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978-1-107-08386-8 - The United Nations and Freedom of Expression and Information: Critical Perspectives

Edited by Tarlach McGonagle and Yvonne Donders

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THE UNITED NATIONS AND FREEDOM OF EXPRESSION AND INFORMATION

There are a multitude of UN legal instruments which pertain to the rights of freedom of expression and information, and this book is the first to comprehensively map them and their function. It details the chequered history of rights within the UN system, and evaluates the suitability of the system for overcoming contemporary challenges and threats to the rights. Leading scholars address key issues, such as how the rights to freedom of expression and information can come into conflict with other human rights, and with public policy goals, such as counter-terrorism. The book's institutional focus comprises five international treaties, UNESCO and the UN Special Rapporteur on freedom of expression. Relevant for academics, lawyers, policy-makers and civil society actors, it also examines how new communication technologies have prompted fresh thinking about the substance and scope of the rights to freedom of expression and information.

TARLACH MCGONAGLE is a senior researcher at the Institute for Information Law in the Faculty of Law at the University of Amsterdam.

YVONNE DONDEERS is Professor of International Human Rights and Cultural Diversity and Executive Director of the Amsterdam Center for International Law in the Faculty of Law at the University of Amsterdam.

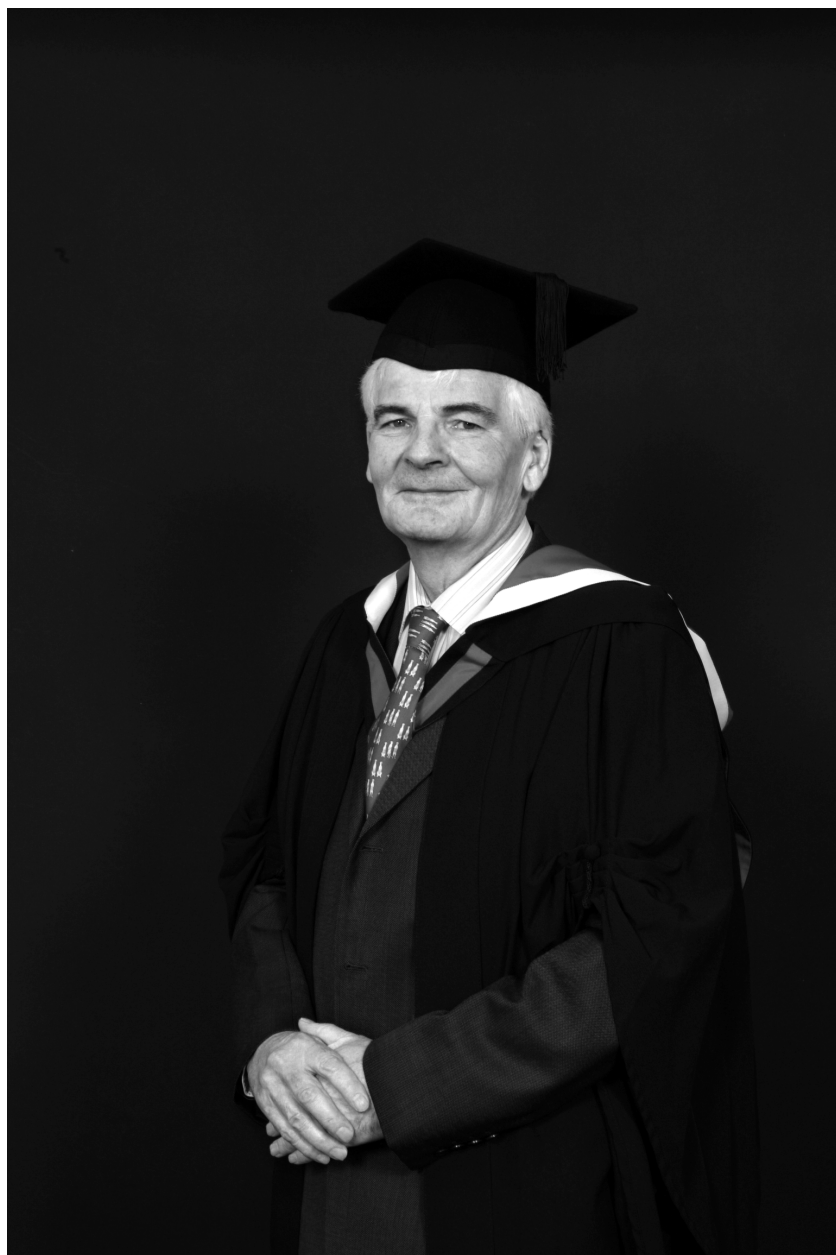
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Professor Kevin Boyle †, to whom this book is dedicated.
(Photo courtesy of the University of Essex)

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DEDICATION AND APPRECIATION

The present volume is the culmination of a broader research project, also entitled, ‘The United Nations and freedom of expression and information: critical perspectives’, originally conceived of and run by Kevin Boyle and the editors of the present volume. It was born in a flurry of enthusiasm, excitement and ambition. The project aimed to (and did) provide an expert forum to contribute to the Human Rights Committee’s then ongoing process of drafting a new General Comment on Article 19 of the International Covenant on Civil and Political Rights. The expert papers presented at that conference, as revised and realigned, aimed to fill a gap in existing scholarship. On completion of the project and the publication of this volume, the former enthusiasm, excitement and ambition remain, but they have become clouded in a very deep and enduring sense of sadness and loss. Our dear friend Kevin Boyle passed away in December 2010 and this book is dedicated to his memory.

After we had decided to dedicate the book to Kevin, further sadness followed. Two contributors to this volume, Karol Jakubowicz and Lucy Smith, passed away in 2013. We would also like to set out our profound appreciation of them and their work and we feel truly honoured to be able to include their chapters in the present edited collection.

For decades, through his prolific scholarship and his extensive, high-level contributions to the Council of Europe’s media-related policy-making, Karol Jakubowicz was a leading player in a veritable ‘media revolution in Europe’.¹ He had a great ability to generate, articulate, explore and operationalize ideas. He was always ‘ahead of the curve’, always pursuing the principles, with the clear-sightedness to see through the dizzying technological changes and appreciate the constant fundamental democratic, cultural and social issues behind them.

¹ K. Jakubowicz, *Media Revolution in Europe: Ahead of the Curve* (Strasbourg: Council of Europe, 2011).

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Lucy Smith's very distinguished academic career included many prestigious academic and other public appointments, including President of the University of Oslo and successive memberships of the Committee on the Rights of the Child. In recognition of her outstanding scholarship, she was awarded honorary doctorates by several universities across the world.

The preparation of this book proved a protracted process, and during the finalization stage, in particular, we were spurred on by the hope that the collection as a whole would be a fitting showcase for the excellent contributions that Kevin, Karol and Lucy made to the book project and a result of which they would have been proud.

Professor Kevin Boyle

Professor Kevin Boyle was an internationally renowned human rights lawyer, scholar and activist whose curriculum vitae includes numerous glittering legal and academic achievements.² It also offers a rich narrative of his life's engagement with people, structures and processes and his ability to promote human rights agendas and to drive legal reform. But Kevin was much more than his impressive professional résumé suggests. To his students, he was first and foremost an inspiring educator and mentor; to others, a highly effective adviser, advocate, political strategist or diplomat, as the situation required. Those who have been taught by him or who have worked with him will have experienced and appreciated at first-hand the personal qualities that made him much more than the sum of his professional parts.³

Kevin graduated in law at Queen's University Belfast (1965) and obtained a diploma in criminology from Cambridge (1966). He then became a law lecturer at Queen's and spent a year at Yale (1972). After his spell at Queen's, in 1978, he took up a chair in law at University College Galway (now known as the National University of Ireland, Galway), where he established the Irish Centre for the Study of Human Rights in 1980. In 1986, Kevin left Galway to become founding Director of the NGO, ARTICLE 19 – the Global Campaign against Censorship

² For detailed overviews of Kevin's career path, see N. Rodley, 'Kevin Boyle obituary', *Guardian*, 2 January 2011; 'Kevin Boyle. Man of law committed to equality, social justice', *The Irish Times*, 1 January 2011.

³ B. Petranov, 'In Memoriam. Kevin Boyle – Strong Link in the Chain', 7 *SUR – International Journal on Human Rights* 13 (2010), 184–7.

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(subsequently known as the ‘Campaign for Free Expression’, and currently using the slogan, ‘Defending freedom of expression and information’). After his departure from Galway, Kevin retained an active interest in freedom of expression and media freedom in Ireland, collaborating with Marie McGonagle (National University of Ireland, Galway) to produce a number of reports, policy papers, submissions to the Irish Law Reform Commission and other documents on a variety of press freedom issues, including a blueprint and draft code of practice leading to the establishment of the first Irish Press Council in 2007.

Kevin’s early years at the helm of ARTICLE 19 were coloured by the organization’s engagement with freedom of expression and information issues in the former Soviet bloc and China; themes like defamation, the protection of journalists and hate speech, and perhaps most famously, the defence of Salman Rushdie after a fatwa was issued against him by Ayatollah Khomeini in 1989, following the publication of his novel, *The Satanic Verses*. Kevin was Chairman of the International Committee for the Defence of Salman Rushdie and his publishers, a campaign spearheaded by ARTICLE 19 and American PEN.⁴ Throughout his career, Kevin always insisted on the synergies between the right to freedom of expression and the right to equality and non-discrimination. While appreciating the real-life tensions and frictions between both rights, he remained a firm believer in the power of free speech and counter-speech for combating hate speech.⁵

In 1989, Kevin was appointed professor of law at the University of Essex, to be joined there the following year by Nigel Rodley, appointments which ushered in a period of consolidation of the University’s human rights profile. Kevin served as Director of the University’s internationally acclaimed Human Rights Centre through the 1990s into the

⁴ See further: ARTICLE 19, ‘History and Achievements’, www.article19.org/pages/en/history-achievements.html, last accessed 5 June 2014. See also: ARTICLE 19, ‘Death of ARTICLE 19 Founding Director: Kevin Boyle (1943–2010)’, Statement, 6 January 2011.

⁵ ‘Overview of a Dilemma: Censorship versus Racism’ and ‘Religious Intolerance and the Incitement of Hatred’, in S. Coliver (ed.), *Striking a Balance: Hate Speech, Freedom of Expression and Non-discrimination* (United Kingdom: ARTICLE 19/University of Essex, 1992), 1–8 and 61–71, respectively; (with A. Baldaccini) ‘A Critical Evaluation of International Human Rights Approaches to Racism’, in S. Fredman (ed.), *Discrimination and Human Rights: The Case of Racism* (Oxford University Press, 2001), 135–91; ‘Hate Speech: The United States Versus the Rest of the World?’, 53 Me. L. Rev. 487 (2001); ‘The Danish Cartoons’, 24 *Netherlands Quarterly of Human Rights* 2 (2006), 185–91. Kevin also played a very influential role in the drafting of *The Camden Principles on Freedom of Expression and Equality* (London: ARTICLE 19, April 2009).

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new century, and again in 2006–7, periods during which the Centre went from strength to strength.⁶ Kevin always believed very firmly in the importance of multidisciplinary approaches to the study of human rights and he had been instrumental in setting up the University's MA programme (Theory and Practice of Human Rights). It was therefore very fitting that precisely that MA was conferred on Kevin as an honorary degree by the University in July 2010. The National University of Ireland, Galway, posthumously awarded him an honorary doctorate in laws in recognition of his life's work in September 2011.

A practising barrister, Kevin argued many – sometimes landmark – cases before national and international courts. His most famous cases before the European Court of Human Rights include: *Donnelly & Others v. the United Kingdom* (with co-counsel, Hurst Hannum), *Jersild v. Denmark* and *Bladet Tromsø & Stensaas v. Norway*. However, he is perhaps most readily associated with his litigation on behalf of Kurds in Turkey, which he carried out with his colleague at Essex, Françoise Hampson. In recognition of their work for the Kurdish Human Rights Project, they were jointly named UK Human Rights Lawyer of the Year by the NGO, Liberty (the National Council for Civil Liberties in England and Wales) and the *Law Society Gazette* in 1998.

Kevin was a prominent figure in the Northern Ireland Civil Rights Movement, especially in its early years. He saw and articulated the need for law-based approaches for promoting human rights. He later spent a year (2001–2) as senior adviser to Mary Robinson while she was United Nations High Commissioner for Human Rights. It was a very eventful year as he took up the position immediately after the Durban World Conference on Racism and the September 11 attacks. He was also Chair of Minority Rights Group International (2007–10).

Kevin took ill shortly before he was scheduled to travel to the Netherlands in April 2010. He was due to give one of the key presentations at a conference in Amsterdam that he had been instrumental in getting off the ground: the United Nations and Freedom of Expression and Information: Critical Perspectives. This is a global, complex, politically sensitive topic, shaped by intra-institutional positioning over more than half a century. The topic was suitably ambitious and it fed his great appetite for challenging topics. He was always a man for big issues; new

⁶ See further, K. Boyle, 'Twenty-Five Years of Human Rights at Essex', 5 *Essex Human Rights Review* (1) (July 2008), 1–15.

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approaches to big issues; new ideas about big issues, and inevitably, new big issues.

This is reflected in his major publications (as editor and contributor): *New Institutions for Human Rights Protection*; (with Mary Robinson) *A Voice for Human Rights*; (with Tom Hadden) *Northern Ireland: The Choice*; (with Tom Hadden) *Northern Ireland: A Positive Proposal*; (with Juliet Sheen) *Freedom of Religion & Belief: World Report 1997*; (with David Beetham) *Introducing Democracy: 80 Questions and Answers*. He was a much-valued editorial/advisory board member of various leading journals, such as the *Netherlands Quarterly of Human Rights*, *Human Rights Quarterly* and *Religion and Human Rights*.

There was a unique complementarity in Kevin's various professional activities, but he always seemed to have a keen sense of the potential and limitations of each. The *estschrift* to mark his retirement from the University of Essex, edited by his colleagues, Geoff Gilbert, Françoise Hampson and Clara Sandoval, could not have had a more apt title: *Strategic Visions for Human Rights: Essays in Honour of Professor Kevin Boyle*. It is a clear recognition of his ability to think above, around and beyond existing structures, disciplines and ideas. Conor Gearty captures this ability of Kevin's eloquently, describing it as a seemingly 'new way to do law: get on top of all the stuff, the cases, the statutory provisions, the complex scholarship. . . and then deploy them not to mystify and stifle the people, but rather to empower and therefore to enrich them'.⁷

Kevin is missed very dearly for the professional integrity, commitment and ability that characterized his whole career. He is missed just as dearly for the sincerity, warmth and contagious enthusiasm that defined him as a person.

The esteem in which Kevin is held by family, friends, colleagues, and former students across the globe, is clear from the surge of tributes after his death.⁸ There is striking, but unsurprising, consistency in the content and tone of the tributes. The consistency is striking because of the sheer range of activities in which Kevin was involved over several decades. People would have met him and got to know him in very different contexts and periods, but the impression he made on them was constant.

⁷ C. Gearty, 'Doing human rights: Three lessons from the field', in G. Gilbert, F. Hampson and C. Sandoval (eds.), *Strategic Visions for Human Rights: Essays in Honour of Professor Kevin Boyle* (London: Routledge, 2011), 54–66, 54.

⁸ Memorial websites include: www.ehrra.org/; www.nuigalway.ie/law/Kevin_Boyle.

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The consistency is unsurprising because it was always the same Kevin. He was someone who did his best for others and had their best interests at heart; someone whose support and encouragement carried so many, many people distances we could never have contemplated on our own.

Tarlach McGonagle and Yvonne Donders

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ANTOINE BUYSE is full professor of human rights and Director of the Netherlands Institute of Human Rights of Utrecht University, the Netherlands. He holds an MA in history and a Ph.D. in law, both *magna cum laude*, from Leiden University. His doctoral thesis focused on the right to post-conflict housing restitution for refugees and other displaced persons. He is editor-in-chief of the *Netherlands Quarterly of Human Rights* and he hosts a blog on the ECHR (echrblog.blogspot.com). His research interests include the ECHR, human rights in post-conflict situations and situations of transition, housing rights and freedom of expression. Buyse is also a member of the Young Academy, the special branch for highly talented young scholars of the Royal Netherlands Academy of Arts and Sciences.

SYLVIE COUDRAY has been working at UNESCO for almost twenty-five years. She is the Chief of Section for Freedom of Expression in the Division of Freedom of Expression and Media Development. Her first assignment was to generate public awareness and foster advocacy to promote freedom of the press as an essential component of any democratic society, notably through the organization of the World Press Freedom Day and the UNESCO World Press Freedom Prize, as well as the UN Plan of Action on the Safety of Journalists and the Issue of Impunity. At the normative level, she has been actively involved in the planning and organization of a series of regional seminars on promoting pluralistic and independent media. At the operational level, she took part actively in the media assistance programmes to draw up master plans for restructuring the media landscape in the aftermath of national reconciliations. She has an M.Sc. in History (Sorbonne) and an M.Sc. in media and communication (Institut Français de Presse). She has edited several publications in various media-related fields such as media and new communication technologies, media and terrorism, and media in conflict areas.

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HELEN DARBISHIRE is founder and director of the Madrid-based organization Access Info Europe. She is a human rights activist who has worked on promotion of the right of access to information since 1993, working with organizations such as ARTICLE 19 and the Open Society Foundations. Helen has provided expertise to a wide range of NGOs and IGOs, including UNESCO, the Council of Europe, the OSCE, and the World Bank. She is a founder and two-term chair (2004–10) of the global Freedom of Information Advocates Network. She is also on the board of various CSOs, including Fundación Civio (Spain), DATA (Uruguay), Diritto di Sapere (Italy), and the Request Initiative (UK), and is a Fellow of the Open Forum Academy.

YVONNE DONDEERS is Professor of International Human Rights and Cultural Diversity and Executive Director of the Amsterdam Center for International Law at the Faculty of Law of the University of Amsterdam. Dr Donders graduated from Utrecht University in international relations and holds a Ph.D. from the Law Faculty of Maastricht on human rights and the right to cultural identity. Her research interests include public international law, international human rights law, in particular economic, social and cultural rights and human rights and cultural diversity. She teaches courses on international law and international human rights law and gives lectures on cultural rights and cultural diversity. She is currently a member of the National Commission for UNESCO, member of the Human Rights Committee of the Advisory Council on International Affairs, member of the Editorial Board of the *Netherlands Quarterly of Human Rights*, member of the board of the Royal Netherlands Society of International Law and President of the Dutch United Nations Association.

KAROL JAKUBOWICZ † worked as a journalist and executive in the Polish press, radio and television for many years. Dr Jakubowicz was Vice-President, Television, Polish Radio and Television; Chairman, Supervisory Board, Polish Television and Head of Strategic Planning and Development at Polish Television, and then Director, Strategy and Analysis Department, the National Broadcasting Council of Poland, the broadcasting regulatory authority (2004–6). He also taught at universities in Poland and abroad. He was also senior adviser to the chairman of the National Broadcasting Council, the broadcasting regulatory body of Poland. He was Chairman of the Intergovernmental Council of the Information for All Programme, UNESCO (2008–10). He was a member of the Council of the Independent Media Commission of Kosovo (2007–8). He

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was active in the Council of Europe, in part as former Chairman of the Committee of Experts on Media Concentrations and Pluralism (1995–6), Vice-Chairman and Chairman of the Standing Committee on Transfrontier Television (1995–2002), and as Chairman of the Steering Committee on the Media and New Communication Services (2005–6).

TARLACH MCGONAGLE is a senior researcher at the Institute for Information Law (IViR), Faculty of Law, University of Amsterdam and at the School of Human Rights Research in the Netherlands. Dr McGonagle was awarded a Ph.D. by the University of Amsterdam (2008) for his thesis examining the interface between freedom of expression and minority rights under international law. He regularly writes expert reports for various branches of the Council of Europe, OSCE, other IGOs and NGOs. He is currently Rapporteur of the Council of Europe's Committee of Experts on protection of journalism and safety of journalists. He was an invited expert speaker at the Thematic Discussion on 'Racist Hate Speech' organized by the UN Committee on the Elimination of Racial Discrimination in 2012. He is academic coordinator of IViR's specialized master's programme, *Informatierecht*, at the University of Amsterdam.

TOBY MENDEL is a lawyer and the founder and Executive Director of the Centre for Law and Democracy, a Canadian-based international human rights NGO that focuses on providing legal expertise regarding foundational rights for democracy. Prior to that, he was Senior Director for Law at ARTICLE 19 for twelve years. He has provided peak-level expertise, including in the area of legal drafting, on these rights to a wide range of actors including the World Bank, UNESCO, UNDP, Council of Europe, OSCE, ABU and various other intergovernmental bodies, as well as numerous governments and NGOs in countries all over the world. Before joining ARTICLE 19, he worked as a senior human rights consultant with Oxfam Canada and as a human rights policy analyst at the Canadian International Development Agency. He has published extensively on a range of freedom of expression, right to information, communication rights and refugee issues, including comparative legal and analytical studies on public service broadcasting, community broadcasting, privacy, the right to information and regulation of broadcasting.

MICHAEL O'FLAHERTY is Established Professor of Human Rights Law and Director of the Irish Centre for Human Rights, National University of Ireland, Galway. Prior to that Professor O'Flaherty was Chief

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Commissioner of the Northern Ireland Human Rights Commission and Professor of Applied Human Rights and Co-director of the Human Rights Centre, University of Nottingham. He is a former member (2004–12) and Vice-chairperson of the UNHRC. He read law at University College Dublin (BCL), theology and philosophy at the Gregorian University, Rome (B.Ph., STB), international relations at the University of Amsterdam (MA, MPhil.) and is a Solicitor of the Irish Courts. From 2009–11 he was Rapporteur for development of the UN Human Rights Committee's General Comment No. 34 on Article 19 ICCPR. O'Flaherty initiated the Dublin Process on the Strengthening of the UN Human Rights Treaty Body System (2009–11) and was rapporteur for its Dublin Outcome Document. He has led a number of other applied research projects, such as 'Consolidating the Profession: The Human Rights Field Officer' (2004–9), which generated the Guiding Principles for Human Rights Field Officers and the Statement of Ethical Commitments for Human Rights Officers. He was Rapporteur for the Yogyakarta Principles on the Application of Human Rights in Relation to Sexual Orientation and Gender Identity (2007). O'Flaherty was a member of the UN Expert Group on Human Rights Indicators and is a Fellow of the Royal Society of the Arts. He also advises many international and regional intergovernmental and NGOs and is a member of editorial boards of journals and advisory committees of human rights organizations worldwide.

SEJAL PARMAR (LLB (hons), LSE; Ph.D. Law, EUI, Florence) is Assistant Professor of Law, Central European University, Budapest. Before taking up her current position in 2012, Dr Parmar was Senior Legal Officer at ARTICLE 19, for over four and a half years. In that role she wrote numerous position papers, statements, analyses and amicus briefs and delivered oral presentations, statements and trainings to a broad range of intergovernmental, governmental and non-governmental audiences. Her work has focused on the relationship between freedom of expression and the right to information, on the one hand, and other rights (e.g., equality, freedom of religion) on the other. She has led ARTICLE 19's legal and policy work on UN human rights bodies' resolutions on 'defamation of religions', the interpretation of Article 20 ICCPR on incitement to hostility, discrimination and violence, domestic blasphemy and incitement laws, as well as advocacy of the Camden Principles on Freedom of Expression and Equality. She has also developed ARTICLE 19's policy positions on climate change,

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development and the right to health, and legal bans on the wearing of the full face veil. Parmar has also been a Visiting Lecturer in International Human Rights Law at Queen Mary, University of London. Her publications include articles on freedom of expression, the relationship between international and EU human rights law and the EU Charter of Fundamental Rights. She is currently a member of the Advisory Council of Advocates for International Development (A4ID).

SIR NIGEL RODLEY KBE is Professor of Law and Chair of the Human Rights Centre at the University of Essex, current Chairperson of the United Nations Human Rights Committee and President of the International Commission of Jurists. Rodley obtained an LLB from the University of Leeds (1963), an LLM from Columbia University (1965), an LLM from New York University (1970) and a Ph.D. from the University of Essex (1993). In 1973, Rodley became the first Legal Adviser of the International Secretariat of Amnesty International, a position he held until 1990; during the same period he taught public international law at the London School of Economics and Political Science. In 1990 he was appointed Reader in Law at the University of Essex, becoming Professor of Law in 1994. He was Dean of the School of Law (1992–5) and has been Chair of the Human Rights Centre since 2004. Rodley served as UN Special Rapporteur on torture (1993–2001). Since 2001 he has been a member of the UN Human Rights Committee (Vice-Chair 2003–4; 2009–10). He was elected a Commissioner of the International Commission of Jurists in 2003 and is a member of Council of its British Branch, JUSTICE. He is a Patron of Freedom from Torture (the Medical Foundation for the Care of Victims of Torture) and REDRESS. Rodley was awarded a KBE in the 1998/99 New Year's Honours List, 'for services to human rights and international law'. He received an honorary LLD from Dalhousie University in 2000 and in 2005 received (jointly with Professor Theodoor Van Boven and Judge Pieter Kooijmans) the American Society of International Law's Goler T. Butcher medal for 'outstanding contributions to . . . international human rights law'.

MARTIN SCHEININ is Professor of Public International Law at the European University Institute in Florence (2008–). Prior to that (1998–2008), he was Armfelt Professor of Constitutional and International Law, and Director of the Institute for Human Rights, Åbo Akademi University, Finland. He served as a member of the UNHRC from 1997–2004 and was the first UN Special Rapporteur on the protection and

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promotion of human rights and fundamental freedoms while countering terrorism (2005–11). He was also the Chairperson of the International Law Association Committee on Human Rights Law and Practice (1997–2008).

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FOREWORD

The United Nations Charter speaks at several points of the objective of promoting ‘human rights and fundamental freedoms’, notably Articles 1(3), 55, 62(2) and 76. We do not often stop to consider in what the human rights sub-group of ‘fundamental freedoms’ consists. Without necessarily intending to be comprehensive, I take them to include as a hard core the freedom of opinion and expression and the intimately related freedoms of assembly and association. As observed by Prince Zeid Ra’ad Al Hussein, the new United Nations High Commissioner for Human Rights, in his opening statement to the Human Rights Council’s 27th Session, on 8 September 2014, that was also his first formal public address: ‘Freedoms of expression, association and peaceful assembly are rights that enable people to share ideas, form new thinking, and join together with others to claim their rights.’

In many countries, these freedoms can be and are taken for granted; often to the point of insistent focus on the problems associated with their exercise, rather than on the importance of their content. They are not, of course, taken for granted in societies or situations in which they are especially needed and may be under challenge. The challenges may come from the law, or from action outside the law. One has only to think of the fate of all too many journalists whose legitimate professional activities brought them harassment, detention, torture or even death at the hands of those who feel threatened by truth. They know the meaning of freedom of expression.

Kevin Boyle first came to prominence as a leader of the Northern Ireland Civil Rights Association early in the ‘troubles’. His activities were not without risk, at least from unofficial sectors committed to retaining the discriminatory ‘legal’ privileges that the majority population of that province enjoyed. Kevin knew the importance of the fundamental freedoms at first-hand. So, Kevin was the colleague who would introduce post-graduate human rights students at the University of Essex to the issue of freedom of expression. But he did not have a simplistic view of

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the issue. Another key interest of his was the question of non-discrimination, a principle that could come into apparent conflict with freedom of speech.

It was a dichotomy he thrived on, one of his books being about hate speech.¹ One of his leading cases was the *Jersild* case² before the European Court of Human Rights, which ensured that the law distinguished between prohibited racist speech and the need for honest broadcast news.

Kevin was one of the prime movers behind the conference that formed the basis for the chapters of this book. It was a stimulating conference, of which I had the pleasure and privilege of chairing a session. It was well timed, as the UN Human Rights Committee was engaged in drafting a 'General Comment' on Article 19 of the International Covenant on Civil and Political Rights (freedoms of opinion and expression). It provided stimulating material for this particular Human Rights Committee member's contributions to the Committee's discussions.

It is thus appropriate that one of the book's chapters deals centrally with what became General Comment No. 34 (2011). It follows a masterly introduction to the field of the UN's involvement with freedom of expression. These chapters set the scene for a broad-ranging canvassing of the complexities of the scope and nature of the right to freedom of expression and information.

It is sad that Kevin did not live to see the appearance of this book. It could not be more fitting that it be dedicated to him.

Sir Nigel Rodley
Professor of Law and Chair of the Human Rights Centre,
University of Essex
Chair, UN Human Rights Committee
September 2014

¹ S. Coliver (ed.), with K. Boyle and F. D'Souza (contributing eds.), *Striking a Balance: Hate Speech, Freedom of Expression and Non-discrimination* (United Kingdom: ARTICLE 19/ University of Essex, 1992).

² *Jersild v. Denmark*, Judgment of the European Court of Human Rights of 23 September 1994, Series A no. 298.

SELECTED ABBREVIATIONS AND ACRONYMS

ACHPR	African Commission on Human and Peoples' Rights
ACHR	American Convention on Human Rights
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CERD	[UN] Committee on the Elimination of Racial Discrimination
CESCR	[UN] Committee on Economic, Social and Cultural Rights
CM	[CoE] Committee of Ministers
CoE	Council of Europe
COs	Concluding Observations
CRC	Convention on the Rights of the Child
CRPD	Convention on the Rights of Persons with Disabilities
ECHR	European Convention on Human Rights
ECommHR	European Commission of Human Rights
ECtHR	European Court of Human Rights
ECOSOC	[UN] Economic and Social Council
EU	European Union
GC	General Comment
GR	General Recommendation
HRC	[UN] Human Rights Committee
HR Council	[UN] Human Rights Council
IACHR	Inter-American Commission on Human Rights
IACtHR	Inter-American Court of Human Rights
ICANN	Internet Corporation for Assigned Names and Numbers
ICCPR	International Covenant on Civil and Political Rights
ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICTs	information and communication technologies
IGO	Intergovernmental organization
IPDC	[UNESCO] International Programme for the Development of Communication
ITU	International Telecommunication Union

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NGO	non-governmental organization
NWICO	New World Information and Communication Order
OAS	Organization of American States
OHCHR	Office of the [UN] High Commissioner for Human Rights
OIC	Organisation of Islamic Cooperation
OSCE	Organisation for Security and Co-operation in Europe
RFOM	[OSCE] Representative on Freedom of the Media
UDHR	Universal Declaration of Human Rights
UN	United Nations
UNCHR	United Nations Commission on Human Rights
UNGA	United Nations General Assembly
UNESCO	United Nations Educational, Scientific and Cultural Organization
WIPO	World Intellectual Property Organization
WSIS	World Summit on the Information Society

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