Promoting free expression and access to information in a multilateral world

IMPLEMENTATION REPORT FOR 2012

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INTRODUCTION

After the anticipations of 2011, linked to the Arab spring, 2012 struck as the year of the pragmatic realism, the year where some hopes were consolidated, others eroded and all of that in the backdrop of mounting international instability linked to the conflicts in Mali and Syria and an economic crisis in most of the Western world which by the end of the year was impacting negatively on growth globally. The protection of freedom of expression and information did not experience many successes in 2012, and quite a few setbacks, as highlighted by the multiplication of legislation seeking to control on-line freedom of expression, the continuing high number of killings and imprisonments of journalists and bloggers, the growth of laws and policies against civil society, and their sources of support and funding.

ARTICLE 19 has sustained activities in some familiar areas with established partners, and responded nimbly when openings have arisen. For example, A19 stepped up its protection program for journalists and human rights defenders by extending its approach to new countries, including Brazil, Senegal, Cambodia and Bangladesh, while strengthening its work in many East African countries, Gambia, Russia, and Mexico. In Senegal, for instance, A19 responded to heightened tensions around the election by minimising the threats to freedom of expression through enhancing the capacity of women parliamentarians to participate by providing them with RTI training.

The post Arab spring and support to democratic reforms continued to dominate many ARTICLE 19 activities. In Tunisia, Burma, and Egypt, A19 responded to fast-evolving political changes with timely analysis of constitutional and legal proposals, and with the recruitment of experts from the countries to implement ARTICLE 19 activities.

ARTICLE 19 stepped up its work on internet freedom in 2012, contributing to a range of legal analyses and advocacy, organising and participating to expert meetings and drafting a number of new policies related to the protection of on-line freedom. A19’s sustained advocacy against the Anti-Counterfeiting Trade Agreement (ACTA) which posed a serious threat to internet freedoms in the name of copyright protection was successful, when the Agreement was defeated in the European Parliament in July 2012.

ARTICLE 19 stepped up its work on linking access to information to other rights, especially those affecting development, such as the right to water, the right to health and the right to education. Building on its advocacy at the Rio + 20 summit, A19 also developed expertise on working with communities to exercise their right to information about environmental and other issues relating to sustainable development.

A new opportunity arose with the establishment of the Open Government Partnership (OGP) as ARTICLE 19 Mexico seized on the government’s role as a founding member of the Open Government Partnership and its endorsement of the Open Government Declaration to push for application of the provisions. In addition, A19 organised preparatory meetings to enhance civil society involvement ahead of the first OGP official event in Brasilia, which ARTICLE 19 attended. The organisation advocated civil society participation in the preparation of the Plan of Action and in monitoring its application. Three of A19’s recommendations for the Plan of Action were adopted.

ARTICLE 19 continued to interact with United Nations human rights mechanisms and other intergovernmental and regional bodies such as the African Commission on Human and Peoples’ Rights. The organisation advocated against attempts to weaken the Inter-American Commission on Human Rights, with some success, but efforts to urge ASEAN states to reject the Human Rights Declaration was unsuccessful.
This section highlights a sample of ARTICLE 19’s key successes in 2012 and indicators of impact.

**Standard setting and advocacy**

- **Our work in figures**: 7 policy reports
- **Policy on article 20 of the ICCPR on Incitement to hatred**: ARTICLE 19 issued a new policy on Article 20 of the ICCPR related to incitement to hatred. The policy is the outcome of 2 years of work involving the international and regional offices in joint efforts. It was presented in various drafts at a number of expert meetings organised by the Office of the High Commissioner for Human Rights. The policy proposes a 6 part test to approach possible incitement issues. ARTICLE 19 proposed threshold for article 20 and a range of other ARTICLE 19 recommendations in the policy were included in the official UN document (Rabat Plan of Action) endorsed by 87 member states, including the Organisation of Islamic Congress. The ARTICLE 19 test has been referred to officially by the High Commissioner for Human Rights, Navi Pillay; the Special Representative on the Prevention of Genocide, Adama Dieng; the Special Rapporteur on Freedom of Expression, Frank La Rue and the Special Rapporteur on Freedom of Religion, Heiner Beinefeld. The test and ARTICLE 19 work were also mentioned by various states delegations during the launch of the Rabat plan of action. This is probably one of the greatest success in terms of international appreciation and official references to ARTICLE 19 work.
- **Joint Declaration on Crimes against Freedom of Expression**: the 2012 Joint Declaration by the expression rapporteurs pioneers the concept of “crimes against freedom of expression” at the international level and put forward the detailed standard on investigation to end impunity.

**Strategic Litigation**

- **Our work in figures**: 6 amicus briefs
- **Guardian News & Media Ltd v City of Westminster Magistrates Court**: The Guardian Newspaper was denied access to evidence and briefs used in an extradition hearing in open court. The lower courts had refused to release the documents on the grounds that they had the discretion not to. ARTICLE 19 intervened with a brief focusing on common-law right to open justice requiring that the information be released. The Court ruled that the documents had to be released and noted the ARTICLE 19 brief favourably and cited the cases mentioned in the brief. ARTICLE 19 was also mentioned in the news coverage and asked to write an article for the Guardian Comment is Free.
- **In Mexico ARTICLE 19 won the Amparo Trial against the National Commission of Human Rights. The ruling will force the Commission to detail the budget for protection of journalist.** Until now, the Commission had argued that there was no specific budget for handling cases of violence against journalists. The NCHR is an autonomous body with a specific programme for the protection of journalist. ARTICLE 19 has reiterated that the opacity of the NCHR is a serious impediment to achieve better protection for journalist.

**International Advocacy**

- **Rio + 20 Advocacy on Right to information and Sustainable Development**: ARTICLE 19 was successful in the Rio+20 process in achieving progress on the right of access to information. The Rio +20 final declaration, while disappointing at many levels, nevertheless included recognition of the need to adopt new national and international policies on access to information. ARTICLE 19 worked for more than a year with a coalition of environmental and development groups to advocate for recognition of the rights to access information and
justice in the final framework. At the time of writing this report, already 14 countries in Latin America and the Caribbean have agreed to start negotiating a regional convention on access to information, public participation and access to justice in environmental matters. The UNEP has also begun a consultation on developing a model access and participation policy and has asked ARTICLE 19 to be on the working group.

- **ACTA Advocacy on Freedom of Expression:** ARTICLE 19’s sustained advocacy against the Anti-Counterfeiting Trade Agreement (ACTA) which posed a serious threat to internet freedoms in the name of copyright protection was successful, when the Agreement was defeated in the European Parliament in July 2012. We had published our analysis of ACTA in November 2011 and our briefing was subsequently cited in a key study of the INTA committee of the European Parliament on ACTA. We were also invited to give a testimony to the EU Parliament on the topic. In the run-up to the INTA committee vote on ACTA at the end of June, we engaged in more direct lobbying with members of that committee.

- **Africa Peer Review mechanism:** Following 2 years of advocacy by ARTICLE 19 and other civil society organisations, the African Heads of State adopted a broader African Peer Review Mechanism review framework which encompasses FoE, RTI and media freedom. It will be implemented once all countries which have acceded to the mechanism have completed their first review.

### Protection of Journalists and Human Rights Defenders

- **Our work in figures:**
  - 214 journalists and human rights defenders received ARTICLE 19 security trainings, including 76 women (35.5%)
  - 104 journalists and human rights defenders received internet security trainings, including 57 women (55%)
  - 38 journalists were directly assisted by ARTICLE 19, including 4 women journalists from Bangladesh, through direct interventions on their behalf with authorities, access to financial support, safe houses, legal support, etc.

- **Brazil:** We advocated with the government for a working group on protection to review specific measures on protection to be adopted by the government in late 2012 or early 2013 (we raised it in our Brazil UPR report). The creation of such a working group was announced in Dec 2012 and ARTICLE 19 Brazil is part of the WG. We are also participating in meetings on the Programme for the protection of HRDs (I think this is linked with our WG)

- **Mexico:** ARTICLE 19 conducted the first training of federal prosecutor investigators unit on how to investigate alleged murders related to violation of FOE. 25 people were trained. ARTICLE 19 Mexico also developed ten tailor-made security and emergency protocols to defend nine journalists and one newspaper. All were threatened in the context of their work.

### Right to Information

- **Our work in figures:**
  - 1,610 civil society and grass root organisation representatives received trainings on Right to Information, including 807 women (50%) in Brazil;
  - 4 communities significantly affected by different impacts of climate change (floods/landslides; elevation of sea level/fishing communities; drought) were identified in Brazil;
  - 58 information requests were presented to relevant authorities globally
  - 4 roundtables were organized with community leaders on the impacts of climate change, with specific attention to those faced by women in Brazil;
  - 3 capacity building programmes on freedom of expression and information were carried out in target communities in Brazil;
• **Sustainability of our interventions in Brazil:** We implemented a RTI campaign in 5 regions in Brazil. The materials used in the trainings and workshops are now being used by schools and technical education centres to promote RTI and accountability in their environments.

• **Sustainability of our interventions in Indonesia,** work on the access to information about education has overcome the fear of parents to challenge the authorities. The workshops and the presentation of information requests had indicated that questions could be asked without reprisals. The progress was particularly notable in one region where the Department of Education decided to disclose information and this further galvanised the parents to engage with the school authorities.

• **Capacity Building in Kenya:** ARTICLE 19 accompanied civil society to exercise their right to petition Parliament, a right which had until then been interpreted as the preserve of legislators. As a result of this experience, ARTICLE 19 was invited to attend a session to review the Standing Orders of the Senate which regulate this process.

• **National changes in Kenya:** the organisation’s work on the Right to Water with a local partner encouraged the Regulator to develop a progressive service charter which allows for citizen participation and enhances their access to information. The Regulator also embraced the use of mobile phones and web technology – known as ‘maji voice’ – which permits citizens to lodge complaints and provide feedback in an affordable and accessible way.

• **Legal changes in Kenya:** ARTICLE 19 advocated at a consultative parliamentary meeting that the principles of transparency, accountability and the right to information be reflected in the Standing Orders which were under discussion. As a result, the petitions to Parliament (procedure) Act no 22 of 2012 was passed by the National Assembly and became operational on the 9th March 2013. It is a progressive piece of legislation as it outlines the requirements that would be assessed to make any petition to parliament admissible and allows any willing member of parliament to take the petition and table it on behalf of petitioners. This provision ensures that no petitions can totally be blocked from reaching the House. It also obliges the Clerk and the Speaker to keep all records of Petitions and the responses made in a register that must be made available for public scrutiny. Further, it obliges the Clerk to ensure transmission of the decision of the House to the Petitioner within 15 days of the House making that decision.

### Enhancing legal protection at national level and facilitating its application

- **Our work in figures:**
  - 18 Legal analyses
  - 6 country studies of legal framework

- In **Bangladesh,** ARTICLE 19 analysis of the Broadcasting Regulation actually helped to postpone its adoption and allow for a new draft to be prepared. Equally, during the UPR of Bangladesh, ARTICLE 19 raised issues of restrictive internet policies in their UPR submission and coupled this with advocacy and an offer of technical assistance to the government. (See case study in ARTICLE 19’s Annual Report for fuller details). This is an example of how high quality analysis, sustained advocacy and good collaboration with local civil society can bring about results.

- ARTICLE 19 analysis of the **Somalia** Broadcasting draft law helped local partners to defer the process of adoption of the draft and make the government to engage in broader consultation

- **Kenya’s** draft law on internal displacement: ARTICLE 19 produced a comprehensive analysis on a new area of policy and helped to promote the RTI perspective in debates on

- 20 video testimonies and other footage showing the impact of climate change on women in targeted communities were produced and made available to the general public and to public authorities in Brazil.
displacement; these issues had mostly been overlooked, and when introduced were not particularly controversial and agreement was reached to insert new provisions into the next draft of the IDP law.

- ARTICLE 19’s analysis of two Bosnian laws was used by the OSCE Special mandate on freedom of expression during her visit to Bosnia in 2012 and in her report and press work, she referred to recommendations made by ARTICLE 19; the Bosnian authorities agreed to reform these laws.

- In Mexico, a campaign against Article 73 of the Constitution built on previous legal analysis. After many years, success was achieved, with federal authorities being granted the power to take on and prosecute crimes committed against freedom of expression and information, to ensure that they are investigated and tried at a federal level.

- The use of hate speech was a sensitive issue in the run-up to Kenya’s 2013 elections where severe ethnic tensions resulted in numerous deaths at the previous election. The policy informed a national symposium on ‘hate speech’ which formed part of a key project on how to establish the balance between defining incitement to hatred and protecting freedom of expression at election time. The Office of the Director of Public Prosecutions positively received the 6-part threshold for incitement to hatred and in a meeting with some key prosecutors on current cases, the prosecutors indicated, while the criminal code remains their general guide, the test would be invaluable in refining their guidelines and could form a critical plank in essential trainings for new prosecutors and in-service training.

- The impact of the work on Tunisia has been remarkable, despite the change in political mood. It is a good example of ARTICLE 19 seizing the moment when the situation was open to positive change and not giving up when the opportunities begin to diminish. During 2012 several National Constituent Assembly (NCA) members approached ARTICLE 19 for technical assistance on issues related to FoE and human rights more generally – this followed on from the intense efforts made by ARTICLE 19 during 2011 before the elections which began to close down the opportunities for progressive change. Technical meetings were held with individual parliamentarians before and after the publication of the first draft of the constitution. Despite increasing polarization within Tunisian society and the political sphere, ARTICLE 19 has managed to retain its credibility and impartiality and has been constructively received by the President of the Republic, the President of the NCA and the Chairman of Ennadha. During the meeting with the NCA President, it was announced that the government was organising regional workshops on the second draft of the constitution. The idea of regional workshops was initiated by ARTICLE 19 to ensure voices from traditionally marginalised zones were heard.

**Gender**

- Our gender-specific work in figures:
  - 76 women journalists and human rights defenders received ARTICLE 19 security trainings (35.5% of total);
  - 57 women journalists and human rights defenders (55% of total) received internet security trainings;
  - 807 women activists (50% of total) received trainings on Right to Information

- **Women parliamentarians and RTI (Senegal):** For 12 days, ARTICLE 19 in partnership with Caucus of women leaders toured four regions including most disadvantaged ones such as Tambacounda, to boost the capacity of women candidates in the legislative elections and sensitised them on how to better address the concerns of the grassroots populations. The issues include basic public services such as access to health care for women. During the trainings, ARTICLE 19 proposed modules on ATI and on how to use modern communication tools to share their programmes and connect to the electorate. (Facebook, twitter, blogs...). We have created during the process email account to a dozen of candidates and share tips
on how to operate in social media and increase their profile. Out of the 68 women who have been elected recently to sit in the next national assembly, 28 have benefited from ARTICLE 19 trainings. This will give us direct contact with them and also a way to monitor their work in the next coming months as they are now sensitised to RTI issues. We continued to monitor the impact of their presence in parliament and attend regular sessions where key issues especially budgetary and other policies are discussed.

• **Women journalists in Bangladesh:** Merina Lovely was being harassed by a local newspaper in Rangpur, they published that she was engaging in extortion and carrying on a prostitution racket. This dealt a severe blow to her professional reputation and personal honour making it impossible for her to continue to work in her local district. At an ARTICLE 19 organised Roundtable when she met the Chairman of the National Human Rights Commission she urged him to take up the issue. ARTICLE 19 also intervened on her behalf. As a consequence a three member Committee of the Ministry of Information has conducted an onsite investigation into the matter following a suo moto ruling from the Commission. The report of investigation is pending. With support from the project Merina has also been able to mobilise another investigation by the local level administration which has since found the allegations against her to be completely baseless, unfounded and malicious by nature. Merina acknowledges: **“I would not have been able to pursue this matter in this manner without my new found confidence and courage because of my involvement in ARTICLE 19’s programme interventions, legal advice and guidance”**

**Communications**

• **Our work in figures:**
  - We published our 3,500th statement/PR/report on 5 November
  - 119 press releases
  - 74 statements
  - 64 reports/submissions/legal analyses
  - 120,000 people reached via a Tweet on Bahrain

• Meeting with Aung San Suu Kyi to discuss freedom of expression in Myanmar

• Massive press coverage for Pussy Riot demo outside Russian embassy

• Following launch of Ukraine report in Kyiv, invited to participate in a working group meeting with the president’s office

• Facebook removes our post on torture in Syria. Press work following the removal resulted in a Guardian story and mashable video, producing 1,072 re-tweets

• ARTICLE 19 website blocked in Pakistan after series of influential statements on the ‘Kill Switch’

**A learning organisation**

• The expansion of the journalist protection work from Mexico to other regions is an indication of ARTICLE 19 as a learning organisation. ARTICLE 19 Mexico built on its expertise in prevention and protection measures for journalists in danger which were developed with reporters, editors and media owners and extended these to help other human rights defenders in Mexico and supported other ARTICLE 19 offices in Russia, Kenya and Cambodia to implement similar security protocols in their regions. The approach includes standardised procedures to provide holistic protection to journalists and human rights defenders at risk, including an ad hoc solidarity network, an emergency response mechanism and measures to ensure that the gender perspective is mainstreamed throughout the programme.


2012 IN REVIEW

Instability
If 2011 was the year of many upheavals and hopeful anticipations, then in 2012 crises and pragmatic realism prevailed. The democratic springs have left the way for difficult post-revolution tensions over who will control the soul of the Spring and its future blooming. Armed conflicts between various militias have continued sporadically in Libya while in Egypt violence between those opposed to President Morsi and his supporters and the police has continued unabated. Even in Tunisia where peaceful negotiations tended to prevail, violence erupted on a regular basis. In Burma, democratic reforms have continued but largely sallied by ethnic conflicts and the massacres of the Muslim Rohingya.

The instability of the post-Arab spring has been accompanied by full blown international conflicts in Syria and in Mali, characterised by thousands of killings and 300,7001 refugees and displaced persons. In both conflicts, journalists have been targeted. Both conflicts have had large regional implications due to the porosity of the borders and the political and religious dimensions of the violence. The Syria conflict has been particularly deadly for journalists with 28 dead2.

Around the world, curtailments of peaceful protests, freedom of association and assembly, and freedom of speech have increased. For some governments, the motivation may have been to prevent the spread of further Arab spring fever such as in Bahrain, Russia, Azerbaijan, Turkey, or Egypt, or further instability such as in Spain or Greece. 2012 also saw a spike in crackdowns on the right to freedom of expression in Thailand, Vietnam and Cambodia.

Against this backdrop, the security agenda has regained much predominance, a process that will be further amplified in 2013.

On-line restrictions
In 2012, the number of people using the Internet and ICTs has steadily increased (for example, Facebook registered 1 billion users in 2012). This was accompanied by a continuing trend in states attempting to tighten their grip on the Internet through restrictive Internet-specific legislation, such as laws on cybercrime (including in Peru, Brazil, Philippines), copyright protection (including in Colombia, the US, Japan), or through more direct government control, as in China, Russia and several Arab states.

The crackdown on online expression is not confined to the proliferation of new restrictive laws on the Internet, but also includes the application of existing legislation. A growing number of bloggers (e.g. in Viet Nam, Bahrain, Saudi Arabia, or Kuwait) or Twitter users (e.g. in the UK) have been imprisoned or prosecuted under the criminal laws that have been extended to apply to legitimate speech online. In a number of western democracies in particular, there seems to be a growing social trend towards the adoption of a standard of ‘acceptable’ behaviour online, with a range of interest groups pushing for removal of online content deemed offensive, distasteful or dangerous on various grounds (e.g. child protection, anti-bullying, anti-anorexic, anti-suicidal or anti-discrimination).

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2 http://www.cpj.org/killed/2012/ (Accessed 13/06/2013)
Civil society groups have achieved some successes in the field of internet freedoms in 2012. In particular, major international agreements (Anti-Counterfeiting Trade Agreement), as well as high profile legislation (Stop Online Piracy Act/Protect IP Act), that would have had an adverse impact on the internet, have been defeated.

Other trends
East Africa saw some progress in that Somalia took an important step towards ending decades of conflict when it held the first presidential elections. They were largely free and fair and resulted in the election of Hassan Sheikh Mohamud, an academic and civic activist. For the first time in 37 years opposition political parties were legalised in Djibouti, paving the way for parliamentary elections in 2013. South Sudan, however, remained precarious as tensions with Sudan escalated.

Mexico’s presidential, legislative and senatorial elections generated polarisation and division, and a new social movement #YoSoy132 which articulated the need for the democratisation of Mexico’s media. The federal government maintained its emphasis on the theme of public security, resulting in the detention of some of the main leaders of the most important criminal organizations, mostly in the northeastern region of Mexico. These results have not improved the perception of the generalized violence that permeates the country. In fact, impunity for attacks against journalists remained prevalent, and citizen journalism grew as an alternative source of information reporting on sensitive issues.

2012 was marked by serious threats to the functioning of the Organization of American States’ (OAS) Inter-American Commission on Human Rights and its Office of the Special Rapporteur on Freedom of Expression. Some countries – notably Brazil - used the long-awaited discussion on strengthening the OAS human rights mechanisms to instead try and weaken it. This followed the Commission’s decision to grant Precautionary Measures against Brazil’s project to build the Belo Monte Dam. Civil society organised an effective protest against attempts to undermine the Commission with the result that the reform process became more transparent and participatory. The outcome was unknown at the end of the year.

Development
Issues relating to global poverty and development have gained significant interest in the previous year. Access to information was a major theme in discussions around sustainable development and the Rio Summit and the Post 2015 MDG discussions. A new UN Special Advisor on Human Rights and the Environment was appointed in July 2012. He has already set as part of his mandate the need to promote access to information and public participation.

Interest in access to information has also increased in other forums. Multi-stakeholder initiatives such as the Open Government Partnership, EITI and IATI increased substantially in 2012, with the OGP expanding to over 50 countries and numerous countries and orgs joining EITI and IATI.

Data-focused access to information also gained significant attention in the year. This has brought a different technical group into the transparency field which is very energetic and demanding. However, this might have some negative affects in reducing pressures for legal frameworks.

There has been a slowing down in national adoption of RTI laws. Only Yemen adopted a law in 2012 and expected laws in The Philippines and Ghana have succumbed to political fights. Progress in Egypt has been hindered by political upheaval. And implementation remains problematic in many countries. Some countries such as the UK are attempting to weaken their legal systems while at the same time promoting open data.
GOAL ONE
PROTECTING FREEDOM OF EXPRESSION AND TRANSPARENCY
IN A MULTI-POLAR WORLD

Our overall objectives under this goal are to reduce threats to freedom of expression by engaging with the emerging, powerful, global powerful economies and by reinforcing the regional and international policy architecture for human rights protection and the fight against poverty. ARTICLE 19 focuses on freedom of the press, transparency and the free flow of information.

In particular, ARTICLE 19 has identified three key outcomes:
• Outcome One: Emerging global powers support ARTICLE 19 positions and take progressive stands on Freedom of Expression and Human Rights;
• Outcome Two: Emerging influential regional instruments support ARTICLE 19 position and take progressive stands in Freedom of Expression
• Outcome Three: National legal reforms reflect ARTICLE 19 and international standards of Freedom of Expression in target countries

During 2012, ARTICLE 19 focused on the following activities in order to achieve these objectives.

Engaging with emerging global powers

ARTICLE 19 is constantly improving its strategy to enhance the engagement of emerging global powers in protecting and respecting Freedom of Expression and Human Rights. During 2012, the emphasis has been on Brazil, Indonesia and India.

Brazil
ARTICLE 19 established a presence in Brasilia late 2012 as key step towards consolidating growing engagement with the Brazil government particularly over its foreign policy and regional and international engagement. We conducted sustained advocacy with the Brazilian authorities to shift their positions on the proposed negative reform of the OAS human rights system, including:
• A letter to the Ministry for Foreign Affairs expressing concern with the situation and two press releases on the matter
• The launch of an e-list to promote improved discussion and mobilization among Brazilian CSOs, and
• ARTICLE 19’s participation in two meetings with the Ministry for Foreign Affairs Office in Brasilia

The calls for reform aimed at weakening the human rights mechanism were largely sparked off by Brazil’s hostility towards the Inter-American Commission’s decision to grant Precautionary Measures against Brazil’s building of the Belo Monte dam. As highlighted below, ARTICLE 19 averted the worst with regard to the reform by pushing for a participatory process and improving engagement between the State and CSOs. This has additionally increased ARTICLE 19’s influence over one emerging power, by providing leverage to advocate for Brazilian positions that halt or minimise the negative proposals put forward by countries such as Ecuador.

India
ARTICLE 19 recruited a consultant to engage with a range of stakeholders and identify possible entry points into India’s foreign policy, with particular emphasis on the government’s human rights policy abroad. The study concluded that such an engagement will be difficult and requires long term involvement. Entry points included RTI and ICT, two issues where India has taken a progressive lead
and which could be articulated through global positions. A mission to follow up on these findings is planned for 2013.

Indonesia
ARTICLE 19 initiated its engagement with the Indonesian authorities through a focus on domestic issues (ICT) while identifying actors who could be brought into a strategy on influencing Indonesia’s global human rights strategy and messages.

Engaging with regional inter-governmental organisations

Africa
ARTICLE 19 strengthened its relations with the African Commission for People’s and Human Rights (ACPCHR), Economic Community of West African States (ECOWAS) and the African Union’s African Peer Review Mechanism (APRM) throughout the year, and initiated contact with the East African Community (EAC) and Pan-African Parliament.

In 2012, the organisation undertook the following activities:

- Organised one national meeting to discuss the APRM report and action plan of Kenya
- Developed and launched a briefing paper on the place of FoE in the APRM
- Attended a meeting held under the aegis of the Pan-African Parliament on 27-28 August 2012 bringing together 40 freedom of expression advocates from across Africa. This meeting was a precursor to the progressive and unanimous resolution passed Pan African Parliament in October 2012.
- Submitted statements to the ACHPR on at least two countries and two thematic areas (RTI and IDPs)
- Participated in 51st ordinary session of ACHPR in Banjul (took part in NGOs forum to chair the interest group on FoE and journalist security, a panel on ATI in Africa and led the delegation of the APAI working group. Attended side meetings on Eritrea with the chairperson of the ACHPR. We delivered on oral statement on the state of FoE in Africa with a special focus on Gambia.
- Participated in the 52nd Session and organised/chaired a side event on ATI with regional partners. Also organised in collaboration with the office of the Special Rapporteur on FoE an even to mark the 10th anniversary of the Declaration of Principles on Freedom of Expression in Africa
- For the first time since its inception, we held a session with the Secretary General of the East African Community. This meeting was organised under the aegis of East Africa’s Civil Society Forum. This meeting gave birth to the creation of formal dialogue framework for CSOs to engage with the East African Community Secretariat.

ARTICLE 19 created the following outputs:

- Statement before African governments, Members of the ACHPR and media and NGOs on security of journalists in Africa and ATI
- Statement on RTI and IDPs during the 52nd session of the ACHPR.
- 3 press releases

The impact of our work included:

- Heads of State adopted a broader APRM review framework which encompasses FoE, RTI and media freedom. It will be implemented once all countries which have acceded to the mechanism have completed their first review.
• More countries ratified the African Charter on Elections, Democracy and Governance and the Charter on Public Service after these mechanisms were discussed in parallel ACHPR sessions.

Asia
ARTICLE 19’s strategy aimed at advocacy at ASEAN on RTI was reviewed as divisions between member states left no space for such activities. Instead, ARTICLE 19 wrote an open letter and public statement calling on ASEAN states to reject the Human Rights Declaration which made human rights contingent on local and national contexts and balanced rights against individual responsibilities. Despite protests and widespread dissent across national and international civil society, the Declaration was passed.

Latin America
As highlighted above, Brazil played a central role in pushing for regressive changes to the human rights system of the Inter-American Commission. As a result of Brazil’s reactions – not respecting the Commission’s request, withdrawing its contribution to the Commission’s fund, recalling its OAS ambassador – other member countries with little commitment to human rights felt encouraged to act in the same way and, started to question the legitimacy and autonomy of the IACHR. They succeeded in establishing a Working Group within the OAS Permanent Council that proposed regressive changes. Ecuador went further and proposed the creation of a parallel human rights system, supposedly more legitimate, within UNASUL. Countries from ALBA are generally in favour of weakening the Inter-American Human Rights System and Venezuela has already denounced the American Human Rights Convention.

ARTICLE 19 activities to avert regression included:
• Assisted the Office of the OAS Special Rapporteur on FoE to organize a series of meetings in Brazil to discuss the reform of the System with different stakeholders;
• Presented a document to the Commission commenting on the Working Group proposals jointly with Alianza Regional and IFEX
• Took part in a Civil Society consultation conference organized by the IAHRC in Washington DC
• Participated in a States’ conference promoted by the IACHR in Washington DC
• Held meetings with the ambassadors of Chile, Colombia and Brazil in Washington DC
• Held a series of meetings with OAS officials, including OAS Secretary General
• Prepared letters to the OAS Permanent Council Working Group (on reform) to advocate for changes to the reform process
• Reviewed Inter-American system case law on FoE and FoI to set up webpage for ARTICLE 19’s Legal Reference Centre

ARTICLE 19’s role in pushing for an open process to discuss the reform and demanding participation by different stakeholders has been important and has resulted in increased engagement between the State and CSOs. This resulted in ARTICLE 19 having increased space and leverage to advocate for a different Brazilian position and to minimize the negative proposals put forward by countries such as Ecuador. Ultimately, the regressive reforms were defeated in the first quarter of 2013.

Engaging with the United Nations

At a global level, ARTICLE 19 conducted activities at the UN, in terms of advocating for greater FoE protection within the Universal Periodic Review process and at the Human Rights Council, and supported others to engage globally with the legal struggle for greater respect for FoE. The second cycle of the Universal Periodic Review is underway and will be completed by 2016. This cycle
provides an opportunity to evaluate the performance of the States on recommendations made in the first cycle to improve the human rights situation in their respective countries.

In 2012, ARTICLE 19 focused its UPR advocacy work on a wide range of countries across the regions - this included drafting a number of UPR reports (on Bahrain, Ecuador, UK, Brazil, Indonesia, Philippines; Peru, Guatemala, Ghana, Pakistan, Ukraine, Sri Lanka, Peru, Guatemala, Ghana, Pakistan, Ukraine, Sri Lanka and Tunisia which was a joint report coordinated by IFEX). In addition, ARTICLE 19 submitted reports on the following countries to be discussed in 2013: Benin, Azerbaijan, Zambia, Djibouti, Russia, and Bangladesh

ARTICLE 19 participated in several 2012 UPR sessions in Geneva to present our reports and advocate on questions and recommendations with a range of delegations. For instance, we presented reports on the situation of FoE and FoI in Argentina and Peru for their October 2012 reviews by the UPR Group of the UN Human Rights Council. We have also participated in the May 2012 session of the Council, when Ecuador and Brazil were reviewed. In addition to presenting suggestions for questions and recommendations that could be made by States, we engaged in a series of advocacy meetings in Geneva to ensure that FoE and FoI would be included in the final working group reports on those countries. Many of our recommendations on both Ecuador and Brazil were eventually included in the final country reports.

The vast majority of ARTICLE 19’s findings and recommendations were included in the Council’s final report and a number were accepted by the countries under review. For example:

- **Indonesia**: the following 20 countries supported our recommendations on Indonesia and raised them during the review: France (3 recommendations); Norway (3); New Zealand (2); Sweden (2); Australia (2); Republic of Korea (2); Canada (2); Spain (2); Switzerland; Turkey; Germany; Argentina; Netherlands; Slovakia; Austria; Japan; Italy; Denmark; Slovenia; Greece
- **Bahrain**: 5 out of six recommendations were raised in the UPR process, all of which were accepted by the Government
- **Peru**: Out of ARTICLE 19’s 8 recommendations, 2 were raised in the review process by 3 governments. However, the government has not responded to those recommendations
- **Ghana**: Out of ARTICLE 19’s 7 recommendations, 2 were raised by 2 governments, both of which were accepted
- **Benin**: Out of ARTICLE 19’s 5 recommendations, 1 was raised and accepted.
- **UK**: Out of the organisation’s 9 recommendations, 2 were raised by governments and both accepted
- **Pakistan**: ARTICLE 19 made recommendations of which 7 were raised by 9 governments and 4 were accepted

**CASE STUDY: BANGLADESH UPR**

The Bangladesh UPR had profound impact on the government and other stakeholders in Bangladesh. It was noted in the submission that:

“Bangladesh has mostly failed to comply with the recommendations they accepted during its first UPR to advance protections for the right to freedom of expression and information in the country”.

In particular in 2012, ARTICLE 19 recorded:

- An alarming increase in the number of violent attacks on journalists performing their duties by non-state actors, effectively censoring them and a culture of impunity persists;
- Women remain under-represented at all levels of seniority in the media, and acts of gender-based discrimination and violence are prevalent.
**Global**

ARTICLE 19 undertook the following activities:

- Organised Hot desk to respond to urgent requests from regional offices of ARTICLE 19 and partner organisations to offer advice or provide legal analysis of proposed legislation or regulations as required.
- Provided legal support, including submitting amicus briefs, to lawyers involved in litigation in key national legal cases involving FOE.
- Trained lawyers in the Middle East and North Africa region on assessing compliance of their national media legislation with international standards.
- In April 2012 we organized a capacity building programme for Andean region lawyers with IPYS-Peru. We brought 15 activists to Lima to learn more about the use of international mechanisms for the protection and promotion of freedom of expression and information. The group also identified new challenges to their work and decided to continue to exchange experiences in new areas, such as internet freedoms and digital switchover.
- Built a regional network of experts on FoE in the Middle East and North Africa.

**Middle East**

In the Middle East ARTICLE 19 focused efforts on providing legal and policy technical assistance to civil society and policy makers in Tunisia and circulated its analysis more broadly to contribute to the fight against negative trends across countries affected by the Arab Spring, including Egypt and Libya. The Tunisian government elected in October 2011 sought to review laws and policies proposed by the transitional government whom ARTICLE 19 had been able to positively influence, so 2012 was a year of struggling to safeguard progress made since the political transition began in January 2011.
Key activities included:

- comparative analysis of constitutions around the world, translated into French and Arabic which was widely circulated in Tunisia, Egypt, and Libya
- An in-depth analysis of the first draft of the Tunisian constitution with strong recommendations for the necessity to integrate universal principles of human rights and international standards related to FoE, FoI and the independence of the media.
- 3 legal analyses of specific provisions or draft laws proposed by the constitutional assembly, including one on the protection of the sacred
- Some 10 workshops organised throughout Tunisia on the constitution, around 500 persons, including representatives of the labour movement, the ruling Ennadha party and Salafists.

The impact of work in Tunisia has been:

- Several National Constituent Assembly (NCA) members approached ARTICLE 19 for technical assistance on issues related to FoE and human rights more generally. Technical meetings were held with individual parliamentarians before and after the publication of the first draft of the constitution.
- Despite increasing polarization within Tunisian society and the political sphere, ARTICLE 19 has managed to retain its credibility and impartiality and has been constructively received by the President of the Republic, the President of the NCA and the Chairman of Ennadha. During the meeting with the NCA President, it was announced that the government was organising regional workshops on the second draft of the constitution. The idea of regional workshops was initiated by ARTICLE 19 to ensure voices from traditionally marginalised zones were heard.

Africa

ARTICLE 19 supported progressive legal developments where these occurred, for example, initiatives at the African Commission on Human and Peoples’ Rights to propose a Model Access to Information law, and took action against negative trends in Gambia, Senegal, Rwanda, Uganda and Ethiopia. ARTICLE 19 engaged in targeted advocacy through focused meetings with high level officials on issues raised in legal analysis, statements or country reports, in the Gambia, Senegal, Kenya, Rwanda and Uganda.

Outputs on Africa aimed at addressing negative trends included (see also Goals 3 and 4):

- Drafted 12 legal analyses, statements or country reports on East Africa, and 4 statements on West Africa, for example, statements critical of threats to FoE during Senegal’s Elections, and attacks on journalists in the Gambia.
- Issued a quarterly newsletter, 43 press releases and statements compared to 20 released during the whole of 2011 in response to negative trends. The countries featured were: Kenya – 9 outputs; Ethiopia - 8; Somalia - 6; Uganda - 5; Rwanda - 3; South Sudan - 3; Burundi - 1; Djibouti - 1; Tanzania - 1; Gambia - 5; Eastern Africa - 1 and Africa 5.

Asia

In Burma, ARTICLE 19 initiated its first interventions to support the democratisation process and progressive legal reforms. Key activities included:

- A mission in February, which involved attending a conference alongside Minister for Information and Communications, and meetings with a range of human rights activists,
These activities included:

- Analysis of a secret draft media bill with recommendations passed via UNESCO to the Myanmar government. We received feedback when a journalist was informed by the Minister for information and communications that ARTICLE 19 had “assisted in the process” of developing the media bill.
- Leading a partnership of INGOs set up to organise a civil society festival for Aung San Suu Kyi in Trafalgar Square. The planned festival was cancelled when halfway organised, as Aung San Suu Kyi decided that the political ramifications inside Myanmar would be too difficult.
- Developed a guide to freedom of expression, incorporating all issues currently relevant in the country, in a tone and language that was accessible to non-experts.
- Established relationships with all democratic parties in parliament (met with four MPs from different parties – NLD, NDF - all working on the new press law) and with ethnic parties interested in the press law (four covering Kachin, Shan, Karen, Rohingya). ARTICLE 19 outlined our vision and engaged with each of them to ensure targeted support throughout the process.

Some key outputs for the year included:

- Five lawyers, three chief editors, 20 journalists and 10 HRDs/political activists received entry workshop training in media law, FOE and FOA. Each trainee was chosen specifically by our partners to be a catalyst for future growth in capacity within their relevant institutions and groups.
- 300 copies of the beginners’ guide to FOE and FOA distributed to different activists, journalists, unions, politicians and the Human Rights Commission
- 13 reports, legal analyses, statements and press releases published.

The main outcome to date was that the joint pressure on the government delayed the bill on media regulation until it has been revised. The draft bill, which was promised in June 2012 had still not reached parliament at the time of writing, In addition, the conservative minister charged who had responsibility for creating a new legal framework has been replaced with a more progressive one, who appeared more open to dialogue with civil society, and has indeed publicly commented that he has opened that dialogue.

Europe

In Europe ARTICLE 19 turned its attention to fighting negative trends in Europe, with activities in Azerbaijan, Kazakhstan, Ukraine. Russia received increased attention as the case against members of the Pussy Riot band provided an opportunity to raise awareness of negative trends especially after President Putin’s inauguration in May 2012.

These activities included:

- In Kazakhstan, ARTICLE 19, in collaboration with a partner organisation Adil Soz,
  o conducted fact-finding and monitoring in Kazakhstan using the media and through country visits,
  o conducted international advocacy and awareness-raising at UN and OSCE,
  o provided legal expertise on draft legislation/proposals, including the civil and criminal code and specific provisions on ‘inciting social discord’, and
  o built the capacity of journalists and media lawyers, by holding two roundtable discussions: one explored issues around ‘incitement to social hatred’ provisions in the Criminal Code and the other produced a draft civil defamation code.
• ARTICLE 19 participated in an international joint mission to Ukraine and the findings were presented during the Parliamentary Assembly of the Council of Europe. It raised negative trends in terms of censorship, including threats against the independent television station (TVI), the investigation into the death of investigative journalist Georgiy Gongadze and the FoE issues raised by the digitalisation process.

• In Russia ARTICLE 19 monitored the numerous arrests, including the high profile Pussy Riot band, and responded with legal analysis to regressive laws for Freedom of Association and Assembly and FoE.

• In Azerbaijan, ARTICLE 19 coordinated the work of the International Partnership Group of Azerbaijan, issued a number of joint statements and conducted advocacy around and during the Internet Governance Forum (IGF) meeting held in Baku in November 2012 to expose the deteriorating FoE situation in Azerbaijan.

Some of the key outputs included:

In Azerbaijan:
• 2 advocacy reports (one for the EU and linked to Eurovision song festival and one on internet governance launched at the time of the IGF)
• 6 statements and 12 press releases
• Intensified collaboration with the International Partnership Group for Azerbaijan (IGAP) by moving the coordinator from the UK to Azerbaijan.

In Kazakhstan:
• 5 press releases, 4 statements and 3 legal analyses
• 1 fact-finding mission
• High-level conference on defamation
• Around 20 journalists and lawyers trained on international FoE standards and judicial practices.

In Ukraine:
• 2 legal analyses, 2 reports and 2 press releases and
• An international mission.

In Russia ARTICLE 19 responded to negative legal developments with regard to Freedom of Assembly, the ‘foreign agent’ law governing non-commercial organisations, the internet blacklist, the re-criminalisation of defamation, the introduction of fines for ‘homosexual propaganda’, and a draft law banning gay pride marches by producing:
• 13 press releases, 3 statements, 7 advocacy letters and 2 updates on Russia.
• Preparing a submission on Russia ahead of the country’s Universal Periodic Review in April 2013

In terms of impact:
• A coalition of NGOs in Azerbaijan has launched a campaign aimed at removing the word ‘social’ from the criminal provisions on incitement to hatred, after their attention was drawn to its illegality during an ARTICLE 19 roundtable discussion.
• Moving the International Partnership Group on Azerbaijan co-ordinator from the UK to Azerbaijan enhanced access to monitor FoE trials and raised ARTICLE 19’s profile. Additional security risks and the need to re-negotiate relationships with member organisations and the donors are being tackled.

Commitments not met under Goal One
Planned work to engage with ASEAN was thwarted as ARTICLE 19 had underestimated the level of difficulty in conducting advocacy at ASEAN meetings. 2012 presented no opportunities for beginning advocacy on the right to information at ASEAN. Instead, ARTICLE 19 focused on producing an open letter and public statement calling on states to reject a draft human rights declaration which subjugates right to the ‘regional and national context’ and thereby undermines their universality. The Declaration was adopted, making it clear that future work with the Association of Southeast Asian Nations will remain a serious challenge.

In Azerbaijan, work with large multi-national corporations was shelved when an escalation in the day to day violations perpetrated by state actors took priority.
GOAL TWO
DEFENDING FREEDOM OF EXPRESSION IN A NETWORKED WORLD

Under this goal, ARTICLE 19 seeks to establish, promote and/or strengthen standards and policies protecting and defending internet rights and media diversity. This goal has three key components:

- **Outcome One**: States develop and improve national policies on Information and Communications Technology (ICT) to respect freedom of expression in policy and practice;
- **Outcome Two**: International and regional bodies adopt progressive positions on ICT
- **Outcome Three**: Media diversity and pluralism are protected through adequate legal/policy framework and greater transparency;

**Progressive national ICT laws and policies**

In 2012, ARTICLE 19 analysed the following ICT laws:

- **Draft of Future International Telecommunications Regulations of ITU**
- **Ethiopia**: Proclamation on Telecom Fraud Offences
- **Iran**: Computer Crimes Bill.
- **Brazil**: Computer Crime Bill
- **Brazil**: Marco Civil bill, a bill proposing the protection of basic rights on the internet, ensuring adequate standards concerning net neutrality, filtering and monitoring of content and privacy issues.

In addition, ARTICLE 19 produced two country reports on the ICT legal environment:

- Protection of on line freedom in **Brazil**
- Protection of on-line freedom in **Tunisia**

Finally, ARTICLE 19 contributions to the UPR process (see goal One) included a focus on the protection of on-line freedom in the countries under review.

**Specific country-specific work and impact included:**

- **In Kenya**, ARTICLE 19 organised a campaign focused on its 2011 policy paper on mobile telephony with the result that the state regulator, CKK, implemented many of its recommendations and there was public awareness on how to identify counterfeit handsets.
- **In Bangladesh**, ARTICLE 19 raised several concerns with regard to *Internet Censorship* in the *UPR Submissions for Bangladesh, including*: several instances of restricting access to websites including social networks such as YouTube and Face Book, summons from the judiciary to internet users for online postings, repeated use of the Information and Communications Technology Act, 2006 to block websites, the proposed Guidelines for the Regulation of Online Media, 2012 threaten to further erode these rights. A major outcome of our work under this goal has been our success in our advocacy and technical advice to the Government in convincing them on the need to develop an overarching broadcasting policy for the growing electronic media sector. The Government has been open to our offer to provide technical support and expertise to assist them in putting together a broadcasting policy. We have also been successful in getting the government to set up a transparent and inclusive process with the participation of key stakeholders in the sector.
- **In Brazil**, ARTICLE 19 completed a regional baseline research, which reviewed existing proposals for Internet regulations and identified relevant stakeholders in South America and conducted advocacy activities to avoid the adoption of restrictive legislation by the Brazilian Congress, in particular the cybercrime bill. In June 2012 we formally presented our
comments to Congress, taking part in a public consultation on the text. The draft bills are still pending at the time of writing this report.

- **In Azerbaijan,** ARTICLE 19 sought to ensure respect for the right to freedom of expression online and offline as part of the IGPA through the co-production of a joint report on online freedoms in Azerbaijan and a mission to the IGF in November 2012. ARTICLE 19 supported a local partners’ fact-finding mission in the region which produced findings represented in the joint report produced for the IGF. The report was jointly developed with Expression Online Initiative, a coalition of freedom of expression organisations, with support from ARTICLE 19 (which also contributed the chapter on international standards on internet freedom) and International Media Support (IMS) and endorsed by the IPGA. Unfortunately, ARTICLE 19 (and others’) activities have not had yet the expected impact on the legal process or on the government’s increasing repressive approaches to freedom of expression as we approach presidential elections in the final quarter of 2013.

- **Iran:** ARTICLE 19 analysed the Computer Crimes Law of the Islamic Republic of Iran and showed how it flagrantly violates international human rights law. The law is only the latest addition to the Islamic Republic of Iran’s vast censorship apparatus. It demonstrates the resolve of the Iranian Government to pursue human rights defenders, bloggers and journalists through electronic media: the last available sanctuary for freedom of expression and political dissent in the country. This legal analysis was the first of its kind and was very well received by ordinary readers, activists with legal interest and human rights organisations (e.g. Amnesty International and Iran Human Rights Documentation Centre) and the UN Special Rapporteur on Iran.

- **In Iran** as well, ARTICLE 19 welcomed the appointment of Dr Shaheed to the position of human rights rapporteur in June 2011, and advocated for the integration of cyber rights in the Special Rapporteur’s report. The success of these efforts has been borne out by the Special Rapporteur’s recent findings, which alongside increasing abuse of civil, legal and confessional freedoms has also stressed the growing constraint imposed upon online expression and access to information.

- **In Iraq,** ARTICLE 19 updated the analysis of the draft Information Technology Crimes Bill and coordinated international advocacy campaign against this draft law (together with 40 freedom of expression organisations). This eventually resulted in a submission to the Ministry of Communication (as well as to the Chair of the Legal Committee of Parliament) that decided to quash the draft law.

**Progressive international policies**

**Defeat of ACTA:** by issuing 2 statements testifying before the European parliament, and raising awareness in the UK with the Oxford institute, ARTICLE 19 contributed to the defeat of ACTA. We were the first FOE (or HR) organization that supported the fight of digital rights activists in this area. These activists appreciated the fact that we provided FOE arguments. For this reason, we were invited to give testimony in the European Parliament in the discussions in ACTA. It also helped us to create new coalitions.

**Dubai ITU Conference:** In December 2012, 193 Member states were gathered in Dubai, UAE to discuss the revision of the International Telecommunications Regulations (ITRs) at a plenipotentiary conference spearheaded by the ITU. ARTICLE 19 was also part of a coalition of civil society groups, which pushed for greater transparency and a meaningful multi-stakeholder- approach to internet policy issues within the ITU. Our contribution to the WICT process was both acknowledged by the ITU Secretary General in his opening speech and the head of the UK delegation.
Recognition of the right to peaceful protest online and digital freedoms by the UN Human rights Council: this resolution recognizes and calls for protection of the peaceful assembly online as well as offline (ARTICLE 19 has consistently called for this last provision). The right to protest online was later (in 2013) included in the results of the study in best practices organized by the OHCHR (where they highlighted that ARTICLE 19 had explicitly called for this).

Council of Europe: ARTICLE 19 had commented on two draft recommendations during 2011 and several of the organisation’s comments were reflected in the final recommendations adopted by the Council of Europe (Recommendation CM/Rec(2012)3 on the protection of human rights with regard to search engines and Recommendation CM/Rec (2012)4 on Social Networking sites. These gains include due process provisions available to the subjects of blocking or filtering requests and the protection of children against harmful content and behaviour.

Ensuring underrepresented regions and groups are provided ICT access and training through increasing public participation

In Kenya, Indonesia, Brazil and Bangladesh, ARTICLE 19 approaches have focused on ensuring as broad a coverage and access to the internet as possible, including by articulating an advocacy position on universal access.

In Senegal, ARTICLE 19 undertook a specific project seeking to strengthen ICT access and knowledge for women electoral candidates and newly elected women parliamentarians (See also Goal 3).

- During 12 days, ARTICLE 19 in partnership with the Caucus of Women Leaders toured some four regions including the most disadvantaged such as Tambacounda, to boost the capacity of women candidates in the legislative elections and sensitisethem on how to better address the concerns of the grassroots populations. The issues included basic public services such as access to health care for women. During the trainings, ARTICLE 19 proposed modules on ATI and on how to use modern communication tools to share their programmes and connect to the electorate (for example, Facebook, twitter and blogs). During this process, ARTICLE 19 created email accounts for a dozen female candidates and shared tips on how to exploit social media and raise their profile.
- Out of the 68 women elected to sit in the national assembly, 28 had benefited from the trainings. This gives us direct contact with them and provided a way to monitor their work in the coming months. We continued to monitor the impact of their presence in parliament by attending regular sessions where key issues especially budgetary and other policies are discussed.

Protecting media diversity and pluralism

At global level, through the legal hot desk, ARTICLE 19 provided legal analysis of the following pieces of legislation related to media independence and diversity:

- South Sudan Broadcasting corporation bill
- South Sudan Media Authority Bill
- Bosnia Public Service Media laws
- Bosnia Broadcasting Regulatory Authority law
- Kazakhstan – Civil Code Restriction on FOE
- Ecuador Law on Communications
- Uganda Communication Regulatory Agency Bill
- Somalia Draft Communication Act
• Gambia – analysis of selected media laws
• Bolivia – Law on Telecommunications
• Pakistan: Telecommunication Reorganization Bill
• Rwanda: Press Law
• Macedonia: Defamation Law

ARTICLE 19 also drafted two user-friendly guides:
• Regulation of print media (in Arabic and English)
• Regulation of broadcasting media (in Arabic and English)
• A beginner’s guide on print media for Burma

ARTICLE 19 prepared as series of policy briefs on the digital switchover, namely:
• FOE and digital switchover,
• digital switchover and costs,
• regulations standards on digital switchover, and
• how to achieve pluralism in digital switchover

Some of A19’s work was the object of further national-level advocacy. In particular:
• In South America, we monitored new proposals to regulate FoE related issues, especially in relation to broadcasting, and organised a workshop on media law for lawyers from Andean countries.
• In Brazil, ARTICLE 19 collected data, produced texts, analysis and a map of community radios. During the National Conference on the Right to Communication, ARTICLE 19 launched an online platform with information on community radios and their challenges regarding judicial decisions, administrative procedures, closing down of outlets and sustainability. The launch occurred in a community radio located in a very poor neighbourhood of Recife. The website has been used for our advocacy and litigation work related to this subject, as well as by several community broadcasters and associations.
• In Bangladesh, ARTICLE 19 provided technical advice and conducted advocacy on media regulation, including initiating discussions with the Ministry of Information (MoI) and the Parliamentary Standing Committee for the Ministry of Information Communication Technology (ICT). We conducted a preliminary review of Bangladesh Broadcasting law in 2012 and advocated for an independent authority that will promote independent pluralistic broadcasting in the public interest and set clear rules for the regulation of broadcasting services in Bangladesh. As an outcome to our advice the Ministry of Information on 1st November 2012 set up a 16- member Committee consisting of a wide range of stakeholders including electronic media leadership, academia, ICT experts, leadership of journalists associations and relevant ministries for the formulation of a comprehensive National Broadcasting Policy. ARTICLE 19 was invited to be a member of the Committee as an NGO representative to provide technical support and lead civil society consultations on this. Through written submissions and engagement we are able to influence the Government to ensure that the policy promotes and protects media pluralism in the public interest, sets out a clear framework that covers licensing, frequency allocation and that any programme guidelines ensure the right to expression and information. We are also advocating for an independent authority for oversight and complaints issues. This is recognition for ARTICLE 19’s leadership role in the sector in Bangladesh and as organisation that stands for protection of freedom of expression and information.
GOAL THREE
DEFENDING FREEDOM OF EXPRESSION AGAINST IMPUNITY
AND ATTACKS ON ITS UNIVERSALITY

The key objectives under this goal are to strengthen the role and effectiveness of institutions which are meant to safeguard accountability and ensuring that State and Non-State Actors are held accountable for abusing freedom of the press, freedom of expression and transparency standards; achieving real legal breakthrough in the fight against impunity. In addition, ARTICLE 19 seeks to establish or strengthen standards and policies on the universal value of freedom of expression.

In particular, ARTICLE 19 has identified four key outcomes:

• Outcome One: Concrete mechanisms in place to protect journalists and media workers in target countries, including through institutional reforms at governmental level;
• Outcome Two: The international, regional and domestic policy, legal and regulatory framework is reformed and/or put to use to substantially hold non-state actors (including organised crime groups) accountable by 2015;
• Outcome Three: ARTICLE 19 policies regarding the universality of freedom of expression are widely circulated, referenced and adopted by a range of stakeholders, thus contributing to protecting the right of all to freedom of expression;
• Outcome Four: “Defamation of religions” and blasphemy laws are repealed, reformed or ceased to be used.

National progressive laws related to protection

During 2012, ARTICLE 19, pursued the following activities which generated a range of outputs from a standard-setting Joint Declaration, to a strategic high court ruling on the right to joke online:

• ARTICLE 19 produced the following analyses related to the protection of journalists or human rights defenders, including
  ➢ Kazakhstan: analysis of banning and suspension of media outlets clarifying how this amounted to politically motivated censorship
  ➢ Italy: analysis explaining how prison sentence for defamation violates freedom of expression and public statements in solidarity with a newspaper director under house arrest on charges of defamation.
  ➢ Russia: legal arguments against prison sentences in the case against Pussy Riot as a violation of their freedom of expression.
  ➢ Statement on how Malaysia’s treatment of a Saudi tweeter violated freedom of expression.
  ➢ Public statement urging the Human Rights Council to adopt resolution on safety of journalists. The lobbying was successful and this resolution later resulted in a UN Declaration.
• ARTICLE 19 produced a joint statement with the Special Rapporteurs from regional and international human rights bodies, on protection of journalist and human rights defenders. The statement established the concept of ‘crimes against freedom of expression’ at an international level, building on the example set in Mexico and put forward the detailed standard on investigations to end impunity.

Progressive jurisprudence on protection
Strategic litigation was initiated in three cases with the goal of establishing legal precedents on impunity for crimes committed against journalists:

- **Vélez Restrepo et al. vs Colombia, Inter-American Court of Human Rights**: A journalist was attacked by soldiers when observing a protest in Colombia. After filing a complaint, him and his family received threats and an attempted kidnapping. The authorities failed to adequately investigate the crimes and punish those identified and the threats continued, leading to his fleeing the country. ARTICLE 19 filed a friend of the court brief reviewing the international obligations on countries to protect journalists as set out by the UN and regional human rights bodies. It also provided a summary of cases of the European Court of Human Rights on the right to life. The Inter-American Court held the government responsible for a climate of impunity in crimes against free expression. The Court decision in this case is of a particular international relevance because the Court highlighted the importance of journalists in documenting and covering public protests, the fact that this type of work is in the public interest and enumerated the authorities’ responsibility to enable journalists to do their work. It was late but according to the lawyer for the case, the Court unofficially still read our brief and their decision did refer to some of our source material.

- The so called “Twitter joke case” concerned the right to joke online (concerning a person who was joking on Twitter that he would blow up a local airport). The High Court largely concurred with ARTICLE 19’s submissions which emphasised the importance of the context of online communications.

In Brazil, ARTICLE 19’s Legal Reference Centre has begun developing and deploying public interest litigation as part of an effort to exploit legal avenues to protect freedom of expression and access to information. Legal opinions were presented in three lower level court cases along with three amicus curiae. One case was presented on the denial of information by public authorities. And a petition was prepared ready to file the case of journalist Elmar Bones before the Inter-American Commission. Requests were made to the Inter-American Commission urging thematic hearing be held on the problems faced by community radios in Brazil.

**Providing protection mechanisms; addressing impunity**

**Azerbaijan**

The situation seriously deteriorated in 2012, prompting ARTICLE 19 to prioritise the country for its protection work. We raised the profile of key journalists, activists and human rights defenders through other meetings/missions in the UK, at the Council of Europe, EU, EBU and IGF.

- We launched our report *Running scared: Azerbaijan’s silenced voices* at the Frontline Club in March, ahead of the Eurovision Song Contest. The event was attended mainly by journalists who were going to travel to Baku for the event. Local participants included Khadija Ismayilova (who had been subject to blackmail attempt and smear campaign only a couple of weeks previously), journalist Agil Khalil in exile, blogger/activists Adnan Hajizade and Emin Milli, as well as Vugar Goyajev. Meetings were also held with the FCO and UK Parliamentarians.

- Following on from the Frontline Event, ARTICLE 19 as well as other IPGA members and Khadija Ismayilova, Agil Khalil, Vugar Gogayev, Parvana Persiani and Rasul Javarov (Human Rights Club), travelled to Brussels to present the report at an EU side-event and during meetings with various EU officials, providing opportunities to distribute the Running Scared report.

- In May 2012, ARTICLE 19 participated in the European Broadcasting Union (EBU) Workshop in Geneva. Aside from a representative (Rasul Jafarov) from the Sing for Democracy
campaign, no Azerbaijani civil society actors were on the list of invitees. At our urging, the EBU then invited representatives from the Media Rights Institute Rashid Hajjili and IRFS Emin Huseynov, both then managed to be present at the workshop.

- In 2012, ARTICLE 19 undertook three missions to the Council of Europe Parliamentary Assembly, for which briefing notes/fact sheets based on the above mentioned materials were prepared and used during meetings with MEPs and others. In April, the IPGA mission included representatives from ARTICLE 19, Index, Human Rights House, Human Rights Watch (HRW) and Open Society Foundation and local participants included lawyer Rashid Hajjili, blogger Pervana Persiyani, and civil society activist Vugar Gojayev. By including local activists in such missions their profile is raised and their voices are heard at international level.

- In November 2012, ARTICLE 19 travelled to the Internet Governance Forum. Along with other representatives of the IPGA, ARTICLE 19 participated in a conference with the Council of Europe Human Rights Commissioner, where specifically the cases of imprisoned journalists/activists (including Avaz Zeynalli (editor-in-chief) and Halil Mammadov) were raised. ARTICLE 19 took the initiative to organise international monitoring of a trial hearing in the case against Avaz Zeynalli in Baku during the IGF. Index and HRW also attended. ARTICLE 19 had specifically raised this case during a meeting with Vice President of the European Commission Neelie Kroes and EU Ambassador to Azerbaijan, Roland Kobia.

Overall during 2012, ARTICLE 19 produced 15 publications connected to raising profile of individual cases, including 2 reports for the Council of Europe. Since its launch in May 2012, we have also maintained the website www.azerbaijanfreeXpression.org which features cases of journalists, bloggers and human rights defenders who are arrested, charged, held in pre-trial detention and/or imprisoned. In total we have followed the cases of 18 activists, 7 of whom have now been released.

Russia

The situation for freedom of expression in Russia deteriorated sharply in 2012. Activities to address this sharp decline were presented under goal one and included a range of measures against the regressive legal reforms initiated by president Putin. In addition, ARTICLE 19 implemented a range of activities to enhance the protection of journalists and HRD. These have included:

- Monitoring and reporting on cases of violence, harassment against journalists and HRD. These included the cases of Abdulla Duduev, editor-in-chief of Dosh, a magazine covering the North Caucasus, Khadimurad Kamalov, the investigation into his murder has stalled
- Reporting on the situation through 4 press releases and statements
- One safety security training in Dagestan
- Launch of a media hotline for lawyers and journalists which provides rapid response advice to legal questions, including through webinars and facebook consultations, led by partner MMDC, along with two master-classes for journalists

Impact of our intervention:

- Participants to the Dagestan security training have already reported that they have started to use some of the safety measures as provided during the training. One of the main issues identified during the training was the lack of specific attention to women journalists and the use of psychological support, as there is a barrier to accepting such support. Subsequently, ARTICLE 19 included a focus on providing training tailored for women journalists as well as psychological support in its proposal to the FCO the project’s second year. The training was organised to coincide with an expert meeting on safety and security measures, with local civil society organisations. The meeting provided an opportunity to discuss the experiences of other organisations facing violence in Dagestan.
• Direct support to 4 journalists, their families or lawyers, including Abdulla Duduev who needed support for him and his family to fly to safety in the UK; the lawyers of Khadimurad Kamalov who are pursuing the case of his murder, Caucasian Knot, one of the only online independent media in the North Caucasus were supported during court proceedings against them by MMDC Director Galina Arapova; Nastoyashaya Vremeni, a local newspaper and its editor-in-chief Milrad Fatullayev were charged twice with defamation, and these cases will be supported by MMDC, and one of the cases has been submitted to the European Court of Human Rights in November 2012. We won the case brought against Caucasian Knot for insulting honour and dignity by the mayor of a local town, and former high-ranking official of the Dagestan’s Ministry of Interior. By winning the case in December 2012 on appeal at the Supreme Court of Dagestan, the threat that other such officials would follow suit has been mitigated.

Brazil

ARTICLE 19’s monitoring of violence against journalists and human rights defenders in Brazil offered proof of how far the situation had deteriorated during 2012. ARTICLE 19’s gathered information about 16 journalists and human rights defenders who were murdered in 2012 for speaking about issues of public importance. The annual report for 2012 was launched in March 2013.

Other activities in 2012 included:
• ARTICLE 19 had a number of advocacy meetings in 2012 and early 2013 with the Ministry for Human Rights and the Presidency about the creation of the Working Group on journalists and our participation in the discussions for reform of the Protection Program (forHRDs);
• ARTICLE 19 was invited to the workshop organized in Dec 2012 to discuss reforms to the Protection Program and interviewed a number of HRDs in the program;
• ARTICLE 19 presented 2 information requests related to impunity
• ARTICLE 19 followed up very closely the case of journalist Barbon, killed some 7 years ago, and included the case in a report on impunity produced with IFEX-ALC
• On the occasion of impunity day, ARTICLE 19 included an assessment of the Brazil context on impunity (laws and practices) in the IFEX report

Impact of our work:
• In response to the violence and advocacy by ARTICLE 19 and other groups, the government established a Working Group in December 2012 to propose specific measures on protection to be adopted by the Government by late 2013 - early 2014. ARTICLE 19 has actively participated in the WG. ARTICLE 19’s 2012 report on violence in Brazil was formally included in the agenda of the 2013 meeting of the WG.
• ARTICLE 19 also had a number of advocacy meetings with the people in charge of the Program for Protection of Human Rights Defenders during 2012 and is now participating in the meetings of the coordination.

Mexico

2012 was a transition year for Mexico leading up to the elections and change of government. The federal government maintained its emphasis on the theme of public security, resulting in the detention of some of the main leaders of the most important criminal organizations, mostly in the northeastern region of Mexico. These results have not however improved the perception of generalized violence that permeates the country, or indeed the overall situation for journalists and human rights defenders.
ARTICLE 19’s monitoring of the situation throughout 2012 indicated that 7 journalists were murdered for speaking out and 2 journalists were abducted and are still missing as a result of their work. There were 8 attacks on the premises of media organisations using either firearms or explosives because of something that had been published or broadcast. Shockingly in almost half of the cases (44%), state officials are directly implicated in that violence. Violence against journalists in Mexico City increased by 64% in 2012, making the federal district as violent as Veracruz, which was considered the most dangerous city in the country in 2011. Overall findings for 2012 were released on March 13, 2013.

In addition to monitoring and investigating cases of violence, ARTICLE 19 undertook the following activities in Mexico:

- Designed and launched a protocol to react to Distributed Denial of Service (DDoS) against independent media. ARTICLE 19 was the first organisation addressing this issue and many partners are sending cases to us. (November 2012)
- Organised a special campaign to promote the documentation of police abuses during public demonstrations. (December 2012)
- Delivered first on-line security training course for journalists.
- Launched E-learning platform. (September 2012)
- Launched beta version of a mobile application to assess and reduce the risk faced by journalist.
- Delivered first training to the federal prosecutor investigation unit on how to investigate alleged murders perpetrated for the exercise of freedom of expression. Twenty-five investigators participated. After the training and using information emerging from participants, ARTICLE 19 launched a protocol for the investigation of such cases. The aim is to continue such trainings both at the local and the national level.
- In addition, ARTICLE 19 Mexico built on its expertise in prevention and protection measures for journalists in danger to support other ARTICLE 19 initiatives in Russia, Kenya and Cambodia to implement similar security protocols in their regions. The approach includes standardised procedures to provide holistic protection to journalists and human rights defenders at risk, including ad hoc solidarity network, an emergency response mechanism and measures to ensure that the gender perspective is mainstreamed throughout the programme. One element of the protection mechanism is a mobile phone app to assess and reduce the risk faced by a journalist.

Impact:

- We carried out more than 200 legal procedures (guidelines, advice, preparation and presentation of legal cases, as well as accompanying the authorities) in the course of 2012
- Mexican social movements, such as Movimiento por la Paz y la Justicia, #YoSoy132 and others related to indigenous rights, are using our material on police violence during demonstrations.

**East Africa**

For the year 2012, ARTICLE 19 monitoring showed that Somalia was the worst place for journalists in the region. Sixteen journalists were killed, six in the month of September alone. Many others were wounded, arbitrarily arrested or prosecuted for criminal defamation. Furthermore, journalists and human rights defenders engaging with the extractive industries in Kenya (coal mining), Tanzania (gold and Uranium) and Uganda (oil) continued to face harassment, physical attacks and unwarranted legal suits in bid to silence them from highlighting rampant violations occasioned by companies with complicit state parties.
Key activities in 2012 included:

- ARTICLE 19 monitored and documented violations and attacks on journalists in Djibouti, Somalia, Eritrea, Uganda, Kenya, Rwanda, Burundi, South Sudan and Ethiopia and issued quarterly briefs on the findings. In-depth reports were produced on freedom of expression in Djibouti, Ethiopia, Eritrea and Somalia which represented the countries where journalists face the biggest risks.
- ARTICLE 19 drafted and supported the adoption of the African Commission’s Resolution on the Attacks against Journalists and Media Practitioners in Somalia in April 2012. This referred explicitly to the UNESCO Plan of Action on the Safety of Journalists and the Issue of Impunity endorsed that same month and condemned the pattern of violence and other forms of repression against journalists and called for investigations into killings of journalists.
- ARTICLE 19 conducted a special campaign on Eritrea that included a mission to UN Human Rights Council, Geneva on the margins of the 19th HRC session-5th March 2012; Advocacy at the 51st session of the ACHPR; co-drafting of a letter by the NGO Forum to all Foreign Affairs Ministers bringing their attention to the state of human rights in Eritrea; talks with the Eritrean delegation to the 51st Session of the ACHPR and with EC delegation on Eritrea-23rd March 2012
- ARTICLE 19 conducted three safety trainings for journalists.

Key outputs of these activities included:

- Over the course of 2012, ARTICLE 19 Eastern Africa provided direct assistance to 8 journalists and coordinated assistance for a further 25 journalists and their families in cases where the journalists were at risk as a result of exercising their freedom of expression.
- More than 100 journalists, including close to 40 women, participated in safety training organised by ARTICLE 19.

Key impact:

- A UNHRC resolution to establish a Special Rapporteur on the Human rights situation in Eritrea, tabled by African states led by Djibouti, was overwhelmingly supported by member states.
- ARTICLE 19 paid medical fees for a Somali TV journalist who escaped an assassination attempt in Mogadishu after armed men attacked him in Central Somalia. The journalist had sustained bullet wounds to his chest, head and left leg was flown to Nairobi for specialized treatment. We also assisted another Somali journalist who is exiled in Kenya to relocate to another part of the country after receiving direct threats from the Al-Shabaab while in Nairobi.
- ARTICLE 19 paid medical examination costs for an exiled Rwandan journalist to enable him relocate to a third country where he felt safer. We also supported an Ethiopian journalist and human rights defender to settle in Kenya after he fled Addis Ababa due to continued threats on his life.

**West Africa:**

Gambia remained a strong focus for ARTICLE 19 as the situation for journalists and human rights defenders there continued to worsen. The organisation facilitated an exchange programme to provide mentorship between journalist in Senegal and Gambia. Journalists from the Gambia received in-house training during their two-week stay with media houses in Senegal. While the Senegalese authorities generally respect journalists’ right to freedom of expression during the presidential and legislative elections in early 2012, tensions increased and journalists were targeted. ARTICLE 19 issued statements on these violations and attacks against journalists as well as monitoring violations against journalists in the Gambia. A range of high level meetings were
organised to highlight the situation of journalists and HRD and call for better and stronger protection.

Key outputs included:
- 3 Gambian journalists selected from past 2 courses were brought to Senegal for mentorship and in-house trainings in other media houses by ARTICLE 19 for 2 week.
- 7 journalists and 8 HRDs were trained on blogging and new media
- 7 press releases and 5 policy statements on the situations of protection in the region were issued
- Stakeholders’ consultation on media and policy reform in Gambia with EU, govt, media and Cso (30 participant including permanent secretaries, UNESCO regional rep and media owners), Advocacy meeting on Gambia in Senegal with human rights coalition members including Meeting with minister of communication and justice
- ARTICLE 19 also participated to the sub regional consultation on Media and security ECOWAS and UNOWA
- Training guide on blogging produced along with a Listserv of bloggers set up
- Monitoring newsletter has been published every two month and distributed in the region

Impact of our interventions:
- In Gambia, ARTICLE 19 provided legal assistance to journalists who were detained by the secret police from September to December; one of them left the country after receiving death threats, and relied on ARTICLE 19 for regular advice and support. ARTICLE 19 works on his case with other local organisations. ARTICLE 19 hired a Gambian lawyer to defend those who remained in the Gambia.
- In Senegal, in 2012, there were tensions in the pre-election period between the media and security forces. We documented cases and shared the information regularly with the Union of journalists. The journalists union managed to get an agreement with the security forces to allow journalists to do their work and refrain from using forces against them. This has created a good cooperation and provided a safety net to journalists.

Cambodia

ARTICLE 19 worked in partnership with the Cambodian Center for Human Rights (CCHR) and conducted a six-day mission interviewing around 20 activists, including land activists, documentary film-makers and parliamentarians to assess the risks they face in carrying out their activities. A draft report has been produced which will be released on the occasion of the IFEX General Assembly and Strategy Meeting in June 2013.

Key outputs of our work included:
- Press release on evicted land activists, accompanied by exclusive footage of protests given to ARTICLE 19 by the HRTF: http://www.article19.org/resources.php/resource/2936/en/cambodia:-activists-robbed-of-their-homes-&-voices The footage was viewed 9,735 times
- 4 other press releases throughout the year on the deterioration of the situation in the country

Key impact:
- The fact-finding mission enabled ARTICLE 19 to determine a high-level of risk faced by human rights defenders, particularly legal threats. Furthermore, ARTICLE 19 was able to bring freedom of expression issues to the forefront by simultaneously informing activists and human rights defenders of their right to free speech whilst interviewing them about their
harassment. The right to freedom of expression is still not widely understood by the general public, and ARTICLE 19’s work has helped to spread awareness on the right to civil society.

**Iran: Digital security**

While most organisations find it difficult to get high participation rates amongst Iranians for trainings, ARTICLE 19’s Iran Programme had to turn activists down due to the rising popularity of its internet security workshops.

- In 2012, the first series were held in February 2012 in London, where 26 individuals with a variety of personal and professional background were trained as trainers on ‘internet security issues for digital activists’ by trainers recruited from Tactical Tech Collective and Frontline Defenders.
- In the 2nd series of workshops in July 2012, in which ARTICLE 19 Iran was a co-sponsor, 20 Iranian activists from mainland Europe were brought together in Sofia, Bulgaria to be a part of a 3-day training.
- The last series was held in Amsterdam, Netherlands in December 2012, which saw 41 activists trained by 3 different trainers on theoretical, practical and internet security issues faced by Iranians. These last series were co-organised by ARTICLE 19 and Arseh Sevom, and also co-sponsored by Freedom House.

**Main impact to date:**

- Online activists across Europe and in Iran are better able to safely use the new media to advocate for free expression, train other activists and contribute to the free flow of information. ARTICLE 19 Iran Programme is now confidently leading workshops that aim safe and effective use of the internet in activists’ fight for democracy in Iran. More than 90 people were trained as trainers in 2012 and more will follow in 2013. Video-based lessons/talks will also be launched in March 2012 to further cement our efforts in this topic.
- A network of individual activists from a range of professional backgrounds has been established. ARTICLE 19’s, Iran Programme coordinates this network and together we design strategic action plans on Iran. Most projects are designed on the basis of joint resources and mutual agreement. At least 5 activities have been developed, including:
  - ‘Joint Statement on Right to Education and Academic Freedom’,
  - 2 ‘internet security trainings’,
  - ‘internet security videos’ in collaboration with Tactical Tech Collective,
  - direct input into the digital freedom section of the report issued by the UN Special Rapporteur on Iran.

Two of these activities were completed in partnership with Arseh Sevom and Freedom House, and another two with Tactical Tech Collective.

**Bangladesh: Women Journalists**

ARTICLE 19 continued its focus on promoting the rights of women journalists in Bangladesh. The underlying premise of this work has been that a truly diverse and free media sector that included and celebrated women’s voices was an essential component of the promotion of the rights of women in Bangladesh. Key activities for the project included research and documentation, censorship tracking and formation of journalists’ network and advocacy for change in policy and practice.

**Activities this year focused on:**

- Documenting and tracking patterns of censorship specific to women journalists and the effects on them culminated in an action-research paper, *“Writing Wrongs against Women Journalists in Bangladesh”*. 
• Legal advice and referral support was provided to women who are victims of censorship, discrimination and human rights violations.

• Two high level meetings were held this year. The first one on the 31 January 2011 in Dhaka was attended by leading journalists and the country’s media leadership. The final comprised of a national level Round Table in observance of World Press Freedom Day on 15 May, 2012 at the National Press Club of Dhaka, to share the key findings of the study, “Writing Wrongs against Women Journalists in Bangladesh”.

ARTICLE 19 report “Writing Wrongs against Woman Journalists in Bangladesh,” the first of its kind in Bangladesh, documented 55 case studies of complaints. Some of the notable findings include:

• Gender based discrimination and violence continue to be used as a means to silence women in the media in Bangladesh.

• 60% of women journalists have complained to have suffered some sort of discrimination in the workplace

• 52.70% of women journalists have complained of some form of sexual harassment

• 47.30% faced other forms of censorship such as obstruction to reporting, destruction of property, assault, abduction/confine ment and threats.

• There is a general lack of acceptance of women as journalists in most parts of the country. They endure attitudes that are stereotypical as part of their day to day work.

• Women remain significantly under-represented at all levels of seniority in the media: Women comprise less than 7% of the journalist community in Bangladesh; Women occupy only 0.6% of editorial and management positions.

• 66% of respondents stated they were working on the basis of loose contractual arrangements such as verbal agreements.

• Women receive wages as low as taka 1000 to 2000 per month (8 – 16 GBP), significantly less than their male counterparts.

Key outputs:

• ARTiCLE 19 documented fifty-five cases of violations of women’s right to freedom of expression for May 2011- April 2012,

• Identified and cultivated 7 “focal points,” journalists who reached out to other journalists and acted as local hubs for our national network of women journalists. The districts include Dhaka, Jessore, Cox’s Bazaar, Rangpur, Rajshahi, Narshindi, Comilla, Barisal, Pabna, Khulna, Khagrachari, Dinajpur, Chapai Nawabganj, Kurigram, Lalmonirhat, Gaibandha and Rangamati.

• In over 6 districts including Gaibandha, Lamonirhat, Dinajpur, Rangpur, Kurigram, Nilphamari local level Committees have been formed by journalist focal points. Apart from meeting regularly these Committees have taken local level actions in support of women journalists who have been victims of violations, they have mobilised protests against perpetrators, mediated on legal issues and facilitated the collection of information.

The main outcome to date is that ARTICLE 19 has established the issue of gender discrimination and censorship of women journalists as a mainstream freedom of expression issue and one that needs the attention of media leadership, government and journalists’ associations. Specific outcomes include:

• Making available information on discrimination and censorship against women journalists: it was the first time in Bangladesh that such a large body of data was made available to the public and the Media.

• Breaking the silence: Involving both female and male journalists, the project provided a secure opportunity to women journalists to speak about their experiences of gender
discrimination and gender based censorship, a topic that has until now been strictly taboo in Bangladesh.

**Protecting the universality of freedom of expression against competing claims**

In 2012, ARTICLE 19 produced a range of documents related to the protection of the universality of freedom of expression. These have included:

1. Policy on “Prohibiting incitement to discrimination, hostility or violence” 21 Dec 2012: ARTICLE 19 has launched its policy brief on incitement to hatred (Article 20(2) of the International Covenant on Civil and Political Rights) in late 2012 and during the year attended three Expert UN meetings on the issue.
2. 2 policy briefs - Getting the facts right: Reporting ethnicity and religion
3. Policy on Hate speech on the grounds of sexual orientation and gender identity (released in 2013)
4. Analysis of Tunisia Draft law on Criminalisation of Offenses against Sacred Values
5. 4 statements

**Hate speech and blasphemy**

ARTICLE 19 has continued to lead the struggle against state actors attempting to create a new norm on defamation which would criminalise the vilification of religion. This work has included attendance at Human Rights Committee sessions, providing legal analysis of draft resolutions and participating in a Human Rights Committee workshop on interpretation of Article 20 of the International Covenant on Civil and Political Rights mentioned earlier in this report.

**Kenya**

Work on incitement to hatred focused on promoting responsible and ethical reporting in the run up to elections 2013. This was considered a key priority as hate speech had played such a major role in the previous presidential elections. ARTICLE 19 participated in drafting and reviewing the Election Reporting Guidelines. It also met with stakeholders such as the Media Council of Kenya and the National Cohesion and Integration Commission to discuss how to balance mitigating the negative effects of hate speech with the need to guarantee freedom of expression and how to report on religion and ethnicity. ARTICLE 19 trained a range of media staff, including presenters, reporters, editors and photo journalists on how to handle hate speech during the election period and monitored coverage so that timely feedback could be provided. The organisation also held an international conference on hate speech in Kenya in September 2012

**Protecting the rights of LGBTs to FoE**

ARTICLE 19 issued 8 substantive statements, including on such issues Ukraine’s bill on “homosexual propaganda” and 7 press releases. During 2012, ARTICLE 19 organised a range of meetings to raise awareness of its new policy and the ARTICLE 19 resource materials produced in 2011 on freedom of expression and sexual rights. The aim is to circulate the policy among a wide range of stakeholders to raise awareness and facilitate its application. A report on hate speech on grounds of sexual orientation was prepared for launch with a partner organisation in early 2013. Issues raised in the report have been publicised in various press releases, including one on the right LGBTI activists in Europe to protest, one calling upon the Human Rights Council to reject a resolution on ‘traditional values’ which would have presented a new challenge to freedom of expression as it offered a new way to legitimise discrimination against minority groups, to silence dissent and violate human rights. Another press release urged Ukraine’s MPs to reject a bill that sought to ban homosexual
‘propaganda’. ARTICLE 19 trained LGBTI activists in Bosnia on hate speech and hosted a round table discussion on the issue in Brussels.

Protecting the right of artistic expression
One way to protect the right to freedom of expression against negative trends towards restraint is to strengthen protection for the rights of artists to express themselves freely. ARTICLE 19 attended regular meetings to advocate for an EU platform on the arts and human rights which was finally established during 2013 and began trying to influence EU policies in that area. ARTICLE 19 continued to publish every 2 months its Artists Alerts, which remain one of the most popular and widely read outputs on its website.

Protecting the right of women to freedom of expression
As highlighted above, ARTICLE 19 has pursued a gender-sensitive approach to its work on protection, by ensuring that gender-based violence is well integrated in our protection training, seeking gender-balance in its activities, and focusing on women journalists in such countries as Bangladesh. In addition:

Brazil: Women of Expression
ARTICLE 19 launched the 2012 edition of the multimedia publication / website Women of Expression (http://artigo19.org/mulheresdeexpressao/) which focused on Women and Climate Change. The 2012 edition was released with the profiles of women that exercise their rights to information and free expression to ensure women’s views are taken into consideration in decision-making concerning climate change. The launching of the 2012 edition of the website on March 8 marked the beginning of the project Women adapting to Climate Change. This project fostered the exercise of communication rights to challenge women’s vulnerability to climate change. By giving voice to women facing the negative impacts of climate change and improving access to information on climate change, we increased the sharing of good practices and the adoption of adaptation policies that address the needs of those most affected by global warming.

Some of the key outputs of the project:
• 4 communities significantly affected by different impacts of climate change (floods / landslides; rising sea level / fishing communities; drought) were identified and the actual effects on the daily lives of community members were explored
• 12 information requests were presented to relevant authorities
• 4 roundtables were organized with community leaders on the impacts of climate change, with specific attention to those faced by women
• 3 capacity building programmes on freedom of expression and information were carried out in target communities
• 20 video testimonies and other footage showing the impact of climate change on women in targeted communities were produced and made available to the general public and to public authorities
• 1 blog was launched containing all information collected during the project (including types of communities visited, their location, information collected from official sources, and all testimonies, debate conclusions and other audio visual material): www.artigo19.org/mulheresdeexpressao and http://artigo19.org/mulheresdeexpressao/mulheres-se-adaptando/
• Audiovisual material on women and climate change was disseminated on-line through our webpage.

Its impact to date:
• Women in affected communities were interested in participating in the project’s roundtables.
• Members of affected communities provided testimonies and designed recommendations to serve as advocacy material to promote better public policies and adaptation strategies.
• Women in affected communities collaboratively wrote information requests and talked about the intention to use this tool in their everyday life.
• Women in affected communities produced a wall-newspaper and a video
• Women’s rights NGOs took part in ARTICLE 19’s round table and were very active at Rio+20’s Peoples’ Summit discussing climate change
• The video containing information about each of the 3 communities and recommendations was selected to be displayed at the Peoples’ Summit non-stop at the Ford Foundation stand.

Senegal
ARTICLE 19 marked the second anniversary of the parity law by holding an open day to raise awareness around the role of women in politics. In partnership with the Caucus of Women Leaders, ARTICLE 19 travelled to four regions to boost the capacity of women leaders to contest the elections and to make them aware of how to better address the needs of the population at large, including access to health care. During these sessions, ARTICLE 19 proposed modules on Access to Information and trained the women on how to use modern communication tools, such as Facebook and blogs, to connect with the electorate. Following the elections, ARTICLE 19 will continue to collaboration with the women who were elected and monitor the problems they face in being heard in national assembly debates.

Commitments not met under Goal Three
ARTICLE 19 had planned to expand its ground-breaking work on the protection of journalists in Mexico to other Central American countries. Instead, ARTICLE 19 Mexico supported ARTICLE 19 offices in other parts of the world, notably Russia, East Africa and Cambodia, in setting up similar processes. The demands from existing offices and colleagues for their expertise superseded the strategy to seek partners in new countries. This also met an organizational goal of achieving global integration in a very concrete way.
GOAL FOUR
STRENGTHENING TRANSPARENCY IN AN ERA OF SCARCITY - EFFECTIVE RESPONSES TO GLOBAL DEMANDS FOR TRANSPARENCY

Under this goal, ARTICLE 19 seeks to ensure that increasing demands for transparency are effectively met by governments and institutions around the world, including by integrating transparency and the free flow of information as a central principle of, and tool in, promoting MDGs implementation and good governance policies and practices. In particular, ARTICLE 19 has identified 4 outcomes:

- **Outcome One**: By 2015, transparent, effective and efficient legislative and policy framework and processes for access to information are established and fully implemented in target countries
- **Outcome Two**: By 2015, RTI broadly accepted and incorporated as an effective tool in securing fundamental human rights and alleviating poverty in target countries
- **Outcome Three**: By 2015, transparency and RTI will be a central tool in promoting development with a particular focus on sustainable development and environment, right to water and aid transparency
- **Outcome Four**: ARTICLE 19 is recognised as a legitimate actor in the fight against poverty

**Contribution to legislative and policy framework for transparency**

In 2012, we produced 2 policy briefs on RTI and 4 legal analyses on RTI:
- Policy brief on RTI and right to health (A Healthy knowledge)
- Policy brief on International standards and right to information
- Analysis of Kazakhstan Draft Law on Access to Information
- Analysis of Kenyan Draft Internally Displaced Persons Bill
- Analysis on the interplay between privacy and RTI in Ukraine
- South Sudan - Review of Right of Access to Information Bill
- Analysis of the ECOWAS draft instrument on freedom of expression and information.

ARTICLE 19 had some impact on the Kenyan IDP Bill (see below) and on Ukraine’s law which was revised at the end of 2012 taking some of our recommendations on board, for example, the journalistic exemption is now broader and covers a wider range of FOE issues, the DP Commission is now independent and has more powers, while the ombudsman is now in charge of RTI. The ECOWAS draft bill is still under consideration.

In addition, 10 UPR reports and 4 regional reports (West Africa, Latin America, Asia Pacific and East Africa) included sections on RTI.

ARTICLE 19 also launched a new mapping platform and a global map on Freedom of Information laws to allow users to easily see and access information on the situation in various countries across the world.

At regional level, ARTICLE 19 ARTICLE 19 focused on the Inter-American Human Rights System and the African Union (AU) to strengthen transparency commitments.

At the OAS, the organisation lobbied various governments within the region on the need for transparency. In addition, ARTICLE 19 delivered a public speech in Washington DC during the Organization of American States meeting called to discuss the reform process. ARTICLE 19 called upon Brazil to comply with international law and best practice when dealing with reform including...
by handling the process in a transparent manner. ARTICLE 19 also participated in the extraordinary meeting of the High Authorities for Human Rights of the MERCOSUL (the Southern Common Market) and called for respect for the independence and autonomy of the Inter-American Commission and the Special Rapporteurs.

In Africa, ARTICLE 19 actively participated to the development of the Africa-wide model law on Access to Information, initiated by the AU Special Rapporteur on freedom of expression. The Working Group on Model Access to Information Law for Africa finalised the document and presented it to the ACHPR francophone during the 52nd session held in Yamoussoukro, Côte d’Ivoire. The reviewed model law was successfully launched and adopted in February 2013.

There has been a slowing down in national adoption of RTI laws. Only Yemen adopted a law in 2012 and anticipated laws in The Philippines and Ghana have succumbed to political fights. Progress in Egypt has been hindered by political upheaval. Implementation remains problematic in many countries. Some countries such as the UK are attempting to weaken their legal systems while at the same time promoting open data.

Ensuring RTI implementation and Transparency

Kenya

ARTICLE 19 launched its research report on parliamentary accessibility, accountability and transparency in July 2012. The aim of this project had been to strengthen and empower all citizens, regardless of socio-economic category, to use their right to information to engage with parliament enhancing citizen participation in democratic decision-making. As part of the parliamentary project, ARTICLE 19 Kenya launched a handbook entitled: The “know your parliament” handbook, in both English and Kiswahili. ARTICLE 19 accompanied citizens in filing 150 information requests. We also advocated at a consultative parliamentary meeting that the principles of transparency, accountability and the right to information be reflected in the Procedure Act which was under discussion regarding articles 37, 118 and 119 of the Constitution. We highlighted the need to create a transparent and accountable mechanism for citizens to engage with, proposed that a register of petitions and the responses made be established and that the register must be available for public scrutiny. We also discussed clauses to the Standing Order, including clause 90, on the need for members of parliament to declare their interests whenever they are speaking on a matter, and clause 198 on public access to meetings of the select committees.

Impact of our work:
- The petitions to Parliament (procedure) Act no 22 of 2012 was passed by the National Assembly and became operational on the 9th March 2013. It is a progressive piece of legislation as it outlines the requirements that would be assessed to make any petition to parliament admissible and allows any willing member of parliament to take the petition and table it on behalf of petitioners. This provision ensures that no petitions can totally be blocked from reaching the House. It also obliges the Clerk and the Speaker to keep all records of Petitions and the responses made in a register that must be made available for public scrutiny. Further, it obliges the Clerk to ensure transmission of the decision of the House to the Petitioner within 15 days of the House making that decision.
- For the first time in the history of the country, civil society organisations were formally invited to engage with the process of review of the Standing orders. This has previously been a preserve of legislators.
• ARTICLE 19 clause 90 was considered verbatim while clause 198 was considered with a rider that it is only after the speaker has been seized of a matter and has made his determination that the public may be excluded from a meeting.
• ARTICLE 19 has been invited in 2013 to attend a session to review the Standing Orders of the Senate.

Bangladesh

ARTICLE 19 embarked upon an awareness campaign targeted at officials who are reluctant to respond to applications made under the right to information legislation. Some 75 officials across the coastal district were trained and a CD which guides officials through the provisions of the act was launched at the training. Presentations were made, including one by the Information Commissioner on the importance of the RTI act in ensuring transparency and accountability in governments. ARTICLE 19 also produced a Q&A for public officials which brings together questions raised at previous ARTICLE 19 trainings and provides officials with a tool for future reference.

In 2012 we ventured into the production of audiovisual campaign materials. On the occasion of Right to Know Day (28 September) this year we launched a music video “Tathya Adhikarer Gaan” (Song on Right to Information) to spread the word about the right to information and how to use the country’s law. The DVD guides the public on the provisions of the Right to Information Act rendered by “bauls” (roving groups of spiritual musicians) and tells people how to use the law as a tool to ensure development:

“Days of secrecy are long gone’
Public officials are now under obligation,
To ensure people’s right to information,
Says the law of the nation.............”

Earlier in the year we launched a CD version of the song. At the recommendation of the Information Commission the song is now played regularly on Bangladesh Betar (state-owned radio broadcasting organisation), under the Ministry of Information, reaching hundreds of thousands of people in different parts of the country.

Brazil

Work began on collecting information about the rules adopted by individual states and key municipalities to comply with the RTI law with a view to making this information available on-line. ARTICLE 19 Brazil developed a methodology for monitoring how the Ministries of Health, Housing, Education and the Environment are implementing the law.

These activities were complemented by extensive advocacy with officials, including the Federal Comptroller’s Office to lobby for the adoption of regulations associated with the RTI law, letters to the heads of the Legislative, Judiciary and Public Prosecutor’s Office, a set of recommendations regarding the regulation of the RTI; and 1 legal analysis of the proposed regulation to the Law.

In addition, we issued 20 information requests to monitor the body in charge of promotional measures at the federal level; 8 to monitor the performance of access to information authorities appointed within the Ministries of Education, Health, Housing and Environment; 4 to monitor the amount of funds dedicated to promotional measures within the Ministries for Education, Health, Housing and Environment (this information request will be formulated with focal points and consultants); 60 requests to monitor the regulations of the new RTI through the Executive,
Legislative, Judiciary, at the Federal Level, and Estates and Capitals; 25 requests to monitor the body in charge of analysing second level appeals to the Executive, Legislative, Judiciary, at the Federal Level, and Estates and Capitals; and 20 to monitor the quantity of appeals to the Executive, Legislative, Judiciary, at the Federal Level.

The key outcomes of this project to date are:

- strengthened legal, institutional and policy frameworks for the right to information;
- leading education, health and environment NGOs are now involved in the implementation of the RTI law; and
- Information gaps in key thematic areas have been identified and an advocacy plan developed to address the gaps.

The final findings of the research will be published in May 2013. Preliminary finding indicates that most public bodies have not fully implemented the changes and measures required under the new provisions. Many authorities seem to be completely unprepared for the task and the majority of the bodies have no plans to train their staff or carry out promotional measures aimed at the general public. Many authorities have pointed out that no specific funds were made available for compliance with the new law.

**Open Government Partnership: UK, Mexico & Brazil**

In the UK, ARTICLE 19 coordinated the UK civil society groups involved in the Open Government Partnership, as well as being involved in the regional and global aspects of the OGP. We co-organised 3 meetings of the group and drafted an initial letter to Cabinet Secretary, demanding the UK to promote and encourage open government and governance domestically and internationally and to create an expanded UK Action Plan based on broad and participative engagement with civil society.

In Mexico, ARTICLE 19 seized on the government’s role as a founding member of the Open Government Partnership and its endorsement of the Open Government Declaration to push for application of its provisions. The organisation made six proposals to key governmental agencies. For example, the General Attorney’s Office was urged to launch a web page showing their budgetary expenditure on the protection of journalists, and another web page where victims can access information about the prosecutor’s actions during a criminal investigation. The Ministry of Public Affairs acted upon ARTICLE 19’s proposal and developed a very accessible system where the public is able to find specific information about the 300 federal public services. ARTICLE 19 also requested the Ministry of Public Affairs to provide information online on all breaches of the regulatory framework for access to information.

**Brazil** is also a founding member of the Open Government Partnership. ARTICLE 19 organised preparatory meetings to enhance civil society involvement ahead of the first OGP official event in Brasilia, which ARTICLE 19 attended. ARTICLE 19 advocated civil society participation in the preparation of the Plan of Action and in monitoring its application. Three of ARTICLE 19’s recommendations for the Plan of Action were adopted. These included encouraging the Federal Government to include the OGP directives in the work of the judiciary.

**Contributing to strengthening the judicial response to public demands for access to information**
In 2012, ARTICLE 19 contributed to two judicial responses on RTI and transparency, one of which was positive:

- **Guardian News & Media Ltd v City of Westminster Magistrates Court, UK Court of Appeal.** The Guardian Newspaper was denied access to evidence and briefs used in an extradition hearing in open court. The lower courts had refused to release the documents on the grounds that they had the discretion not to. ARTICLE 19 intervened with a brief focusing on common-law right to open justice requiring that the information be released. The Court ruled that the documents had to be released and noted the ARTICLE 19 brief favourably and cited the cases mentioned in the brief. ARTICLE 19 was also mentioned in the news coverage and we were asked to write an op-ed for The Guardian newspaper.

**Judicial review of Law number 17/2011 on state intelligence, constitutional court of Indonesia.** Indonesian CSO organisations filed a constitutional challenge to a new Law on Intelligence, asking the court to strike down the law as it violated Constitutional protections on free expression, freedom of information and privacy. The NGOs claimed that the law gave an overbroad definition of national security and secrets, allowed for unrestricted wiretapping by intelligence services and undermined the 2008 Freedom of Information Law. ARTICLE 19 submitted a brief on the international standards which define and set limits to national security relating to freedom of expression, access to information and surveillance. The Constitutional Court rejected the challenge in October 2012, stating that the NGOs did not have standing to challenge the law.

**Kenya**

ARTICLE 19 has acted as an interested party in a public interest litigation case where IDPs are suing the state for violation of their rights and fundamental freedoms as enshrined in the constitution due to the failure of the state to address their issues and fulfil their rights as IDPs. The petitioners in the matter are the Kenya Human Rights Commission, the Federation of Women Lawyers and International Commission of Jurists – Kenya Chapter and 27 IDPs who represent other IDPs affected by the displacement of 2007/2008 post-election violence. Article 19 was enjoined as an interested party as lack of access to information has been identified as one of the main impediments to access to justice for IDPs, and the government has failed to furnish the IDPs with the information they have sought as petitioners in contravention to Article 35 of the constitution, claiming that all the information the petitioners required was already in the public domain. The case is still pending before the court.

In addition, in both Mexico and Brazil, ARTICLE 19 focused on making the judicial sector more transparent:

- **In Brazil** initial research has been published and this made the case for considering freedom of information a human right and discussed issues relating to freedom of information. Following meetings with many working within the judicial system and national specialists, ARTICLE 19 embarked on a comparative process to highlight the flaws and advocate for reform.

- **In Mexico** ARTICLE 19 won the *Amparo Trial* against the National Commission of Human Rights. The ruling will force the Commission to detail the budget for protection of journalist. Until now, the Commission had argued that there was no specific budget for handling cases of violence against journalists. The NCHR is an autonomous body with a specific programme for the protection of journalist. ARTICLE 19 has reiterated that the opacity of the NCHR is a serious impediment to achieve better protection for journalist.

**Advocacy on Transparency and Development**

**UN Rio + 20 Conference on Sustainable Development**
ARTICLE 19 implemented its Rio +20 strategy by emphasising its call for a global convention on access to environmental information, public participation and access to justice. The strategy involved advocacy in terms of meetings and publications. For example, ARTICLE 19 participated in UN meetings in New York and Brazil, met UK officials in the context of the BOND Development and Environment Group. ARTICLE 19 organised side events to the UN Conference involving UN officials and CSO to promote a global convention on the right to information and to push for the inclusion of Principle 10 from the initial Rio Declaration in the outcome document. ARTICLE 19 co-organised the civil society working group on transparency, and contributed to developing joint NGO positions through Civicipus and the Stakeholder Forum. ARTICLE 19’s paper on the importance of Principle 10 appeared in three different articles in World Environment Magazine, in the Journal of Sustainable Development and the Guardian newspaper. Following Rio, ARTICLE 19 has been engaged in the process on developing the SDGs and the Post 2015 MDGs, meeting with representatives of the High Level Panel, representatives of the UN and national governments, and working with a variety of CSO coalitions in promoting governance as a necessary principle with targets on transparency, participation and human rights.

ARTICLE 19 was successful in the Rio +20 process in achieving progress on the right of access to information. Working with a coalition of environmental and development groups, the Rio + 20 declaration included recognition of the need to adoption new national and international policies on access to information as well as internal reform of UN. Already 14 countries in Latin America and the Caribbean have agreed to start negotiating a regional convention on access to information, public participation and access to justice in environmental matters. The UNEP has also begun a consultation on developing a model access and participation policy and have asked ARTICLE 19 to be on the working group.

**Contribution to strengthening the use of RTI as an effective tool in securing fundamental human rights and alleviating poverty**

**Brazil: Right to information and water**

ARTICLE 19 established a partnership with civil society organisation SABIA based in the dry lands of Northeast Brazil and discussed strategies to identify how ARTICLE 19’s approach can assist rural communities to access information about water policies and monitor their implementation. The work began with capacity building activities within the rural communities and is based on a baseline study and other research aimed at understanding the problems faced in semi-arid areas and developing an appropriate methodology for tackling the problem at community level.

The key outputs in 2012 included:

- 19 information requests about water policies and water budget were issued, which responded to the demands for information that was raised during the capacity building; 14 of these were reviewed and analysed and made available on a public database established by ARTICLE 19.
- SABIA created a web radio program about RTI through a very popular Brazilian website (www.uol.com.br) and published an interview with ARTICLE 19 about the utility and importance of the RTI law. It was aired through other media.

The main impact of this project by the end of 2012 includes:

- Integration of RTI into SABIA’s work, through specific actions and a campaign. Leaders of communities that participated in the capacity building workshops were able to use of RTI law in their rural communities. Information requests are being used to have access to information about water policies and this is already benefiting rural communities in the
The notable impacts of the engagements in 2012 are:

- Greater understanding of the large regional discrepancies and the particular challenges faced by poor communities. Despite welcoming the new law, many local leaders felt that this legislation will never be enforced at the local level, especially small and distant towns. According to testimonies collected during our workshops: “people know what happens when we try to have information”, they have called it “land without law,” “people can get even killed trying”.
- Proof that Brazil has a large legal, policy and civil servant infrastructure able in principle to support rural communities. We now need to monitor effectiveness and actual compliance with these plans, programmes and laws. The lack of participation in decision-making has been identified as a key factor that could influence these plans, programmes and laws’ results.

Access to information is a difficult topic to work at a grassroots level, especially with very poor and illiterate population, most of whom have very vague notions of the structure of the State and the functioning of public bodies. RTI is mainly a concept relating to participation and accountability, and the latter is a hard notion to impart to an audience with a low degree of political involvement. The solution is to demonstrate that Rti can make sense even in their reality, demonstrate that it is useful to have access to information, that it is really important to their daily life.

**Kenya: RTI to realise the right to water**

ARTICLE 19 project aims at using RTI to safeguard water as a public/social good in Kenya. Kenya is still categorized as a water-scarce country with less than 1,000m3 per capita of renewable freshwater supplies and 2% surface water coverage with 41% of Kenyans lacking access to reliable water supply. Consequently, famines caused by drought continue to plague the country. The project sought to narrow the gap between the available laws, norms and standards and the practice of transparency and freedom of information in the water sector by empowering the ordinary Kenyans to claim their “Right to Information” and use information to realize their economic and social rights as provided in the constitution.

Key outputs in the year 2012 were:

1. Building Strategic Partnership with Water Services Regulatory Board (WASREB)
2. Capacity Building of a total of 141 participants (76 men and 65 women) representing the interests of the vulnerable, the poor and the common Kenyan citizen: water action groups formed continue to represent and champion for access to water and sanitation services to the urban poor and voice complaints regarding water and sanitation services.
3. 21 Information Requests were filed to various government departments and institutions

The notable impacts of the engagements in 2012 are:

1. The partnership influenced the regulator to develop a progressive service charter that allows citizen participation and access to information from the different players in the sector.
2. The regulator also embraced the use of technology –mobile phones and web technology under what is termed ‘maji voice’ project to enhance citizen participation: citizens can lodge their complaints and provide feedback using affordable, accessible and user-friendly technologies on issues of access, tariffs, resolution of complaints. The regulator will then use the data generated through this web integrated technology as a basis for further licensing and performance compliance. The maji voice initiative is a leap towards improved efficiency, accountability, transparency, and responsiveness in the water sector.
3. A number of citizens have already filed requests with the knowledge of their right seeking information regarding tariffs, water quality, access, rationing; complaints on corruption among others.

We observe that:
1. While Information Requests continue to be a challenge to many, improved legislation, increased uptake of technology and social networks continue to open up avenues for participation.
2. Attitude and knowledge of rights is still low as indicated by fear of participants to challenge the authorities. This also affected the fielding of requests.
3. The water sector is a devolved one according to the new constitution Continued access to information and knowledge of rights by citizens at the county level would enhance their access to water and other key services.

**Kenya: Realizing IDPs right to information**

**ARTICLE 19 East Africa** has since January 2011 run a program entitled *Sharing Vital Information: Empowering the Displaced in Kenya*, that aims to empower Internally Displaced Persons (IDPs) to claim their right to information and to use information to realize their economic and social rights. Article 19 is implementing this project in partnership with the Internal Displacement Policy and Advocacy Centre (IDPAC) and in collaboration with other organizations involved in working with IDPs. The project is implemented in 4 provinces in Kenya namely Rift Valley, Coast, Western and Nyanza.

Some of the key activities and outputs during the period included:
- 4 capacity building sessions held for 75 IDPs and IDP affiliates organisations (46 men and 29 women). The trainings were undertaken in Rift Valley province (23 participants); Nyanza and Western provinces (33 participants); and Coast province (18 participants).
- 18 information requesters were trained on the Information Protocol and sensitized on the procedure of making information requests with a view to testing the openness and transparency of public institutions mandated to deal with issues of internal displacement in Kenya.
- 97 information requests have been issued to 10 identified public offices that deal with IDP issues. The responses have been analysed for inclusion in a future information requesters report.
- 8 human interest stories written. Two stories were collected from each of the programme regions. The stories depict the vulnerability IDPs suffered as a result of inability to access information and were serialized in the two major daily newspapers in the months of July and August 2012.
- 4 public forums on RTI and IDPs held in Nakuru, Endebess, Bungoma and Nyamira.
- Launch of a baseline report on the Right to Information of Internally Displaced Persons in October 2012. The event was attended by IDPs and IDP leaders from the region, national CSOs working on issues of internal displacement and policy makers including the chairperson of the Parliamentary Select Committee on Internal Displacement. 500 copies of the report were printed for distribution among policy makers, relevant ministries, and NGOs.
- Legal analysis of draft Prevention, Protection and Assistance to IDPs and Affected Communities Bill, 2012 and subsequent advocacy. The analysis was submitted to the Protection Working Group on Internal Displacement, and also to the Labour and Social Welfare Committee of Parliament during a sensitization workshop held on 30th July 2012.
In 2012, the project resulted in progress in the areas of capacity building, policy and advocacy, research, engagement with media, documentation and networking and collaboration.

- **IDP Bill:** The analysis was used as a working reference document to advocate for the inclusion of appropriate RTI provisions into the Bill. The process resulted in the inclusion of several provisions guaranteeing the right to information and participation of IDPs. This has included amendments for access to information provisions in Articles 8 (3); Article 13 (d(iii)) and (f) Article 24 (e) of the IDP Act. The Bill was passed at the end of the year.
- By conducting public forums, ARTICLE 19 and IDPAC have created grass root networks that can be utilized to further champion issues of RTI and information and sensitization campaigns on IDP issues
- Capacity enhancement of IDPAC and other CSOs on RTI through the capacity building training. They are now able to undertake trainings and organize sensitization forums on RTI without ARTICLE 19 intervention. This speaks to the sustainability of the project.
- Enhanced engagement with media and amplifying IDP voices. There is better appreciation by media of the impact of violation of information and participation rights of IDPs as evidenced by the serialization of the human interest stories.

**Indonesia: RTI and right to education**

ARTICLE 19 finalised a project focusing on the link between the right to information and the right to education, with its local partner PATTIRO.

At the beginning of the year, ARTICLE 19 and PATTIRO trained 89 parents on their right to information on the education system. Subsequent forums between parents and school staff highlighted the weaknesses of concern to parents and ten parents from each of the two districts prepared information requests. The training and discussions helped to dispel parents’ fears in confronting school officials and a common understanding developed between school committees and parents that both have an interest in seeing greater transparency regarding school funds.

In Serang, parents issued 11 different requests to various public bodies. Four information requests were not provided answers by the schools within the allotted 10 days under Indonesia’s FOI Law. Participants who received rejections lodged complaints with the principals and eventually were provided the needed information.

In Lebak, parents conducted 6 information requests and received information within the ten-day period designated by Indonesia’s FOI Law. However, all the responses were given in oral form by the school principals.

Both groups of parents were also able to analyse the cashbook, petty cash book, and evidence of school expenses (e.g. receipts). The groups checked the financial budget for the procurement of goods and services and compared it to the appropriate cost for those goods and services. Following the comparison of the cost of goods with the school’s budget and spending, the groups also conducted a price/value comparison of the quality of goods or services, and their costs.

Both groups presented the findings of the social audit to the school and school committee, and stated that it was conducted on behalf of the parents. The working groups called for the unfavourable findings not to be repeated. The Serang working group made it known that they intend to conduct another audit the following year, and also stated that they will go to the authorities should they find further discrepancies.

Key impact of this project includes:
• **Interaction:** Through this project, parents and school committee members have drastically increased their rate of interaction from the low rate of a couple times a year. Parents and school committee members interacted 10 times more than they would have done in a normal school year.

• **Knowledge:** a minimum of 104 parents and school committee members in Serang and Lebak are now equipped with an understanding of the law/principles on the right to information, the importance of transparency in the education system, and who are also equipped with skills on how to access information from public bodies.

• **Empowerment:** ARTICLE 19 and PARRATO teams observed that there was a strong shift in sentiments and interest from when the training started to the project end. At the start, the participants were quiet and reserved. However, as the trainings and project activities progressed, they became more engaged and inquisitive. The initial fear of adverse repercussions on students if parents were too ‘pushy’ and ‘nosey’ was eventually dispelled, as parents witnessed for themselves that nothing bad happened to the children after the information request testing activity. Lebak team noted that after some of the RTI workshops held near SMP4 Warung gunung, parents from other schools would be waiting outside to enquire about how to receive the same training and project in their own areas. The Serang team reported back that the results of the social audit were ‘extraordinary’ in that the working group participants had never taken action in such a manner before. Both teams reported back that the parents felt energised and that they realised their power and potential in holding authority officials to account. This is proven by the Serang working group, who informed the school that another social audit will take place in 2013 without prompting or plans from PATTIRO. The decisions by the Department of Education in Serang for the schools to disclose information also positively altered the power balance between parents and school officials, so that parents received more leverage. By the end of the project, the attitude of school officials toward parents were friendly and favourable during the social audit, as reported by both project team members. Furthermore, parents were not as intimidated by school officials and felt comfortable seeking out detailed information.

**Senegal: RTI and right to health; a focus on fistula**

ARTICLE 19 initiated a project on the impact of limited access to information on poor maternal health outcomes, with particular emphasis on the issue of obstetric fistula, a birth complication compounded by the prevalence of early marriage, limited access to professional medical care and role of culture and traditional medicine.

The organisation collated baseline information through discussions with health experts working in hospitals where fistula operations are carried out, government officials, NGOs and research institutions working on the issue and UNFPA. Locations for workshops planned for 2013 were identified and relationships built to ensure workshop content is appropriate for the participants.

**Commitments not met under Goal Four:**
ARTICLE 19 had planned to develop a global policy on the right to information and its interaction with the right to water. Instead, ARTICLE 19 embarked on two practical projects, accompanying communities in Brazil and Kenya to see information about their access to water. The aim is that the experience gained will assist in the development of the global policy at a later date.
GOAL FIVE
A GLOBAL INTEGRATED ORGANISATION

International and regional events in 2012 drove home the need for ARTICLE 19 to strengthen its international voice and work on its ability to leverage skills in pursuit of the mission. ARTICLE 19 has been successful in establishing regional offices that have demonstrated an ability to grow and take on more responsibility. Increasing regional autonomy now needs to be balanced with integration on operational matters and key strategic goals. ARTICLE 19 must remain nimble in the face of changing threats against FOE and FOI. Creating a solid operational and strategic base enhances organisational ability to adapt and respond to challenges and opportunities in the external environment.

2012 was a year where the organisation sought to consolidate the gains it has made through the success of our regionalisation process by strengthening ties in key areas. To that end, ARTICLE 19 engaged in a number of initiatives designed to enhance our integration and operation as a global organisation. These happened through all levels of the organisation, from individual projects all the way up to the Board of Directors.

Key initiatives included:

1. Implementation of the Global Integration Project
2. First-ever thematic meeting around global protection work
3. Investment in core competencies, including Monitoring and Evaluation, Project Management and Finance functions
4. Governance review for the Board of Directors
5. Development and adoption of the ARTICLE 19 Constitution by the Board of Directors and development of the License Agreement

These initiatives, combined with an exceptionally strong fundraising year for the organisation, positioned ARTICLE 19 for future growth and stability as a more globally integrated operation. However, the true impact of these measures will need to be judged on an on-going basis to ensure ARTICLE 19 is investing in the right areas to achieve a more globally integrated organisation.

Global Integration Project

The transformation of ARTICLE 19 begun some 7 years ago has resulted in the organisation generating great success and impact beyond its size, with the regional offices carving out important spaces for themselves as lead advocates and defenders for freedom of expression. This shift requires an understanding that competencies and skills are shared across all members of the organisation and that increasingly, the regional offices will also be leading the programmatic, strategic and policy development of the organisation.

This transformation has been both challenging and rewarding. With continued change come continued organisational challenges. In 2011, ARTICLE 19 initiated a change management approach, the Global Integration Project, to build a more globally connected ARTICLE 19 and keep pace with the strategic transformation. The first phase of this project was achieved in 2011 with the help of a consultant and included in-depth discussions with managers and staff across the organisation, so as to better capture needs and suggestions.

This process was taken further in 2012 as ARTICLE 19 implemented key recommendations that arose from the consultation. These included:
• **Creation of the Global Management Team:** To build a stronger and more diverse leadership structure of the organisation, ARTICLE 19 created a new leadership team composed of the Regional Directors and Senior Management Team in London. This team will review work against the strategic plan and provide approvals for budget and operational plans. The inaugural meeting was held in mid-2012.

• **Creation of cross-regional working groups on Communications and Finance.** ARTICLE 19 seeks to be a stronger culture of collaboration across our offices. To support this, it created working groups on Finance and Communications, respectively, bringing together professionals working in those disciplines to develop new ways of improving internal communications and operations in the respective functions. The TORs for these groups will continue to be refined as we experiment with what works and what doesn’t.

• **Restructuring the Senior Management function in the International Office.** To facilitate responsiveness to the demands of a growing international organisation and de-concentrate management authority, the Senior Management Team in London was restructured and two new roles created: Deputy Executive Director and Director of Programs.

• **Development of a middle-management tier.** The organisation recognised the need to develop and invest in a strong tier of experienced managers trained in project and personnel management. This also provides opportunities for professional growth, which aids in retention. As part of the Global Integration Project, ARTICLE 19 created “Heads of” roles to serve this function and provided training and individual coaching to those managers assuming those roles.

• **Development of MOUs between the International Office and Regional Offices.** The Global Integration Project consultation highlighted the need to develop agreements between the International Office and the Regional Offices, specific to each circumstance, spelling out the service levels and ways of working between the offices. Draft MOUs for Brazil and Mexico have been developed and are being reviewed by their regional Boards in 2013.

**Global Protection Thematic Meeting**

ARTICLE 19 has sought to transform the ground-breaking work that has been done by the Mexico office into a true global program on the protection of journalists and human rights defenders. To that end, all staff and senior leaders working on protection issues travelled to Mexico for a week-long meeting to share successes and develop a strategy for our global protection work.

As a result, ARTICLE 19 developed a concept of “holistic protection” that will underpin our global approach to the protection of HRDs and journalists that goes beyond looking at their physical safety to the necessary legal and policy environments that must be in place to provide true protections for those on the front lines of the human rights protection

**Monitoring and Evaluation**

ARTICLE 19 deepened our commitment to evaluating the impact of our work in 2012. The organisation hired an M&E Senior Advisor to develop and implement a set of tools and an M&E framework for our core grants based on the M&E strategy developed in late 2011 specifically designed to capture the impact of our work, not merely activities. In order to facilitate the rollout of the framework and the tools, in-depth staff training in project management was offered to all staff. In the end, 42 staff from Mexico, Brazil, Asia, Iran, Bangladesh, Kenya, Senegal and the London office took part in the trainings, conducted in London and in Kenya. Additionally, as part of our commitment to improving the capacity of our partners, we invited partner organisations to the training in Kenya, with one organisation joining. To carry the training methods forward, ARTICLE 19 developed a Projects Team to mutually support each other across regions and share M&E methodologies.
In 2012, ARTICLE 19 created an organisational log frame which included outcome and output indicators from all big framework grants. This has been shared with SIDA as part of our reporting on 2012 and we are now gathering data to be able to report to both DFID PPA requirements and ARTICLE 19 unrestricted donors. Also, through our PPA work we have been able to elaborate the Theory of change that we developed in the M&E strategy which will be formalised in mid-2013 when ARTICLE 19 are due to report.

ARTICLE 19 also realigned the internal reporting requirements to meet multiple demands, including reporting to the Board and unrestricted donors. The result of this is that the organisation now has quarterly internal reporting which will also provide feedback to staff on their quarterly reports as well as checking the quality of data that is provided.

One key task for the M&E and the projects team in 2013 will be to look into developing the M&E guidelines further on how to continue gathering data once an activity or project has ended. This will enable us to understand the longer term effects of our interventions with CSOs and building their capacity on RTI and protection.

The impact of most of these activities is a work in progress, and will be closely monitored in 2013 to make sure ARTICLE 19 is getting a solid return on investment in M&E.

**Financial Health**

ARTICLE 19’s strategic plan continued to contribute to fundraising success in 2012, resulting in a 37% increase in incoming resources in 2012 compared to 2011. The organisation added another multi-year core donor in the Norwegian Ministry of Foreign Affairs. While this donor had funded ARTICLE 19 projects for a number of years, this represented a new level of faith in the organisation’s direction. ARTICLE 19 is fortunate to be the recipient of a relatively high number of multi-year and core support grants that enable the organisation to plan and budget more strategically. Roughly 37% of the ARTICLE 19 budget comes from unrestricted core grants, listed as “voluntary income” below.

![Incoming Resources Diagram](image)

Initial results from ARTICLE 19’s 2012 audit indicate that incoming resources for 2012 stood at £2.970 m, with resources expended at £2.790 m. Our contribution to core reserves stood at roughly £7,000. ARTICLE 19 changed auditors in 2012, so we anticipate that the final audit report will contain a number of new recommendations for amending or strengthening our financial procedures.
ARTICLE 19 received a major new source of multi-year funds from SIDA as part of a consortium of groups working to enhance civic space globally. This three-year, $3 million grant cuts across all ARTICLE 19 regional offices and will provide essential support to the Law Program and nascent projects in Tunisia and Burma. It will also support the spirit of the Global Integration Project, as its cross-cutting nature requires increased collaboration and coordination across the organisation. The regional offices continued to experience fundraising success, with increased activity in most offices, particularly in Kenya and Senegal. The increase in funds available to Senegal is a result of increased attention to its financial sustainability in 2011 and early 2012. ARTICLE 19 was also successful in attracting new funds to support our post-Arab Spring work in Tunisia and North Africa. One area that requires additional attention is the fundraising for our Bangladesh operations, which has been lagging until the office received formal registration by the NGO Affairs Bureau in the country. This happened in mid-2012, so ARTICLE 19 expects to see an increase in restricted resources for Bangladesh in 2013.

All told, the success of fundraising in 2012 meant that ARTICLE 19 entered 2013 with over 90% of the £3m budget already secured for the year. This places the organisation in an incredibly strong position to fundraise in 2013 to support our work for that year and beyond.

One area that has not kept pace with ARTICLE 19 growth and requires attention: the reserves level. Current Board policy is to have 6 months of operating reserves in the bank. This target was achieved in 2011. In 2012, investments in organisational capacity and growth in the overall budget meant that the target for adding to reserves was not met. Future budgets must seek to manage funds in a way to ensure that the 6-month target is met even in the face of an expanding budget.

Governance
A cornerstone for establishing a stronger, more integrated ARTICLE 19 must come from strengthening our governance and the core documents that bind the organisation together. Significant progress was made in this area in 2012.
The ARTICLE 19 Board of Directors brought in consulting experts on board governance and practice to do review of ARTICLE 19’s Board procedures, policies and make-up. The resulting report and recommendations highlighted a number of strengths, such as a deep commitment to the mission of ARTICLE 19, as well as weaknesses that could be addressed to improve Board practice.

The Board has implemented a number of the recommendations, notably the drafting of overall Terms of Reference for Board members and specific role descriptions for the Chair and Treasurer. Additionally, the Board created a recruitment committee to seek out new Board members with desired competencies to provide an additive value. Further recommendations will be taken forward in 2013 with an eye towards creating a stronger, more cohesive Board.

After a number of years of consultation and deliberation, ARTICLE 19 adopted a Constitution at the December 2012 Board meeting. This document clearly defines the governance relationships between ARTICLE 19 and its regional bodies for the first time. The Constitution establishes a new norm for organisational governance designed to create a more integrated, cohesive organisation at an international governance level.

Among other elements, it sets out the relationship between regional governance or advisory boards and the International Board, and the reporting relationships between the Board, Executive Director and the Regional Directors. The Constitution will provide a firm, clear basis for the relationship between the International Office of ARTICLE 19 and its regional operations.

Another key legal document, the License and Trademark agreement, continued its refinement in 2012. A consultation process including review by the International Board, regional board and senior staff resulted in a document that was sent to a specialist Charity law firm for review and finalisation. It is intended that the final document be approved and adopted by the International Board at the first 2013 Board meeting.
ANNEX ONE: COMMUNICATION AND MEDIA WORK IN 2012

Successes
- Meeting with Aung San Suu Kyi to discuss freedom of expression in Myanmar
- Massive press coverage for Pussy Riot demo outside Russian embassy
- Following launch of Ukraine report in Kyiv, invited to participate in a working group meeting with the president’s office
- Packed October event in London on censoring social media
- Published our 3,500th statement/PR/report on 5 November
- Being invited as ‘experts’ to the UN special rapporteur on the right to culture’s working group on freedom of artistic expression
- Reaching 120,000 people via a Tweet on Bahrain

Blocking ARTICLE 19
- Facebook removes our post on torture in Syria. Press work following the removal resulted in a Guardian story and mashable video, producing 1,072 re-tweets
- Website blocked in Pakistan after series of influential statements on the ‘Kill Switch’

Detailed analysis
Outputs
ARTICLE 19 published 119 press releases, 74 statements and 64 reports/submissions/legal analyses in 2012, an increase of 1% over publications in 2011. This very small reduction in growth is surprising considering our capacity was reduced by 30% during the period.

![2012 Outputs, compared to previous year](chart)

There were slightly more publications produced in the first half of 2012. The past four years have seen a steady growth in quantity following the rapid increase between 2006 and 2007.

![2012 Press releases, statements and reports: quantity](chart)
The number of statements decreased slightly, press releases and reports grew slightly. The number of reports saw an increase of 10% over the previous year.

The erratic publication spikes that were the norm began to decline in 2012, with peaks in production in February and May – roughly double the number of outputs than other months.

Better planning is required in 2013 to ensure outputs are steady so as to ensure that comms can deliver more consistent service, and so that our audience is “fed” regularly.
The increase in publications from the Law team which grew so much in 2011 reduced in 2012, but the team produced considerably more comms outputs than other teams. Africa’s steady growth continued and they are now second in outputs. Europe and MENA began to reverse their decline in outputs. Americas and Asia remain in decline.

![Graph](image1.png)

![Graph](image2.png)

Particular attention needs to be paid in 2013 to supporting Asia to reverse its steady decline. The Americas have slowed their earlier rapid decline in outputs, but it is likely that they need to be re-engaged with more support to translate their content for an international audience.
**Audience**

The watershed change of the new website launched in July has continued to show growth – and increasing growth. At the time of writing, the number of pages viewed has doubled since 2010. The mailing list grew by 700, our social media accounts have over 19,000 followers, with a total potential impression of 5,278,475 people. Our target subscription rate for the mailing list (based on similar organisations) is 30 per month and our average rate was 62.

As expected the audience increase continued across all programmatic regions, led by Europe and Central Asia.

However, the share of audience originating from E&CA is decreasing in rate of growth, with share of growth highest coming from the Americas.
The highest proportional growth over the previous year was MENA - by far. Put simply, the majority of people in E&CA are now online and so the number of E&CA users is lessening as a proportion. Meanwhile, Africa and MENA are seeing increasing growth in internet use, and in particular MENA users are increasingly interested in our content.

As to be expected, our increased prioritisation of French-language translations has resulted in rapid growth in monthly audience from French-language users. Arabic-language users have also grown in number, most likely down to the increase in Tunisian Arabic-language texts in 2012.
From this data, any language prioritised will result in increased visitor numbers, so priority should be given to those language groups that will provide value for money for our programmatic priorities. Although the numbers for MENA remain low, growth rates are high, so additional emphasis should be placed on translating more content in Arabic. Similarly the previous decline in Spanish speakers from the Americas has begun growing again, and should receive more translated content to maintain steady growth.

In regards to our audience breakdown, professions continued to grow steadily and equally, with the exception of government/IGOs which have now been stagnant for two years.

To increase government/IGO visitors more emphasis should be placed on ensuring recommendations in the form of both policy suggestions and model documents.

More general information collated into weekly newsletters remains more popular than our other more immediate outputs, although the latter retains a healthy number of subscribers. The segregated list of people only interested in the Artist Alert was also created as a pilot in November 2012 and has already been attracting new subscribers from an alternative audience. Within the mailing list audience, there is a group of roughly 33% who are good or excellent – i.e. they read a lot of content and can be regarded as advanced users or readers.
**Content**

Interest in global information, opinion and recommendations remains much higher than interest in specific countries or regions, as to be expected, with the exception of those few countries that are global precedent-setters such as the UK, France and the US.

As expected, our newsletter is the most popular mailout and is consistently read by the highest number of mailing list subscribers. The most popular content in the newsletter was generally global (i.e. UN, HRC or round-ups).

<table>
<thead>
<tr>
<th>Top 10 most-read mailouts in 2012</th>
<th>Top 10 most-clickable mailouts in 2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. The week in free expression (TWIFE), right to know day</td>
<td>1. Human Rights Council: Reject resolution on &quot;traditional values&quot;</td>
</tr>
<tr>
<td>4. TWIFE 16 August 2012</td>
<td>4. Human Rights Council: Rights to peaceful assembly and association online recognised</td>
</tr>
<tr>
<td>5. TWIFE 19 April 2012</td>
<td>5. UN Human Rights Council: Two Special Rapporteurs both call for those who violate journalists’ rights to be held</td>
</tr>
</tbody>
</table>
The mailouts that generate the most in-depth interest (average time spent reading) are our UPR submissions and positions that were timely and clear.

**Top 5 most-read-in-detail mailouts in 2012**
1. Universal Periodic Review: Bahrain must commit to improve free expression
2. Universal Periodic Review: Ecuador must end harsh treatment of journalists
3. Russia: Authorities must respect freedom of expression during third March of the Millions rally
4. The Gambia: Security agents arbitrarily raid and shut down community radio station
5. Ethiopia: Proclamation on Telecom Fraud Offences

On the website, new pages created in 2011 and edited for search engine optimisation in 2012 jumped up the list of most popular. Visitors arrived looking for our breakdown of acceptable limitations (the 3-part test). As we published more in French towards the end of 2012, the number of visitors arriving on our French pages shot up too.

**Top 5 website pages in 2012**
1. Home
2. Jobs and internships
3. Limitations
4. Library
5. Staff

**Top 5 website landing pages in 2012**
1. Home
2. Limitations
3. Censorship and violence
4. Jobs and internships
5. French

Of the press releases, statements and reports on the website, there was no clear story, with the exception of consistent interest in a number of older thematic analyses.

**Top 10 most-read webpages in 2012**
1. European Parliament: Reject Anti-Counterfeiting Trade Agreement (ACTA)
2. Tanzania: Killers of journalist Daudi Mwangosi must be brought to justice
4. General Comment No.34: Article 19: Freedoms of opinion and expression
5. Brazil: Access To Information Bill At Risk
7. Tunisian draft constitution needs more work to protect freedom of expression
8. Rwanda: Proposed media law fails to safeguard free press
10. Human Rights Council: Reject resolution on "traditional values"

Similarly the reports downloaded and most common searches do not enable any clear outcomes, other than of the thematic or country specific interest of the moment.

**Top 5 downloaded reports in 2012**

**Top 5 website searches in 2012**
Aside from search engines and direct visitations, the most popular sources of visitors were unsurprisingly from Facebook and Twitter.

<table>
<thead>
<tr>
<th>6. ITU analysis</th>
<th>6. ACTA</th>
</tr>
</thead>
<tbody>
<tr>
<td>7. Incitement</td>
<td>7. Mexico</td>
</tr>
<tr>
<td>8. Egypt analysis</td>
<td>8. Tunisia</td>
</tr>
<tr>
<td>10. Ethiopia analysis</td>
<td>10. Azerbaijan</td>
</tr>
</tbody>
</table>

### Top 5 links to ARTICLE 19 in 2012

<table>
<thead>
<tr>
<th>1. Facebook</th>
<th>4. Ethiomedia</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. Twitter</td>
<td>5. IFEX</td>
</tr>
</tbody>
</table>

The team should invest capacity in building our Facebook presence and strengthening our Wikipedia linkages.

**Major press**

By far our most productive press intervention in 2012 was the Pussy Riots demonstration we organised in London which achieved a wide amount of print coverage and television coverage which we could not track. Tracking throughout the year was compromised by the lack of press capacity within the team.

- INTERNATIONAL – EurActiv – January 5 – (Democracy in Hungary)
- GAMBIA - Foroyaa - February 25 - (mention in piece about NGO week)
- TUNISIA – Le Temps - February 28 - (ARTICLE 19 constitutional workshop)
- TUNISIA – Le Temps - March 18 - (final report on FoE in constitution sent to ANC)
- TUNISIA – Le Temps - May 6 - (mention of ARTICLE 19 conference in piece about World press freedom day)
- EUROPE - Radio Free Europe – May 8 - (mention in piece about Eurovision in Azerbaijan)
- IRELAND - Irish Times - June 19 – (quote on piece about UN Human Rights Dublin conference)
- UK / GLOBAL - Guardian – July 6 – (ARTICLE 19 Facebook takedown row)
- UKRAINE – Kommersant – 8 July – (Letter to government)
- AUSTRALIA - The Australian – July 11 – (ARTICLE 19 Facebook takedown row)
- UK / GLOBAL - Times – August 1 – (Joint letter about Human Right in Russia in relation to Putin’s attendance at Olympics)
- THAILAND - The nation – August 1 - (Joint letter: persecution of Cambodian journalist Mam Sonando)
- PUSSY RIOT – Jakarta Globe – August 17 – (Pussy Riot)
  - AFP – August 17 – (Pussy Riot)
  - Evening Standard – August 17 – (Pussy Riot)
  - Daily Mail – August 17 – (Pussy Riot)
  - BBC – August 17 – (Pussy Riot)
  - BBC Russian – August 17 – (Pussy Riot)
  - Vice – August 17 – (Pussy Riot)
  - I16 – August 17 – (Pussy Riot)
  - Metro – August 17 – (Pussy Riot)
  - Time – August 17 – (Pussy Riot)
  - BBC Newssnight – August 17 – (Pussy Riot)
  - Getty images – August 17 – (Pussy Riot)
Top 10 most influential Tweets in 2012

1. 116,920 people: Universal Periodic Review: #Bahrain must commit to improve free expression http://t.co/zedSpVAD @BahrainRights #freespeech
2. 81,602: #Russia: Prison sentences for #PussyRiot violate freedom of expression http://t.co/0U0acFjm
3. 63,300: #Chinese #blogger arrested for posting joke on #Twitter about Communist party congress - Wife has now disappeared http://t.co/hfCPZT3j ^AZ
4. 57,095: Act now to #endimpunity in #Russia: Tanya Lokshina http://t.co/o5A6LTAu ^AZ
5. 51,756: RT @freespeechdaily: #Spain Supreme Court ordered NGO to pay €3,000 in legal costs for requesting information on anti-corruption...
6. 39,885: 1 member of #Pussyriot freed on appeal http://t.co/SZAd4Fjj ^OS
7. 38,724: Terrible news in #Mexico as another kidnapped #journalist found killed http://t.co/9kFVatvf @article19mex writes in ES...
8. 34,513: The Week in Free Expression, 13 December 2012 http://t.co/r1osCdrG
9. 32,567: Russia: ARTICLE 19 condemns guilty verdict in #PussyRiot case http://t.co/BzJuNPee
10. 31,717: http://t.co/4VKeKj8k UK: A free press for the public must come before political point
As to be expected, a large proportion of Twitter followers are based in the UK and USA (both due to the time that we publish and the language that we use). Despite this, a substantial 60% of our social media audience is outside the UK and USA, and this is growing primarily because of our work to automate the publication process rather than publish while we are in the office.

<table>
<thead>
<tr>
<th>Top 10 locations for Twitter followers in 2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. United Kingdom 25%</td>
</tr>
<tr>
<td>2. United States 17%</td>
</tr>
<tr>
<td>3. Mexico 8%</td>
</tr>
<tr>
<td>4. France 4%</td>
</tr>
<tr>
<td>5. European Union EU 3%</td>
</tr>
</tbody>
</table>

Our social media followers are very much interested in our sector of work. Their most commonly used hashtags are very similar to ours.

<table>
<thead>
<tr>
<th>Top 10 Twitter hashtags used by subscribers in 2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. #SOSMexico</td>
</tr>
<tr>
<td>2. #Turkey</td>
</tr>
<tr>
<td>3. #Mexico</td>
</tr>
<tr>
<td>4. #FF</td>
</tr>
<tr>
<td>5. #WCIT</td>
</tr>
</tbody>
</table>

Similarly, our followers also follow similar accounts as we do.

<table>
<thead>
<tr>
<th>Top 10 Twitter accounts followed by @article19org followers in 2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. HRW</td>
</tr>
<tr>
<td>2. Al Jazeera</td>
</tr>
<tr>
<td>3. Amnesty International</td>
</tr>
<tr>
<td>4. Global Voices</td>
</tr>
</tbody>
</table>

**Gender-sensitive work and women**
Our audience retains a small majority of men, although this changes depending on the country and the technology. For example, the majority of our Facebook audience are women whereas the majority of our audience from Africa are men.

Each of our outputs this year reflected a gender balance, including case studies, although the majority of our outputs covering specific individuals were men. This balance was readjusted with several outputs for the international observance on women’s day.

**Delays and problems encountered with implementation of plan**
The delays in implementation in 2012 were due to a 30% drop in capacity regarding the absence of a successful press officer.