

Civil Society Groups Welcome Irene Khan as the New Special Rapporteur on Freedom of Expression

The undersigned civil society organisations congratulate and welcome Irene Khan to her new role as Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression. We take this opportunity to express our strong support for the vital work of the mandate. We stand ready to support the new mandate holder, and look forward to working collaboratively and constructively together over the next six years to address the most pressing freedom of expression concerns of the day.

Since its creation in 1993, the mandate has proven essential in the promotion and protection of the right to freedom of expression worldwide. The mandate's innovative annual reports have set increasingly progressive international standards, while thousands of communications to governments and 39 country visits have contributed to the protection of people at risk and ensured accountability for abuses and violations.

The mandate continues to be as important as ever. Over recent years, challenges for freedom of expression have only grown more complex. Across the globe, attacks against dissenting voices have intensified, while governments have designed repressive legal frameworks to silence criticism or opposition, including laws premised on disinformation and "fake news", terrorism and extremism, and defamation and insult. The digital age has brought its own challenges for freedom of expression, notably internet shutdowns and website blocking, artificial intelligence and algorithmic systems for moderating information online, interferences in tools for encryption and anonymity, and the deployment of tools for mass and unlawful targeted surveillance. In recent years, journalists and independent media have struggled to operate and survive financially, a challenge made more acute by the economic impacts of the COVID-19 pandemic.

The mandate has been at the forefront of many of these challenges, particularly by working closely with civil society groups, including national and grassroots organisations. As we look to the future, we believe it is essential that strong methods for civil society consultation and participation are continued, including in the design and prioritisation of the work of the mandate. The current pandemic has moreover brought into stark contrast the need to develop and commit to new and emerging forms of civic engagement, including through virtual channels. Ultimately, this relationship ensures that the work of the mandate is guided by, and responsive to, the communities it represents.

As we work together over the next six years, we consider the following to be among broad priority themes that require particular attention:

- The persistent and, more importantly, emerging challenges faced by journalists, media workers, writers, bloggers, human rights defenders, artists, academics and other civil society actors targeted for exercising their right to freedom of expression, including under the guise of national security. As attacks against these actors are increasingly met with impunity, it is more important than ever to form innovative solutions to counter such trends and ensure the safety and security of these actors at both the international and national level.
- The opportunities and threats to freedom of expression in the digital age, including those posed by new and emerging technologies, such as surveillance tools and artificial intelligence. As part of this, the issue of disruptions to the internet, including shutdowns, website blocking and

attacks on net neutrality, warrants the full scrutiny of the mandate. There is a need to not only elaborate on the human rights obligations of states and other actors in securing freedom of expression in the digital sphere, but to ensure that these are being implemented in practice.

- The best practices in creating an enabling legal and regulatory environment that allows the development of a free, diverse and pluralistic media landscape. This must be responsive to how the media around the world has fundamentally changed in recent years. Although broadcast radio and television remain important sources of information and ideas, the internet, and particularly social media platforms, have taken a position of growing importance as content distribution platforms.
- The obligations of states, and implementation gap, surrounding the right to access to information and related transparency issues. This is of fundamental importance for public participation, to foster transparency and accountability, to combat corruption and impunity, and to contribute to public confidence and support for government policies. There remains a long way to go to instil genuine transparency and protect the right to access to information for all.
- The responsibilities of corporations to respect human rights, including the right to freedom of expression, and the different ways in which their operations can hinder the exercise of this right. There are many challenges posed today to freedom of expression, such as internet shutdowns, content moderation and surveillance, that require the effective collaboration of corporations.
- The disproportionate and differentiated risks faced by certain individuals and groups exercising their right to freedom of expression, including, inter alia, women, ethnic and racial minorities, religious minorities, indigenous people, LGBTI people, and non-nationals, migrants, refugees and internally displaced people. An intersectional approach should be meaningfully streamlined across the work of the mandate.

Irene Khan has long been recognised as a champion of the causes of international human rights law, and we look forward to seeing her continue this in her promotion and protection of the right to freedom of expression. The undersigned civil society organisations reiterate our strong support for the mandate, as well as our commitment and readiness to work together to navigate critical issues for freedom of expression and ensure the widest protection to this right for everyone without discrimination.

ARTICLE 19

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Asian Forum for Human Rights and Development (FORUM-ASIA)

Association for Progressive Communications (APC)

DefendDefenders (East and Horn of Africa Human Rights Defenders Project)

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IFEX

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International Center for Not-for-Profit Law (ICNL)

International Service for Human Rights (ISHR)

Free Press Unlimited

World Movement for Democracy