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PIAC and CIPPIC Join International Civil Society Groups in Declining to Endorse OECD Principles on Internet Policy Making

OTTAWA – June 30, 2011. The Public Interest Advocacy Centre and the Samuelson-Glushko Canadian Internet Policy & Public Interest Clinic, as part of a coalition of more than 80 civil society groups, have declined from endorsing a set of Internet Policy Principles presented by the Organization for Economic Co-operation and Development (OECD).

Intended to instill consistency in International online decision-making processes, there is much value in the itemized set of Principles found in the OECD's [Communiqué on Principles for Internet Policy-Making](#). PIAC and CIPPIC are particularly supportive of principled commitments in the Communiqué to better global privacy protections and to preserving an open and innovative Internet, as well as to cooperative multi-stakeholder processes as a means of resolving Internet policy conflicts.

Concern stemmed from the Communiqué's attempts at more detailed articulations of these principles which, in many cases, served to completely undermine the itemized Principles it was attempting to establish. "Paying lip service to high-sounding principles is not enough," said John Lawford, Counsel for PIAC. "A Principle aimed at limiting liability for Internet intermediaries for their customer's content, for example, should not be written to push on them the role of intellectual property police."

There was general concern, as well, that the Communiqué elevated protection of intellectual property rights above all else in ways that could conflict with fundamental human rights and freedoms and due process. "The unbalanced manner in which this Communiqué addressed intellectual property rights is troubling," said CIPPIC Director David Fewer. "The Communiqué ignores the role played by exceptions and limitations to liability in promoting innovation and creativity through intellectual property. Further, the disproportionate IP protection mechanisms found in this document are far out of touch with Canadian values."

"For a set of principles aimed at 'ensuring that the Internet remains open and dynamic', the Communiqué does very little to prevent ISPs from throttling innovative content on their networks," said Fewer. "Allowing ISPs to ensure appropriate service quality is troubling if it does not include assurances that content will not be discriminated against."

"A comparison of the Communiqué's protection of IP and privacy is telling," said Lawford. "While intermediaries must act to reduce IP infringement on their services, the global privacy protections envisioned by this Communiqué appear largely based on stronger education efforts, not regulation."

In spite of its shortcomings, CIPPIC and PIAC (as part of the [Civil Society Information Society Advisory Council](#) to the OECD) remain committed to ongoing cooperative

discussions with OECD member governments and with representatives of the international business and technical communities at the OECD and in other venues aimed at resolving such differences in principle and at striving for consistent and global customer protection standards.

CSISAC Press Release: <http://csisac.org/CSISAC_PR_06292011.pdf>

CSISAC Statement on Communiqué:

<http://csisac.org/CSISAC_Statement_on_OECD_Communique_06292011_FINAL_COMMENTS.pdf>

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