

HRC40
Joint statement on freedom of expression
8 March 2019

Canada & The Netherlands have the honour to make this statement on behalf 62 countries.

Mr (Vice) President

We take this opportunity to highlight our concerns relating to violations of the rights to freedoms of opinion and expression. Not since 2009 has this Council adopted a substantive resolution relating to the rights to freedoms of opinion and expression.

The importance of Article 19 of the International Covenant on Civil and Political Rights is well known but the deepening crisis for freedom of expression worldwide, both online and offline requires us to ask for public attention. Digital technologies are pervasive in our everyday lives. As a result, the rights to freedoms of opinion and expression is increasingly mediated through digital contexts.

As this Council has previously agreed, the effective exercise of those freedoms is an important indicator of the level of protection of all other human rights and freedoms. It is also essential for democracy.

As fundamental rights, they are essential elements of a full range of human rights as well as Agenda 2030, which seeks to achieve sustainable development for all, and in particular Goal 16.

We insist on the centrality of information for democracy and the importance of a free, independent and pluralistic media as a conveyer of reliable news.

Yet it remains under sustained attack, through both assaults on freedom of the press and encroachments on the rights of ordinary citizens to freedoms of opinion and expression. According to data collected by Freedom House, freedom of expression has declined each year over the last 13 years, with sharper drops since 2012.

The recent emergence of a new generation of digital technologies – from Artificial Intelligence to the Internet of Things – can enhance human development. At the same time, there are broader implications from the use, and possible misuse of these technologies for the core values of democratic societies, including equality and fairness. We stress the need for states to ensure that AI developments occur safely and for the benefit of all and in line with international human rights standards.

In 2018 dozens of journalists were killed. These deadly attacks are just the tip of the iceberg. Journalists and media workers whose work enables individuals to enjoy their right to information are increasingly at risk of intimidation and judicial harassment, violence and arbitrary detention leading to self-censorship and undermining the public debate, the bedrock of democracy. Increasing demonization of the media by political leaders is also a worrying trend that contributes to this climate.

In many cases the perpetrators are not held accountable for their crimes. This climate of impunity perpetuates the cycle of violence against journalists, media workers and the media itself. We urge states

to stem the violence, intimidation and harassment against media outlets, journalists and media workers and bring all perpetrators to justice.

We are concerned about gender-based discrimination, including sexual and gender-based violence, threats, intimidation, harassment and incitement to hatred against women, including journalists, media workers and human rights defenders, both online and offline. Further, as this Council has previously agreed, such harms in online contexts prevent women and girls from fully enjoying their human rights and fundamental freedoms, including the rights to freedoms of opinion and expression.

We are also concerned over the shrinking of online space. The internet continues to gain importance as a sphere to enjoy the same human rights as offline, including the rights to freedom of opinion and expression, privacy, association and assembly, as well as a means to receive and seek information. However, this reality has been met by an increased call for state control over the online space, abuse of big data and the multiplication of legislations criminalizing free speech. Our countries are committed to drawing the attention of the Council to continued violations and abuses regarding these aspects.

In this respect, we stress the need for greater emphasis on prevention measures and the creation of enabling legal frameworks for freedom of expression to ensure a safe and enabling environment for journalists and media workers.

We invite the Council to continue addressing such issues in relation to freedoms of opinion and expression and address the situations of persons whose rights are violated in this regard and to ensure accountability for such violations.

Countries supporting this statement:

Afghanistan, Albania, Andorra, Argentina, Armenia, Australia, Austria, Belgium, Bulgaria, Canada, Chile, Costa Rica, Croatia, Cyprus, Czechia, Denmark, Ecuador, Estonia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Monaco, Mongolia, Montenegro, Netherlands, New Zealand, North Macedonia, Norway, Peru, Poland, Portugal, RoK, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, The Gambia, Tunisia, Turkey, UK, Ukraine