

47th Session of the Human Rights Council

Item 3: Interactive Dialogue with the Special Rapporteur on the Rights to Freedom of Opinion and Expression

2 July 2021

Delivered by Callum Birch

Thank you, Madam President.

ARTICLE 19 makes this statement on behalf of 11 NGOs.

We commend the Special Rapporteur for her timely and important report on disinformation, an issue which has been brought into the spotlight in the context of the COVID-19 pandemic.

We share concerns over the impact of disinformation on human rights. Yet, this is a problem that has only been exacerbated by many States taking a repressive approach and using disinformation as a pretext to crackdown on open public discourse and the essential work of journalists, human rights defenders and other civil society actors who contribute to flourishing information ecosystems.

Worldwide, many States have adopted repressive laws with vague terminology criminalising the spread of disinformation, which are inherently incompatible with the principles of legality, necessity and proportionality. In their path, these laws have led to the arbitrary detention of civil society actors simply for expressing critical or dissenting views.

In flagrant violation of various resolutions passed by consensus at this Council, many States have also responded to disinformation with Internet shutdowns and other disruptions which stop the free flow of information online, such as website blocking and filtering.

We deplore such measures, which are not only fundamentally at odds with international human rights obligations, but ultimately facilitate the spread of disinformation throughout societies and hamper fact-checking efforts.

It is clear that States must take a different approach to the problem.

The Special Rapporteur concludes her report with a powerful statement: “The right to freedom of opinion and expression is not part of the problem, it is the objective and the means for combating disinformation.”

We urge States to approach disinformation with a holistic response which embraces the right to freedom of expression, including by promoting a diverse and independent media, protecting journalists and whistle-blowers, ensuring access to information held by public bodies, and investing in media and digital literacy.

We also call on this Council to recalibrate all resolutions that contend with disinformation to align fully with the recommendations of the Special Rapporteur.

Thank you, Madam President.

Signed by:

- Access Now
- Amnesty International
- ARTICLE 19
- CIVICUS
- DefendDefenders (East and Horn of Africa Human Rights Defenders Project)
- Human Rights House Foundation
- IFEX
- International Bar Association
- International Center for Not-for-Profit Law (ICNL)
- International Commission of Jurists
- International Service for Human Rights