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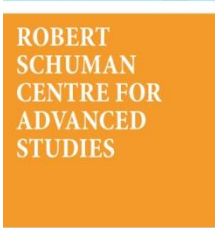
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Abstract

The intricate relationship between Internet, on the one hand, and Human Rights, on the other, is increasingly becoming relevant in foreign policy. Discussions are animated by different actors, providing contributions from multiple perspectives, yet the debate on Internet and Human Rights is still fragmented and has not evolved into a unified agenda. This paper explores this on-going debate over competing perspectives, and frames the current discussion on Internet and Human Rights in foreign policy by providing an overview of the key governmental conferences addressing the Internet and Human rights over the first 3 years (2010-2012) since the beginning of the debate. It then proceeds to analyze key narratives, stakeholders and agendas within these conferences, as well as questions of power and legitimacy. Finally, it argues that the conferences draw from a common discourse and language, but are also representing divergent agendas between stakeholders and states.

Keywords

Introduction[1]

Although the relation between Internet and Human Rights is widely considered as a key matter in the debate on freedom of expression online, the issue is relatively new in the field of foreign policy. The need to develop policy initiatives able to integrate this debate into actual foreign policy requires an active debate and strengthening of collaborations among multiple actors active in the field of online freedom of expression, including policy makers, international organizations, governments and telecommunication actors. The increasingly frequent policy oriented and academic conferences worldwide addressing the relation between Internet and Human Rights are indicative of the rising relevance of this issue in international politics, and may serve as a vantage point for further inquiry into how this issue area is translated into foreign policy practice.

This article explores and systematizes discourses, actors and policy challenges in the debate on Internet and Human Rights in Foreign Policy. In particular, the attention to Internet and Human Rights issues among diplomats and Ministry of Foreign Affairs (MFAs) in the past three years would seem to suggest the states in North America and Europe have developed a common foreign policy agenda. Here, the following analysis leads us to argue that while these conferences share a common narrative and use the 'language of rights' (Glendon 1991) within a diplomatic context, this does not signal a common agenda. Rather these conferences draw from a common narrative stemming from global scripts on human rights, national civil society discourses and the foundational narrative of the debate created by the U.S. State Department.

In order to shed light on this, the article investigates the narratives, stakeholders and agenda by following a *process tracing* approach. George and Bennett (2005) describe process tracing as a heuristic tool useful for generating interpretations of the case analyzed according to the observed sequences of events. Within the framework of interpretivism, process tracing is applied not only for understanding what happened, but also to explain why and how this happened (Vennesson 2008). It thus traces the causal path of events. This particular approach of process tracing will allow us to provide a systematic narrative explanation of the relation among actors, and the relation of causality of facts which has led to the current state of debate on Internet and Human Rights in foreign policy. We therefore proceed by first providing an overview of the key conferences that took place in the field of Internet and Human Rights in foreign policy from early 2010 until late 2012. While many more conferences were organized in this three-year period, since we are interested in how the relation between Internet and Human Rights is increasingly discussed within the framework of foreign policy, those discussed here will be limited to international conferences organised by national MFAs. We then proceed to analyse the dominant narratives and stakeholders that were present at the analysed Internet and Human Rights conferences, before looking more closely at the divergent agendas and the power dimension of internet freedom debates. In conclusion, a perspective is provided on how the divergence between discourses and agendas affects policy development in the field, before sketching out future policy developments in this area.

Framing the Policy Debate: a summary of Diplomatic Internet and Human Rights Conferences 2010 – 2012

Internet and Human Rights constitutes a multi-dimensional field, which can be addressed from multiple perspectives. The on-going debate in the field includes therefore as many perspectives as there are recognized human right organisations (Jørgensen 2006). Issues such as the *right of digital privacy* and the *right of digital protection* from surveillance are increasingly discussed within the

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framework of Internet and Human Rights. At the same time, we can look at the role that the internet plays in enhancing the *right of freedom of expression*, or the *right in accessing information and knowledge*. Among these various dimensions of digital rights, the so-defined "internet freedom debate" (Ross 2010) has become one of the most important international debates on Internet and Human Rights in Foreign Policy (McCarthy 2011). However, as will become clear in the present analysis, the exact definition of this debate is still unclear and, as noted by Brown and Marsden (2013) regulatory paths on this matter are also uncertain. One of the most central public statements of such a foreign policy initiative was United States (U.S.) Secretary of State Hillary Clinton's (2010) "Remarks on Internet Freedom" made on 21 January 2010 (MacKinnon 2012). Despite including other countries, the main focus of her statement was China and Iran, which are both mentioned more than any other country. Moreover, within this foundational statement on internet freedom as foreign policy, two key aspects stand out: the assumption that ensuring freedom of expression might serve to foment "U.S. friendly revolutions" (Nye 2009) and the highly ambiguous role of the corporate sector in securing free expression (MacKinnon 2012). Following Clinton's remarks, several European countries also developed internet freedom initiatives, which were generally understood to be a response to the suppression of mass public protests in Iran in 2009. The Franco-Dutch initiative was launched in a joint communiqué by Bernard Kouchner and Maxime Verhagen, then French and Dutch foreign ministers, in May 2010. The initiative culminated in a meeting at ministerial level on the *Internet and Freedom of Expression* held in Paris in July 2010.[2] Here, too, key aspects on the agenda were the support of the supposed revolutionary activities of "cyber dissidents" and the ambiguous role of the corporate sector. However, the Franco-Dutch initiative includes significantly stronger references to a human rights framework to guarantee freedom of expression, compared to the U.S. State Department's Internet Freedom Initiative. Moreover, the Internet Freedom Initiative led not only to diplomatic but also to corporate responses. With the *Internet at Liberty: The Promise and Peril of Free Expression* Conference held in Budapest in September 2010, also Google highlighted its agenda in the field of internet freedom. Explicitly drawing on existing private and public sector initiatives, such as the Global Network Initiative (GNI),[3] one of the main non-governmental organizations active in internet censorship and freedoms, or the Hillary Clintons' Internet Freedom Initiative, the conference was the first clear attempt by a large private corporation to push the internet freedom agenda.

The following year, the *Freedom Online Conference* (FOC) in The Hague (NL) in December 2011 was key in being the first large EU-U.S. event where foreign ministers from both sides of the Atlantic were actively involved in the debate on human rights online. In contrast to many other conferences, with the FOC an attempt had been made to provide a truly global perspective on internet freedom, with over 25 countries represented on various panels throughout the three days. At the same time the topics discussed seem relatively narrowly focussed on Freedom of Expression issues rather than broader issues of human rights and the internet. The American, Dutch and Swedish Foreign ministers were all present, bringing together some of the key proponents of human rights online in a European context. The elevated role of the U.S. foreign ministry was evident during the conference, with Hillary Clinton invited to make the opening keynote, which was followed by a presentation by Eric Schmidt from Google. The conference itself was focussed explicitly on Freedom of Expression and as a result did not consider many other aspects of human rights online such as privacy, protection from surveillance or access to knowledge.

While we can note that this focus is typical of both U.S. and Dutch foreign policy in this area, it provides a limited view on potential human rights policy agendas. At the same time the conference was an excellent space to bring together what has become a coalition of states working together to promote internet freedom online. Based on its core values and objectives, namely human rights,

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[2]   Remarks by B. De la Chappelle, during the "Dynamic Coalition on Freedom of Expression and Freedom of the Media on the Internet Coalition Meeting", at the 5th Internet Governance Forum, Vilnius, Estonia, 14-17 September;

[3]   See for more: http://www.globalnetworkinitiative.org/ ;

pluralist democracy, and the rule of law the Council of Europe (CoE) has also addressed issues with respect to the internet in recent years. The CoE included the issue of internet freedom by organizing a major conference on the topic in March 2012. Here, the Committee of Ministers, which represents 47 member states, passed an internet governance strategy by emphasizing the multi-stakeholder dialog. The preliminary draft was *inter alia* elaborated at the *Internet Governance Forum* (IGF) in Nairobi in September 2011[4] and during the conference *Our Internet – Our Rights, Our Freedoms* in Vienna organized together with the Federal Ministry for European and International Affairs of Austria in November 2011.[5] As a result, the CoE has developed 40 lines of action integrating a variety of soft law elements, including a "framework of understanding and/or commitments" to protect the internet's universality, integrity and openness, appropriate human rights-based standards to protect and preserve the unimpeded cross-border flow of legal internet content, and human rights policy principles on "network neutrality".[6] The strategy also seeks to advance data protection and privacy, the rule of law and co-operation against cybercrime, as well as child protection. The comprehensive declaration that also links previous relevant legislation will be implemented over a period of four years, from 2012 to 2015.

Following the United States and the Dutch diplomatic initiatives, the Swedish Ministry for Foreign Affairs, the Internet Infrastructure Foundation (.SE) and the Swedish International Development Cooperation Agency (SIDA) hosted the first *Stockholm Internet Forum* on "Internet Freedom for Global Development" in April 2012. The focus on human development, digital rights and technologies might have been stated most sharply by Sweden's Development Minister Gunilla Carlson, who drew the analogy "Where there is water, there is life. And where there is the internet, there is hope. Let's make sure everybody has plenty of both."[7] A second crucial issue on the agenda was the responsibility of ICT-corporations combined with the need for exercising due diligence in order to promote human rights. Participants thereby referred to and strongly highlighted the UN Framework and Guiding principles on business and human rights.[8] In the course of the conference, civil society representatives also published new principles for more transparency in policy-making of states: the "Stockholm Principles for Governmental Transparency Reporting" on Net Freedom are still in beta. Sweden took the initiative within the UN Human Rights Council in fostering freedom online. In July 2012 the UN's human rights body endorsed the first ever resolution affirming that the same rights that people have offline must also be protected online, in particular freedom of expression.[9] Together with Sweden, this resolution was presented by Brazil, Nigeria, Tunisia, Turkey and the United States and was supported by over 80 member states and civil society organizations. Sweden's foreign minister Carl Bildt (2012) has described this as the beginning of a global alliance for the freedom of the internet.

The Organization for Security and Co-operation in Europe (OSCE), representing 56 states from Europe, Central Asia and North America and being the world's largest regional security organization, coordinated the *Dublin Conference on Internet Freedom* in June 2012, as Ireland held the OSCE

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[4] Internet Governance Forum 2011, available at: http://www.intgovforum.org/cms/2011-igf-nairobi ;

[5] "Our Internet - Our Rights, Our Freedoms" Towards the Council of Europe Strategy on Internet Governance 2012 – 2015, available at: http://www.coe.int/t/informationsociety/conf2011/ ;

[6] Internet Governance - Council of Europe Strategy 2012 - 2015, CM (2011) 175 Final, 15 March 2012, available at: https://wcd.coe.int/ViewDoc.jsp?Ref=CM(2011)175&Language=lanEnglish&Ver=final&BackColorInternet=C3C3C3& BackColorIntranet=EDB021&BackColorLogged=F5D383 ;

[7] Stockholm Internet Forum: Session on Reconciling freedom and security in cyberspace, available at: http://www.stockholminternetforum.se/program/session-1/informal-summary/ ;

[8] On 16 June 2011, the UN Human Rights Council endorsed the "Guiding Principles on Business and Human Rights: Implementing the United Nations 'Protect, Respect and Remedy' Framework" proposed by UN Special Representative John Ruggie. Available at: http://www.business-humanrights.org/SpecialRepPortal/Home/Protect-Respect-Remedy-Framework/GuidingPrinciples;

[9] UN Human Rights Council, Resolution 20/8, 5 July 2012, on the promotion, protection and enjoyment of human rights: http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session20/A.HRC.20.L.13_en.doc;

Chairmanship that year. The two OSCE monitoring bodies – i.e. the Office for Democratic Institutions and Human Rights (ODIHR), and the Representative on Freedom of the Media – played notably a key role here. As outlined by the organizing committee, this event first and foremost aimed at moving towards a clearer interpretation of already existing OSCE commitments. In this sense, the working sessions were built around the aim to gain a shared understanding on internet freedom, in particular stressing the role of governments and corporations within international law. However, statements from the audience indicated several conflicting points of views on behalf of participating delegations.[10]

Following the first meeting in The Hague, the second FOC Conference in September 2012 was organized by the Republic of Kenya in partnership with the Dutch government in Nairobi. For the first time internet freedom policies were broadly discussed on the African continent under the leadership of Kenya. Compare to other conferences, far more representatives from African and Asian countries attended this event and participated in the program focusing on entrepreneurship and corporate social responsibility, censorship issues and internet access rights.[11] The Coalition was initiated in 2011 by U.S. and EU governments and seeks to coordinate international diplomatic actions related to internet freedom. After Kenya and Ghana, Tunisia announced it would join the alliance to become the Coalition's 18th member state and host the next conference in 2013.[12]

Finally, the Berlin "Internet and Human Rights Conference" in 2012.[13] Looking back on already two years of internet freedom commitments in the U.S. and Europe, the Internet and Human Rights Conferences in Berlin attempted to bring together existing initiatives while progressing on the actual implementation of Internet. This also included an attempt to develop policy recommendations that were distilled from the recommendations and comments of participants. The conference can be seen in the context of the German application to become a member of the U.N. Human Rights Council, which has been accepted in November 2012, and as an attempt to build capacity on this issue in Berlin. As such the conference was more focused on organising German and European initiatives rather than the global debate on these issues.

Analysis: Narrative, Stakeholders and Agendas

In order to systematize the debate of Internet and Human Rights in Foreign Policy, to frame the discourse, and identify its key drivers, in what follows we analyze narratives, stakeholders and agenda by using a process tracing approach. As already stressed above, this method matches the goal of this article of identifying not only the outcome of this debate, but also to explain the pathway through which it materialized, and the broader context within which this debate is moving. As we point out here the outcome of the debate on Internet and Human Rights in Foreign Policy is anyway very limited, and far from finalized. Instead, with the following analysis we trace the current debate and its development on Internet and Human Rights in Foreign Policy by understanding it within broader historical and political contexts. We do so through a focus on the causal pathway of events as they unfolded in a sequenced manner, addressing the conferences' agenda, as well as the relationship among key international actors involved in the processes.

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[10] Part 1, available at: http://www.osce.org/cio/91473 ; Part 2, available at: http://www.osce.org/cio/91474

[11] "Freedom Online Kenya 2012". Programme available at: http://www.freedomonlinekenya.org/programme-1

[12] "Readout of Internet Freedom Policy Workshop", http://www.state.gov/r/pa/prs/ps/2012/10/198704.htm

[13] In this case the cut-off of the analysis was the end of 2012. While other conferences on this topic have taken place since then they were not considered for the purposes of this analysis ;

A. Common Narrative? Key Discourses and Questions

Having provided an overview of the conferences organized by MFAs, we now use *discourse analysis* of conferences' program, in order to analyse the key discourses and explore whether our hypothesis of a common narrative can indeed be substantiated. By considering narratives as effective organizing mechanisms by deploying meaning toward policy issue within institutional contexts, existing institutional logics might be subject to change and consequently result in alternative settings (Thornton et al. 2012). In particular, discourse analysis of the workshop's title included in the conferences' program shows not surprising that there is a considerable usage of the words 'Internet', 'Freedom', 'Human' and 'Rights'. However beyond the use of these terms there is little commonality in the substance of what these terms are used to describe (Sunil 2012).

Another aspect that comes out strongly in analysing the discourses used is the lack of legally binding instruments involved in these debates. While there are numerous declarations of principles, statements of Internet and best practise guidelines being developed, parliamentarians or even legislative instruments are only involved in a few cases. While demands for stricter export control on surveillance technologies, such as the Global Online Freedom Act (GOFA) in the U.S., exist also in Europe, they have not been situated at the core of the conferences nor were they seriously discussed in any of these venues. It seems that such initiatives exist on the fringes of these conferences, while the actual focus of the debates are soft rather than hard policy instruments.

A third element that is prevalent in conference debates is that organisers do not develop explicit answers for many of the topics on the agenda. Indeed, the analysis of discourses shows that question marks are so prevalent in many of the Internet conferences being organised, that it is indicative of the inefficacy of these conferences in framing the policy debate around Internet and Human Rights, and the inability to address policy implementations or develop joint actions. The role of the multi-stakeholder model is significant in this context, as it basically evolves into providing new ideas and policies to governments who have not yet developed a clear agenda about the role of Internet issues in their foreign policy (Brown and Marsden 2013, Brousseau and Marzouki 2013). To the invited groups - mainly regional or local civil society but also the private sector and international organisations - a space is offered which is suggested to allow them to upload their ideas and suggestions to government policy in return for innovative ideas and effective analysis. However, it is still unclear whether this will produce tangible outcomes. As such the various conferences serve as a massive free-form public consultation of relevant stakeholder groups. As the consultation process is not formalised, it tends to promote the invitation of the usual actors and has difficulty challenging basic assumptions about the agenda itself (Barnes et al. 2003). These include narratives about the key role of foreign policy in keeping the internet open or the fundamental importance of the multi-stakeholder model in its governance.

At the same time, this flurry of conferences does not mean that there has been an equally huge amount of policy activity within the field of Internet and Human Rights. For all of the stages that have been built and for all of the public debates that have taken place, this has translated into remarkably little concrete implementations. On issues such as export controls for technologies which harm human rights or developing joint declarations or treaties, the translation into actual foreign policy has been minimal at best. The few notable exceptions are the Freedom Online Coalition initiated in The Hague in 2011, which has since led to a coalition of states working together in this area. This exception notwithstanding, most of the conferences have tended to call for things to be done rather than actually doing things. The impetus of the agenda around internet conferences is more to consider what could be done rather than actually doing it. An alternative interpretation is to see these individuals as 'unelected representatives' (Keane 2009) who still fulfil an important function within the democratic process.

The concept of internet freedom has become something of an empty vessel, which is filled by the respective organisers in whatever manner they see fit. However, its lack of specificity also makes it difficult to draw together the different aspects of internet around a common set of policy objectives.

While all stakeholders draw from the language and narrative of rights, it is difficult to discern a common 'Internet Freedom' or 'Internet and Human Rights' narrative. All of the conferences so far have been held together by a few common terms and a common linguistic framework, within which the debates have taken place. However, as shown in the following empirical analysis, they do not necessarily suggest a common strategic agenda.

B. Stakeholder Analysis: Key Participants

The starting point for this paper was to build a database based on the six big international conferences related to freedom online and foreign policy extracted from the events outlined in above.[14] The stakeholder analysis is based on the set of conference programs which are publicly available on the web. A case is defined as an official speaker, as mentioned in those programs.[15] As a result the analysis initially aims to identify those individuals and groups who hold some kind of "stake" or interest in the field of Internet and Human Rights. The list of speakers was analysed in order to identify the key actors as well as marginal groups shaping the public debate in this key initial period. Following the observations of discourses and questions outlined in the previous section, the following analysis intents to provide further insights into the issues at stake.

Focusing on speakers who attended the conferences follows the assumption that those are perceived as relevant experts in this specific field. They have been invited with the intention to share their knowledge and experiences, and thereby contributing to the discussions in plenaries and workshops providing a specific perspective on the topics linked to Internet and Human Rights. By doing so, experienced speakers shape and frame the public agenda within the field of Internet Foreign Policy to a large extent. They might even shift the attention to alternative problems and solutions which subsequently might also influence the policy decisions. In order to identify structural patterns and possible biases, attributes such as the conferences attended, the organisation, the persons' name and role have also been gathered. Cases have been further categorized according to the stakeholder group, the respective person, or the organization he or she represents.

In the years 2011 and 2012 five out of six conferences were hosted by European governments and took place in Europe, and one conference was held in Kenya. In total, 245 cases were collected. These cases are clustered into seven stakeholder groups as illustrated in Figure 1.

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[14] The sample includes the following conferences: "Our Internet - Our Rights, Our Freedoms. Towards the Council of Europe Strategy on Internet Governance 2012 - 2015" (Austria, 2011); "Freedom Online. Joint Action for free expression on the internet" (The Netherlands, 2011); "The Stockholm Internet forum on Internet freedom for Global Development" (Sweden, 2012); "Dublin Conference on Internet Freedom" (Ireland, 2012); "The Second Freedom Online Conference" (Kenya, 2012); "The Internet and Human Rights: Building a free, open and secure Internet" (Germany, 2012);

[15] Speakers that were occurring at several conferences each time counted as one case;

Figure 1. Overall Numbers of Representatives by Stakeholder Group (n=245)
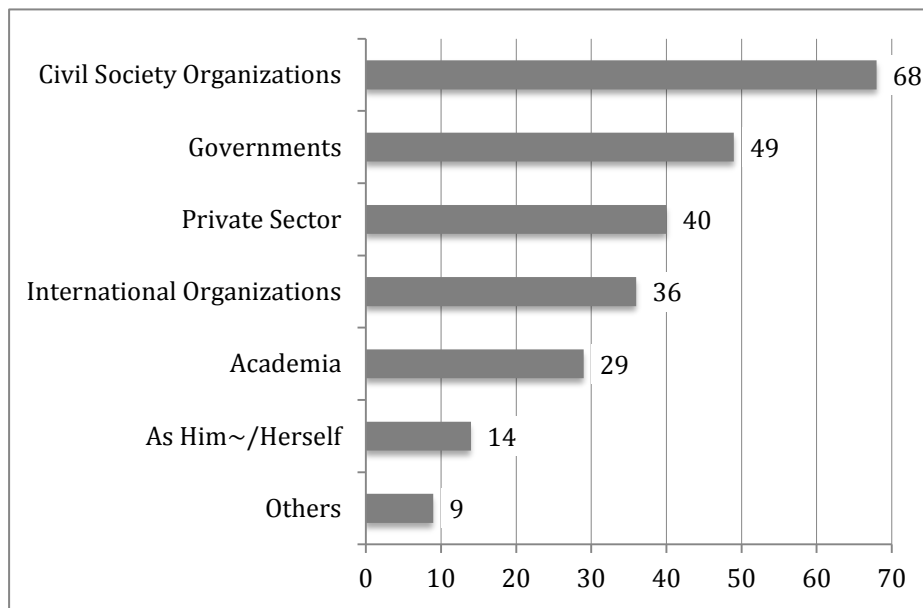
Due to the 'multi-stakeholder' approach that all conference organizers have stressed as very important and applied in the agendas, identifying and dividing different stakeholder groups wasn't a problem. However, while some groups play an outstanding role in contributing to the programs others were not involved. According to their times of appearances, representatives of civil society organizations are the most central actors invited to speak at international conferences on Internet and Human Rights. Adding the number of speakers within the category "As Him/Herself", mainly represented by bloggers and activists from authoritarian countries, civil society is most active in these conferences and can be identified as the primary stakeholders in the respective field. According to their function as organizers and hosts of the meetings, governmental representatives cluster the second largest stakeholder group.[16] Then follows members of the private sector, first and foremost by officials from Google (9 times) and Facebook (3 times). International Organizations only come in as the fourth category, as will be illustrated in detail subsequently. As Figure 1 indicates, academics play a less important role according to the number of times they spoke as experts on panels and workshops.

However, one of the most crucial findings is hidden behind the last category entitled "Others". Quantitatively not enough to form an own category, members of national and the European Parliament represent the most marginal group. The absence of parliamentary representatives becomes even more relevant when looking at how many people exactly have joined the discussions.[17] In sum, in only four out of 245 cases parliamentarians have commented on the issues regarding Internet in the realm of international relations. This lack of parliamentary representation within international conferences fits to the aforementioned findings and further exemplifies the absence of hard policy initiatives in the political discourse on Internet.

Geographically, speakers from the United States and the UK participated in the conferences most often, although the sample did not include conferences that took place in one of these countries. These

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[16] The number is based on governmental representatives as they appear in the conference program as speakers in workshops or sessions. The group of governmental actors attending those conferences is much bigger when all country delegations invited are being included;

[17] Here we can count: Marietje Schaake, Dutch Member of the European Parliament officially participated in the sample of conferences three times, and Birgitta Jónsdóttir, Icelandic Member of Parliament for The Movement was active in one conference;

are followed by the countries that hosted own conferences, i.e. Germany, The Netherlands, Sweden, Austria, Kenya and Ireland. Based on our sample of conferences we can state a strong geographical bias towards an Anglo-American and European perspective (See figure 2).

Figure 2. Diversification of speakers by country (n=245)
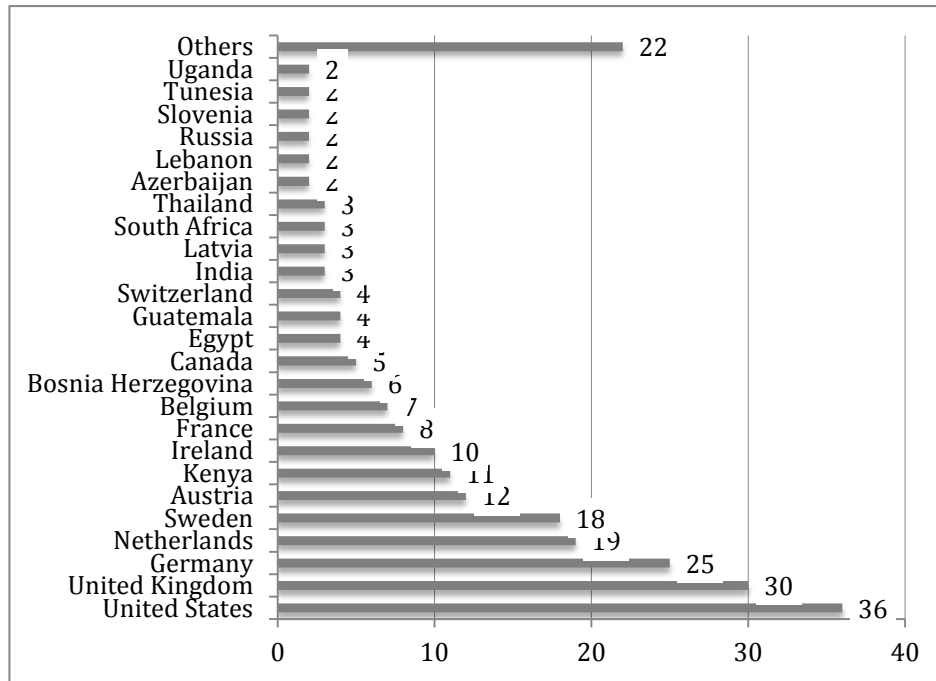
Detailed findings – 'Levels of stake-holding'

In this section results will be provided in more detail by further elaborating the structure of each conference and within selected stakeholder groups. Figure 3 provides an overarching view on how organizers have interpreted and applied the multi-stakeholder approach. The perceived relevance of one or the other groups results in quite diverging proportional distributions.

Figure 3. Multi-Stakeholder involvement by Conferences, in percent (n=245)
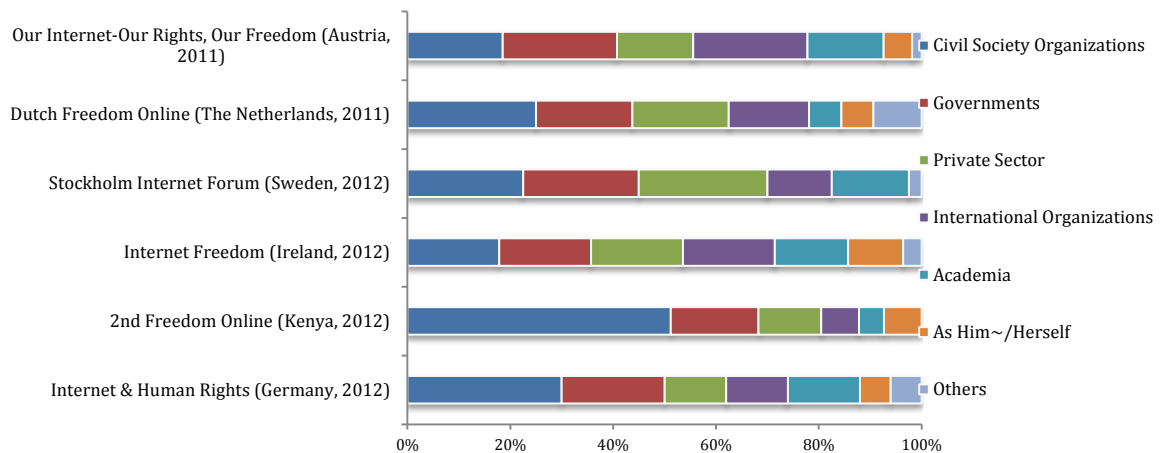

Most pronounced emerges the 2nd Freedom Online Coalition Conference, which was held in Kenya. Whereas strong emphasis was given to *civil society organizations* – with distinction this was the most represented group – other stakeholders, such as international organisations and academia, were less involved in this conference compared to the conferences hosted by European foreign ministries.

As mentioned before, representatives of civil society organizations participated most often according to the times they gave a talk or joined the discussions. Thereby, the conducted analysis indicates a variety of actors with a civil society background that were involved directly. Members within this category cannot be viewed as a homogeneous stakeholder community, neither in their structure, nor according to their priorities. Within six conferences 48 different organizations were identified. Only a few of them, such as "Access Now" and the "Institute for Human Rights and Business" (each 5 times), "Freedom House" and "Hivos" (each 3 times) can be named as this category's leaders. However, the majority of civil society organizations involved participated only once and can be described as smaller groups, rather concerned with national politics. "Human Rights Watch" as an organization with worldwide branches and a true global outreach only participated twice. Other well-known international civil society organizations did not contribute to the conferences' agendas.

Even though the conferences dealt with a global topic and were always directed to an international audience, one can also observe a "national framing". This becomes most obvious when we refer to governmental representatives (See figure 4). The overall result leads to the notion that governments were most active in the conferences they have organized themselves. According to the number of governmental representatives, Germany and Austria as well as Ireland seem to be quite relevant in pushing the agenda forward, but indeed they aren't. All three countries were involved in organizing and hosting an own conference and thereby developed a program including their national representatives. By contrast Sweden, The Netherlands and Kenya participated in more than three conferences, as well as The United States and the UK. The latter two were not organizers of a conference that have been included in the sample. The leading role of U.S. foreign policy and the Swedish government can also be confirmed by looking at these numbers.

Figure 4. Conferences attended from Governmental Representatives by Country (n=49)
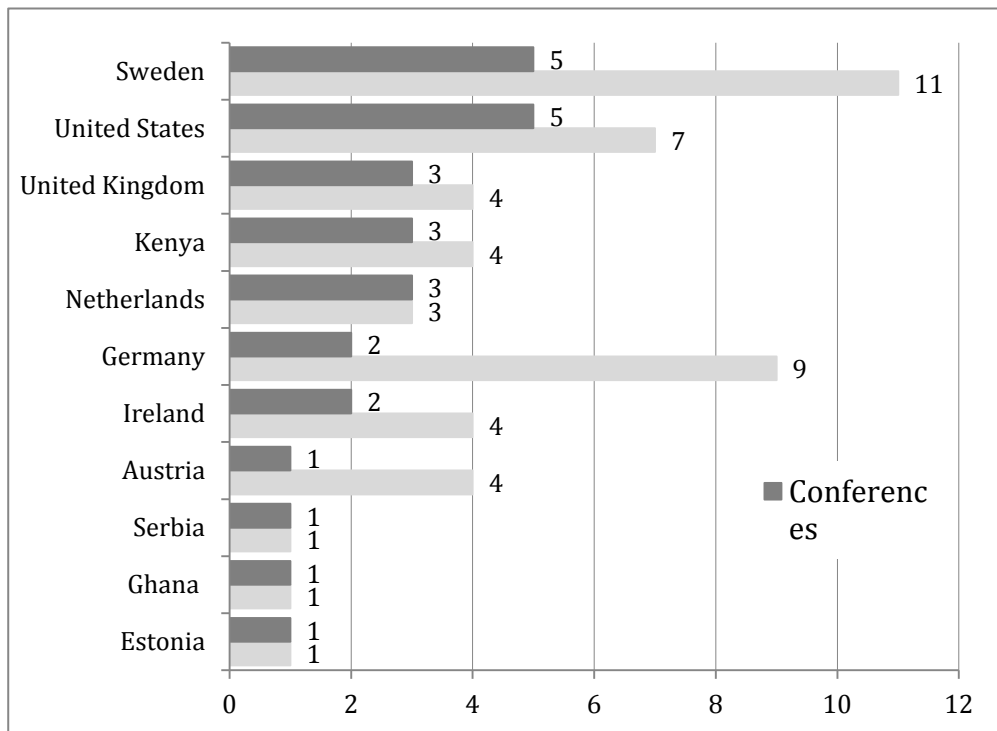
Shifting the attention to *international organizations* and how they shape the conferences' agendas, three major actors were found: The Council of Europe, the Organization for Security and Co-operation in Europe (OSCE), both organizers of a conference in our sample, and the United Nations (see figure 5).

Figure 5. Participation from International Organizations (n=36)
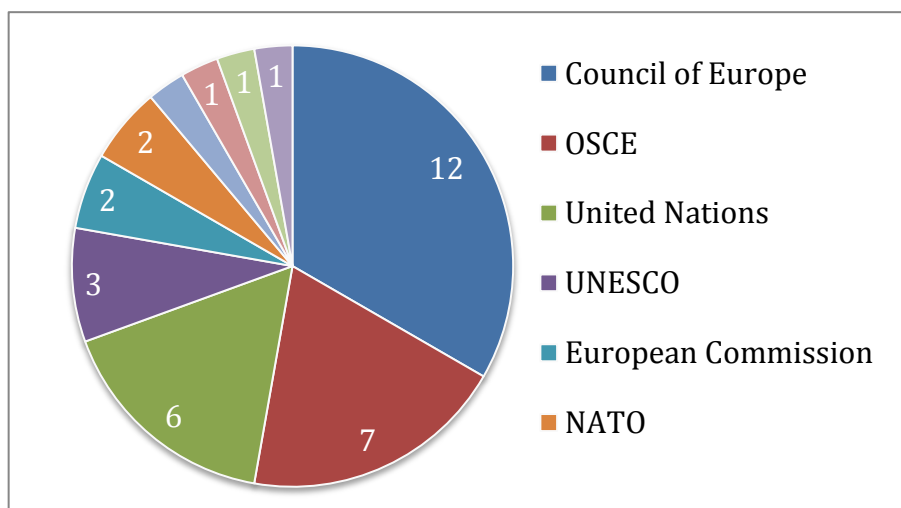
Similarly to parliamentarians, international organizations are mainly represented by a single person. For the OSCE, this is Dunja Mijatovic who was appointed OSCE Representative on Freedom of the Media in 2010. She participated in all six conferences and was thereby the most demanded single person. With regard to the United Nations, Frank La Rue has provided expertise at five conferences in his role as the UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression.

Over the course of the initial three years since the beginning of the debate on internet and human rights, the conference analysed above indicate a growing international response to the debate on internet freedom. However, these six single events were mainly framed by national actors and stakeholders. This seems to be contradictory. On the one hand, conferences were initiated by broader coalitions proposing and pushing an agenda on internet freedom principles understood as global norms. On the other hand, governments themselves take on the role as conference hosts and organizers to deploy their domestic and foreign policy interests. Thereby, the vague term of "internet freedom" became a widely used frame for national discourses.

C. Divergent Agendas and Power

Derived from the two sections above that focused on the narratives and key participants, by applying a process tracing approach above introduced, we identify 6 key drivers, which have led to these conferences taking place in this manner over the past three years. These 6 key drivers can be grouped into 2 main frameworks: *Historical Framework* and *Actors Framework*. First, the *Historical Framework* includes key drivers describing the relation of causality between facts and events which have characterized the shift in bringing Internet and Human Rights matters to the Foreign Policy discourse. Second, the *Actors Framework* includes key drivers identifying the relation between actors, states, and institutions leading the policy oriented debate. According to this analysis, key drivers are systematized as follow:

    a) Historical Framework:
        1. Specific geopolitically relevant events and their framing;
        2. The role of U.S. foreign policy in framing the debate;
        3. Competition between government ministries: from internal to foreign affairs

    b) Actors Framework:
        4. The role of small European countries in framing the debate;
        5. The role of international organisations;
        6. The role of large global corporations.

a) Historical Framework

1) Mass public protests in Iran and during the Arab Spring

The mass public protests on the streets of Tehran in 2009 had a dramatic impact on public opinion. They played a role in in defining public debate, as it led to a close linkage between ICTs, the Internet and the protest movement in Iran. This was perceived to be fuelled, enabled or at very least linked to new ICTs. Particularly the Wall Street Journal story suggesting that Nokia Siemens had supported the Iranian governments suppression of the protests by supplying surveillance technology to Iran (Rhoads and Chao 2009) further focused the debate on the role of ICTs. Although diplomats had been involved in these debates for some time, this was the first time that there was an active search for solutions in this area in response to the widespread public debate. Special advisors were appointed and existing staff with competency in this area were brought together to develop solutions. The result was an explosion of respective foreign policy statements in late 2009 and early 2010.

2) The role of U.S. foreign policy in framing the debate

One of the best placed actors in the diplomatic debate on these issues was Hillary Clinton, who had recognised after the presidential elections in 2008 when she became U.S. Secretary of State that she needed to increase the capacity of the state department to deal with online issues. At the same time the historic position of U.S. foreign policy in this area and it's 'open door policy' provided a fertile ground to develop U.S foreign policy in this area (McCarthy 2011). The result was Hillary Clinton's "Remarks on Internet Freedom", which for all of the legitimate criticism on both their framing and

substance of the agenda (Morozov 2011) have been the key starting point of a foreign policy agenda around 'Internet Freedom.' As noted by McCarthy in a seminal article in 2011:

> "The symbolic politics surrounding the Internet are crucial to the future direction of its technological development. The argument of U.S. foreign policy officials, that an Internet characterized by the free flow of information meets international norms of human rights and democracy, is an attempt to steer the development of the technology in a direction that meets its specific vision of how international society should function" (McCarthy 2011, 105).

This analysis is also strongly reflected in the frequent presence of State Department officials speaking at the conferences discussed here. Their prevalence is second only to that of Swedish officials and has been crucial in shaping and framing the global debate on internet freedom beyond the remarks of Hillary Clinton directly.

3) Competition between government ministries at a national level: from internal to foreign affairs

The 'cyber' policy area had initially been occupied by the Department of Homeland Security and the Intelligence Services as well as the Department of Commerce, with little scope for policy development by the State Department. However, the internet freedom agenda has increasingly been pursued by the U.S. State Department. This has marked a shift in the internet freedom agenda from national oriented policy bureaus to foreign policy departments. Engaging in internet freedom as a strategic object of U.S. Foreign policy has the effect of 'de-securitising' the agenda - or at very least shifting the discursive frame away from the classic security-oriented 'politics of cyber.' This does not mean that the state department has not shown interest in internet freedom to become a tool to pursue U.S. strategic interests, but rather that the very consideration of internet freedom as an agenda has provoked a shift away from the classic economy and security frame.

Importantly, this shifting portfolio of ministries in the 'cyber' policy domain can also be observed in other foreign ministries around the world. The opportunity structure for developing internet freedom policies is common to many MFAs and the resulting response of foreign ministries around the world - and particularly in Europe - has been to follow suit, if not always with an identical strategic agenda. Apart from divergent European foreign policy interest, this is also because the issue has historically been framed in terms of human rights in several small European countries, particularly Sweden and Estonia.

b) Actors Framework

4) Small European countries shaping the debate: Sweden and the Netherlands

It is important to consider the role of both Sweden and the Netherlands in framing the debate in Europe on Internet and Human Rights on Foreign Policy. Particularly Swedish Foreign Minister Carl Bildt occupied a central role in the international debate, although the process of doing so has led to considerable tensions with other ministries within the Swedish government. The process of Sweden becoming a leading global voice on internet freedom has posed some difficulty for larger European countries, as their leadership on a defining future foreign policy issue is called into question. The response by other large European MFAs has been to focus on other aspects of the 'cyber' policy agenda, with President Sarkozy of France organising an unusual e-G8 meeting in 2011 to promote the economic dimension of internet foreign policy, while the United Kingdom has promoted its 'London Cyber' process as a means of establishing jointly agreed norms in cyberspace.

Notably the Netherlands have also played an important role in both linking U.S. and European debates on internet freedom and spearheading the Freedom Online Coalition (FOC) movement to

develop a group of states around an internet freedom agenda.[18] At the same time both the Netherlands and Sweden are part of an informal G5 group of EU countries which work together on cyber policy issues at a European level (Bendiek & Wagner 2012). As such it remains to be seen how European foreign policy develops in this area and how the on-going cooperation of the G5 influences European foreign policy in regards to the Internet and Human Rights.

5) The role of International Organisations

Despite the existence of a European 'No Disconnect Strategy' that was develop by European Commissioner VP Neelie Kroes after the Arab Spring and launched in December 2012,[19] there is so far limited involvement of EU Commission officials at the internet freedom conferences analysed. This is not to say that international organisations have not been represented at these conferences. The Council of Europe (CoE) and the OSCE took over the representation in this case. The CoE has been deeply involved in these debates, yet given the small size and budget of the organisation its purpose is clearly agenda setting rather than policy change. In regards to the OSCE their strong representation stems from the consistent involvement of Dunja Mijatovic, one of the key regular contributors, as the sole OSCE speaker represented. The strong presence of the CoE and OSCE in these debates suggests that the agenda is still at a declaratory rather than an operational stage. If it begins to filter into organisations and bureaucracies more strongly, it might be expected that other international organizations such as the European Commission or UNDP might be more frequently represented as well.

6) The interests of large global corporations

Unsurprisingly Internet and Human Rights policies are also used as a tool to further economic interests. The policies have been particularly relevant for large global corporations wishing to expand their presence across the globe. As such the agenda has been particularly relevant for those companies whose business models depend on global internet connectivity, particularly Google, Cisco and Facebook. Google has openly and vocally supported the internet freedom agenda since it was first announced in 2010, with both Chairman Eric Schmidt and CEO Sergey Brin publicly coming out in favour of the U.S. internet freedom agenda. Also Cisco has been particularly concerned with the threat that the breakup of the global internet into different national internets represents for its hardware business. As the development of internet governance policies remains closely entwined with economic and trade policies, the support of private companies for such agendas has become an important factor.

Conclusion and the path ahead

The Internet and Human Rights agenda in Foreign Policy has developed and disseminated in manifold ways over the past three years. Although initiated in the U.S., it has quickly gained different dimensions and spaces through its continued use as a highly flexible 'boundary object.' Despite this, each initiative in this area has attempted to carve out a new space. As pointed out with this article, while there is a strong impetus towards taking concrete steps, many of the initiatives and conference left unclear how these policy agendas will be implemented. For the enormous amount of discourse in this space, remarkably little has been done.

There are several reasons for this. Public policy is slow to develop and particularly difficult when the empirical basis of the policy making process is unclear. In many cases decision makers lack hard facts

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[18] So far, the FOC counts 19 countries, mostly from Europe and North America: Austria, Canada, Costa Rica, the Czech Republic, Finland, France, Estonia, Georgia, Germany, Ghana, Ireland, Kenya, Latvia, the Republic of Maldives, Mexico, Mongolia, the Netherlands, Sweden, Tunisia, the United Kingdom, the United States;

[19] Kroes, N. 2011. "No disconnect – ICT helping Human Rights across the world". Available at: http://blogs.ec.europa.eu/neelie-kroes/no-disconnect/ ;

about human rights abuses enabled by internet technologies, how governments are censoring and surveilling the internet in different parts of the world and even how online service providers in their own country are filtering news content in crisis situations. Moreover public debates on Anti-Counterfeiting Trade Agreement (ACTA), Stop Online Piracy Act (SOPA) but also World Conference on International Telecommunications (WCIT) exemplify the difficulty of developing a public debate on deeply technical material that is formulated following legal and diplomatic conventions (Calderaro and Kavada 2013). The lack of public debate, usable expertise and reliable data makes the overall policy process difficult, and the generally few substantive parliamentary debates on these issues further accentuate this problem.

MFAs also compete on this topic and there is a notable level of PR, public diplomacy and agenda setting taking place during the conference organising process. For the U.S. State department the internet freedom agenda has been an important tool to demonstrate the on-going capacity of the U.S. to innovate in the field of diplomacy and to reassert U.S. dominance within this field after the Iraq war. For Sweden and to a lesser extent the Netherlands, internet freedom of the Internet and Human Rights has provided a platform which as smaller European countries they would not otherwise have had access to in developing European foreign policy. Germany, which had not previously been particularly active in this field saw the conference as a way to catch up with other actors in this area while promoting it's own candidature for the U.N. Human Rights Council.

The analysis above has also identified the disconnection between national debates on the internet and the global Internet and Human Rights agenda. This is reflected both in the speakers invited and in the way the conferences are framed. While there seems to be an overarching discourse, there is little agreement beyond a few common boundary objects. Although the conference in Kenya represents an attempt to remedy the European and North American focus of the Agenda, there is no denying in that the overwhelming number of stakeholders participating come from North America and Europe. The frequent presence of civil society organisations at these conferences could simply be cosmetic, but the extent to which they are integrated into the debate on these issues suggests that they themselves are one of the key drivers of this agenda. Of course, it is extraordinarily helpful that open networks are also in the interests of large corporations and not just of civil society organisations. But the extent to which foreign ministries use these conferences as a means to 'download' knowledge and build their own capacity in dealing with these topics is notable and considerably shapes the debate as a result.

With Hillary Clinton leaving the state department at the end of 2012, there is so far no evidence of how her successor John Kerry will proceed and which strategic objectives he will pick. While the topic has clearly taken root in Europe, the direction and scope of European engagement with the internet freedom agenda remains difficult to ascertain. Crucial in this context is the involvement of the key European countries including the UK, France and Germany. While all have shown an appetite for integrating the internet into foreign policy, the focus has been on security and norms of behaviour in the UK, on supporting rights-holders and creating economic growth in France. All three countries have their own Cybersecurity strategy that typically includes a foreign policy component, but none has yet developed an overarching strategy for integrating the Internet and Human Rights or even just 'Internet Freedom' into foreign policy.

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