

---

**UN Human Rights Council**  
**35<sup>th</sup> Session, Item 3 – June 12, 2017**

**ID with SR on the Right to Freedom of Expression**

Delivered by Mr. Brian E. Frenkel,  
Human Rights and Humanitarian Affairs Advisor

---

Mr. Vice President,

We would like to thank the special rapporteur on Freedom of Expression for highlighting some important aspects related to freedom of expression on the internet.

We are of the view that state authorities should do their utmost to facilitate free, secure and open access of the public to the internet. Such free digital access is essential to enabling the realization of the full potential of economic and social prosperity, and is a key element in any democracy.

The first thing that is required in this regard is efficient cyber security. This requires that states invest in the proper infrastructure, consisting of a range of technological solutions, to make free digital access possible. The state of Israel, with its high levels of connectivity and a well-established hi-tech sector, has been investing significantly in its technological infrastructure.

However, when it comes to the need to address malicious content, insofar as it is not covered by the penal code, it is our view that states should not play the role of regulators or exercise too much interference in the free flow of information. In facing instances of hate and incitement, for example, states should refrain as much as possible from direct action, and instead strive to reach understandings with relevant companies and operators active in the digital domain, with a view to putting forth norms to govern the appropriate use of the internet.

The report of the Special Rapporteur puts a special focus on the role of private sector actors in ensuring free digital access. In this context, we encourage technological companies and service providers to study the recommendations included in the report, and consider implementing them.

Thank you, Mr. Vice President.