA);
40. Calls on the Commission not to transfer enforcement and copyright claims to economic operators in future trade agreements, and also to ensure that actions that interfere with internet freedom in law may only be carried out under the rule of law and judicial authority;
41. Considers that restrictions on access for EU businesses and online consumers to (digital) markets arising through mass censorship in third countries constitute protectionist measures and trade barriers; calls on the Commission to present a strategy to challenge measures by third countries that restrict access for EU businesses to their online markets;
42. Calls on the EU to strive to ensure that regulation of the internet and ICTs is kept at a justified and adequate level and is undertaken only when the EU deems it necessary;
43. Calls for the inclusion of targeted repression technologies in the Wassenaar Arrangement;
44. Calls on the Council, the Commission and the European External Action Service to provide political backing to EU companies operating in third countries where they face requests to remove user-generated content, curtail the freedom to provide services or provide personal information in ways that breach fundamental rights; points out that digital enterprises often operate without borders, and that third-country legislation may negatively affect European users and consumers; also calls, therefore, on the Council and the Commission to ensure that the impact of third-country legislation on natural or legal persons operating in the EU is minimised;
45. Notes that increased governmental involvement and regulation hampers the open and unrestricted nature of the internet, thereby limiting the potential for increased e-commerce and constraining EU businesses operating in the digital economy; believes that a multi-stakeholder approach is the best means of striking a balance between public and private interests on the internet and in the global marketplace; calls for an international effort to build the necessary infrastructure to allow the expansion of the digital economy, including liberal regulatory regimes, and calls on developing countries to increase mutual benefits in line with the trade-for-change principle;
46. Considers that the restriction of EU businesses' access to digital markets and online consumers through, among other things, mass state censorship or restricted market access for European online service providers in third countries constitutes a trade barrier; calls on the Commission and Council to include a safeguard mechanism in all future trade agreements, especially those which contain provisions affecting online services and online communities of users who share information, in order to ensure that EU ICT companies are not required by third parties to restrict website access, remove user-generated content or provide personal information, such as personal IP addresses, in ways that contravene fundamental rights and freedoms; calls, additionally, on the Council and Commission to develop a strategy for challenging measures by third countries which restrict EU companies' access to global online markets;
47. Urges the Commission to present a new draft regulatory framework on dual-use exports, addressing potentially harmful exports of ICT products and services to third countries and providing for a coordinating and monitoring role for the Commission;

Internet governance

48. Considers transparent and collaborative decision-making to be essential in order to ensure respect for the open and participatory nature of the internet; considers that any debate on regulations concerning the internet should be open and involve all stakeholders, especially those specialised in fundamental rights protection, as well as everyday internet users; believes the EU should play a leading role in the development of digital freedom groundrules and norms of behaviour in

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cyberspace, including dispute settlement mechanisms and taking account of conflicting jurisdictions;

49. Notes that the structure of the internet is currently relatively unregulated and is governed through a multi-stakeholder approach; stresses the need for the EU to ensure that the multi-stakeholder model is inclusive and that small businesses as well as civil society actors and users are not overruled by a few large business and government players;

50. Considers that cooperation between governments and private actors on ICT issues should not be based on placing direct and indirect obligations on ISPs to adopt devolved law enforcement roles by policing and regulating the internet;

51. Stresses the importance of an overall EU strategy for internet governance, as also for issues related to telecom regulation, recalling that the sector is internationally governed through the International Telecom Union, in which EU Member States each have one vote;

52. Is concerned at the proposals by coalitions of governments and business seeking to introduce regulatory oversight and increased governmental and private control over the internet and telecom operations;

53. Calls on the EU to address and resist the extraterritorial impact of third-country laws, notably IPR laws of the United States, on EU citizens, consumers and businesses; in this context, calls on the Commission to swiftly present its EU-wide Cloud Computing Strategy, as highlighted in the Digital Agenda for Europe;

54. Recalls that the internet, data connection and storage and ICTs are essential parts of the EU's critical infrastructure;

55. Regrets the push in the EU for more powers to block websites, given that this should always be a measure of last resort;

56. Strongly supports the principle of net neutrality, namely that internet service providers do not block, discriminate against, impair or degrade, including through price, the ability of any person to use a service to access, use, send, post, receive or offer any content, application or service of their choice, irrespective of source or target;

57. Considers that more global cooperation is needed in order to uphold and modernise intellectual property rights in the future, this being vital to ensure innovation, employment and open world trade;

58. Calls on the Member States and the Commission to develop IPR policy in order to continue to allow those who wish to create their own content and share it without acquiring IPRs to do so;

59. Calls on the Commission to propose a new regulatory framework for crossborder online trade, an evaluation and revision of the Information Society Directive 2001/29/EC to ensure predictability and flexibility in the EU copyright regime, and a revision of the Intellectual Property Rights Enforcement Directive (IPRED), which would balance the need for relevant copyright reform and protection with the need to protect fundamental rights online and preserve the open internet, and would serve as a basis for IPR provisions and commitments in future FTAs;

A digital freedom strategy

60. Recognises that human rights must also be protected online, and believes that ICTs should be mainstreamed in all EU programmes, especially in the European Neighbourhood Policy and the strategic partnerships, in order to advance this effort;

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61. Calls for the recognition by the EU of digital freedoms as fundamental rights and as indispensable prerequisites for enjoying universal human rights such as privacy, freedom of expression, freedom of assembly and access to information and ensuring transparency and accountability in public life;
62. Calls on the Commission and Council to support, train and empower human rights defenders, civil society activists and independent journalists using ICTs in their activities and to assert the related fundamental rights of privacy, freedom of expression, freedom of assembly and freedom of association online;
63. Asks Member States not to use the exception of public order as a restrictive measure to limit civil society organisations' fundamental rights of assembly and demonstration, and recalls that any such exception must be motivated and proportional;
64. Calls for political and diplomatic support for digital freedoms in recipient countries of EU aid, in addition to assistance programmes;
65. Considers that the restriction of digital freedoms should be taken into full consideration in the EU's relations with third countries, while those receiving EU assistance and aid, other than countries in acute conflict, suffering from disasters or in immediate post-conflict and post-disaster situations, should be required to use ICTs in ways that increase transparency and accountability;
66. Urges the Council and Commission to include, in accession negotiations and negotiations of framework agreements with third countries, human rights dialogues, trade negotiations and all forms of contact relating to human rights, conditionality clauses stipulating the need to guarantee and respect unrestricted access to the internet and digital freedoms;
67. Calls on the Commission and Council to promote and preserve high standards of digital freedom in the EU, in particular by codifying the principle of net neutrality by means of appropriate regulation, so as to strengthen the Union's credibility in terms of promoting and defending digital freedoms around the world;
68. Considers that synergising the EU's trade, security and foreign policies and aligning its values and interests are indispensable if the Union is to fully leverage its economic power and act as a global player in defending digital freedoms;
69. Considers coordination and joint diplomatic initiatives with other OECD countries in developing and executing a digital freedom strategy to be essential for efficient and agile action;
70. Calls on the Commission and Council to adopt a Digital Freedom Strategy in EU foreign policy as soon as possible;
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71. Instructs its President to forward this resolution to the Council, the Commission, the High Representative of the Union for Foreign Affairs and Security Policy/Vice President of the Commission, and the EEAS.
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