
SFLC.in Statement on Defamation Proceedings against Wikimedia Foundation

Since 2001, the Wikimedia Foundation has facilitated open access to knowledge and information across the world. Wikipedia functions as the most accessed online encyclopedia globally, with free articles available in more than 300 languages. Based on the principles of the open-source community, Wikipedia is maintained through a community of volunteers who strive to ensure that the online compendium remains reliable, open, and neutral. It places emphasis on information that is verifiable and accurate, based on citations from reliable sources.

The defamation lawsuit against the Wikimedia Foundation constitutes a worrying step towards arbitrarily curtailing the freedom of expression, and open access to knowledge. Wikipedia enjoys safe harbour protection under Section 79 of the Information Technology Act, 2000, subject to compliance with certain requirements. Stripping it off the vital protection guaranteed under law, will expose the platform to countless suits in relation to user content posted on its platform. This would inevitably lead to the self-censorship and over-regulation of free expression, causing a ‘chilling effect’ on free speech in India. It would risk transforming the largest online encyclopedia on the Internet to self-censor and restrict the free flow of information in the digital age. Further, directions to disclose the identity of volunteers or users, has the potential to infringe on the right to privacy, guaranteed under Article 21 of the Constitution and to in turn thwart free speech by causing a chilling effect.

SFLC.in has been a proponent of free and open access to knowledge, and free speech. Attempts to stifle free expression of ideas goes against the grain of the open and decentralized nature of the Internet.

SFLC.in stands firmly against any efforts to undermine the Wikipedia community, recognizing that such actions pose grave threats to the freedom of speech and expression, and open knowledge on the Internet.

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