



## State of Global Internet Freedom in 2023

**For Prelims:** Global Internet Freedom in 2023, [Artificial intelligence \(AI\)](#), Censorship Regime, [Indian Penal Code](#), Code of Criminal Procedure, [Central Bureau of Film Certification \(CBFC\)](#), [IT \(Intermediary Guidelines & Digital Media Ethics Code\) Rules, 2021](#).

**For Mains:** State of Global Internet Freedom in 2023, Censorship Regime in India and its Advantages and Limitations, E-governance- applications, models, successes, limitations, and potential, Transparency and accountability.

[Source: TH](#)

### Why in News?

According to a report by Freedom House (a Washington DC-based non-profit) on the state of **Global Internet Freedom in 2023**, there is a concerning trend of **declining Internet freedom for the 13<sup>th</sup> consecutive year**, with 29 countries experiencing a deterioration in the environment for human rights online.

- The report covers **developments between June 2022 and May 2023**. It evaluates Internet freedom in 70 countries, accounting for 88% of the world's Internet users
- The report evaluates countries based on **five censorship methods**, including Internet connectivity restrictions, blocks on social media platforms, website blocks, VPN blocks, and forced removal of content.

### What are the Key Highlights of the Report?

- **Role of AI in Digital Repression:**
  - [Artificial intelligence \(AI\)](#) plays a critical role in digital repression. AI-based tools are increasingly **sophisticated and accessible**, being utilized to spread disinformation in at least **16 countries**.
    - Additionally, AI enhances content censorship efficiency in 22 countries by automating the removal of content deemed unacceptable for political, social, or religious reasons.
- **Legal Repercussions and Violence for Online Expression:**
  - A record high of 55 out of the 70 assessed countries witnessed legal repercussions for online expression.
  - Moreover, in 41 countries, individuals were assaulted or killed due to their online statements.
- **Country-Specific Findings:**
  - Iran witnessed a **sharp rise in digital repression** due to Internet shutdowns, blocking of social media platforms, and increased surveillance to suppress anti-government protests.
  - China **remained the worst country for Internet freedom** for the ninth consecutive year, followed by Myanmar as the second most repressive country for online freedom.
- **India's AI-Enabled Digital Repression:**

- India has incorporated **AI-based censorship into its legal framework**, impacting freedom of expression and criticism of the ruling party.
  - The report warns about adverse repercussions for Indian democracy due to the **expanding censorship regime**, creating an uneven playing field as the country prepares for general elections in 2024.

## What is Censorship?

- Censorship is the **act of suppressing or controlling information**, ideas, or expression that are deemed objectionable, harmful, sensitive, or threatening to a particular group, organization, or government.
- It involves restricting or prohibiting the dissemination, publication, or access to certain content, either by individuals, institutions, or authorities.
- In India, **censorship laws** take everything that comes in public domain – advertisements, theatre, films, series, music, speeches, reports, debates, magazines, newspapers, plays, any form of art, dance, literature, written, documentary or oral works – in their sweep.

## How does Censorship Work in India?

- **Code of Criminal Procedure (Cr.P.C):**
  - Section 95 of the Cr.P.C allows forfeiture of certain content/ publications.
    - It is punishable by the State **Government via an official notification under this section if any newspaper**, book, or document, wherever printed, contains any matter that the State Government considers harmful to the state.
- **CBFC:**
  - The **Central Bureau of Film Certification (CBFC)** is a statutory body operational under the Cinematograph Act, 1952.
  - It regulates the content of films that are brought into the public domain.
  - The CBFC follows a system of prior certification of films and the broadcasters are bound by the guidelines under the 'Programme Code and Advertisement Code' to follow the certification provided.
- **Press Council of India:**
  - It is a statutory and quasi-judicial body **which was established under the Press Council Act, 1978**.
  - It acts as the self-regulatory body for the press and regulates what comes to the media domain.
  - This body emphasizes the need for media persons and journalists to self-regulate, and acts as a watchdog for media content at large to assess if it goes against press ethics and the public interest.
- **The Cable Television Networks Act, 1995:**
  - This act also filters the kind of content that can be broadcasted.
  - For keeping a track over cable operators, the act mandates a compulsory registration for cable operators.
- **Social Media Platforms and the New IT Rules, 2021:**
  - Given the significant rate of growth of social media, its censorship has been a growing point of concern in India as till recent times, it was **not under the direct supervision of any government authority** or direct and specific regulation thus far.
  - At present, **the Information and Technology Act, 2000** regulates social media usage, and Sections 67A, 67B, 67C and 69A, in particular, include the specific regulatory clauses.
- **IT (Intermediary Guidelines & Digital Media Ethics Code) Rules, 2021:**
  - These were preceded by the amendments to the 'Allocation of Business Rules' under the IT Act, 2000 to bring films, audio-visual programmes, news, current affairs content, and digital and online media including **OTT (Over The Top)** platforms like Amazon, Netflix, and Hotstar under the purview of Ministry of Information & Broadcasting (I&B), Government of India.

## What are the Advantages and Limitations of Censorship?

#### ▪ **Advantages:**

- **Censorship Prevents Disharmony:** Censorship prevents disharmony in society by **prevention of disclosure of objectionable content** that can lead to communal discord.
- **Preserves the Security of the State:** The censorship of the internet can help to protect social stability and national safety.
  - Since internet censorship can help to curb the large number of illegal activities and internet crimes, it is good for the stability of society.
    - Some illegal organizations or people may release black information which will disturb the national economy and polity.
- **Prohibits the Spread of False Beliefs or Rumours:** Government can use the Censorship for prohibiting the spread of false beliefs or rumours and can also be used to curb access to Harmful Activities by preventing their public display and others.
  - The censorship of internet can filter the inappropriate information online and protect children from disturbing websites, such as, child pornography, sexual violence and detailed instructions in crime or drug use.

#### ▪ **Limitations:**

- **Tool for Moral Policing:** The practical application of the censorship legislation can end up becoming a tool of moral policing that controls other people's lives rather than concerning itself with larger public issues.
  - The wide-ranging powers given to the regulatory body under the new rules, which is composed of bureaucrats, also runs the risk of discretionary political control.
- **Against the Constitutional Mandate of Free Speech:** The circumferences of morality, taste, and distaste differ widely in India.
  - Hence, this level of intense censorship is far off-course from the constitutional mandate of free speech and expression as guaranteed to all Indian citizens (subject to certain reasonable restrictions).

#### **Way Forward**

- There need to safeguard freedom of **speech and expression through strong legal and regulatory safeguards** for digital communications and access to information.
- It is important that an appropriate regulation of AI is there in **order to ensure that it is used to bolster internet freedom** and not suppress it.