



ARTICLE 19

Annual Report 2016

Defending the right to speak and the right to know

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The “Hate Speech” Pyramid on p27 was developed in collaboration with Agnes Callamard, former Executive Director of ARTICLE 19.

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Acronyms

ACHPR	African Commission on Human and Peoples Rights
CSOs	Civil society organisations
CVE	Countering violent extremism
ECHR/ECtHR	European Convention on Human Rights/European Court of Human Rights
ECOWAS	Economic Community of West Africa States
HRDs	Human rights defenders
IACHR	Inter-American Commission on Human Rights
ICANN	Internet Corporation of Assigned Names and Numbers
ICCPR	International Covenant on Civil and Political Rights
ICT	Information and Communications Technolog
IEEE	Institute of Electrical and Electronics Engineers
IETF	Internet Engineering Task Force
IRTF	Internet Research Task Force
ITU	International Telecommunications Union
LGBTI	Lesbian, Gay, Bisexual, Transgender, Intersex
MENA	Middle East and North Africa
OAS	Organisation of American States
OHCHR	Office of the High Commissioner for Human Rights
OGP	Open Government Partnership
OSCE	Organisation for Security and Cooperation in Europe
PwD	Persons with disabilities
RTI	Right to information
SDGs	Sustainable Development Goals (Agenda 2030)
UNHRC	United Nations Human Rights Council

Message from Thomas Hughes, Executive Director

From the impeachment of Dilma Rousseff in Brazil through to the threat of a post-election coup in The Gambia, 2016 has been an unpredictable, and at times shocking, year. Political discourse around the world has often been defined by xenophobia, homophobia, misogyny, populism, and nationalism, as well as new or rehashed concepts like post-factual politics, “fake news”, and anti-intellectualism. Moreover, numerous governments around the world have been eroding democracy by undermining parliamentary and judicial independence, as well as attacking civil society and the media.

As you will read in this report, ARTICLE 19’s Expression Agenda (XpA) strategy provides a robust response to the rising tide of threats to freedom of expression and information. Whether it was protecting space for social movements, defining standards for the digital era, ensuring independent professional media and calling for ever greater transparency and accountability, ARTICLE 19 worked at the cutting edge locally, nationally, regionally and internationally to protect expression and information rights.

The strength and flexibility of the XpA was tested during the year by growing polarisation, defined by conflicting trends. Many of these trends appeared to be underpinned by the reaction of governments

and vested interest groups to pressures created by socio-economic inequalities, shifting political discourse and the global spread of ubiquitous unchecked digital communications, both in order to stem perceived threats and to ward off challenges to their authority.

The world saw an ongoing expansion in transparency, underpinned by the ever-growing number of countries with access to information laws and reinforced by the impressive investigative journalism stories that unfolded during the year. However, at the same time, restrictions on social movements increased through the shrinking civic space. These took numerous forms, ranging from controls on funding, to preventing registration or labelling individuals or organisations as “foreign agents”. National security controls, often under the guise of countering violent extremism, have also tightened. These restrictions are often typified by accelerated cross-border copycat legislation, so we have seen worst-practices spreading quickly. Moreover, well established models of media regulation, editorial independence, and professional journalism are being challenged by propaganda and “fake news”, attacks on journalists, and the co-option of media by concentrated vested-interest ownership and political movements.

At the international level we have had many years of increasingly progressive international and regional institutions and standard setting. However, these institutions are being scapegoated by governments seeking to blame multilateralism and international institutions for domestic woes, which has been accompanied by chauvinistic foreign policies and the attempted erosion of international human rights mechanisms.

Many of the key battles for freedom of expression and information are now taking place in the digital realm. The spread of the digital revolution, bringing the empowerment of millions through open decentralised Internet-based communication, is being challenged at structural, governance, and content levels. On the content side, due to knee-jerk disproportionate reactions to concerns about online “hate speech” and harassment, overreaching digital surveillance is being enshrined into law and there is greater criminalisation of content online than offline. The multi-stakeholder model of Internet governance is under attack by governments who strive for more direct political control over information flows and digital rights. Key decisions are being debated on the architecture and policies that underpin the operation of the Internet, which will determine if the future Internet will be a rights enabling or disabling space.

At ARTICLE 19 we foresee a world in which expression and information play a central role in driving human development, underpinning democracy and realising human rights for all. As digital technology propels us into an uncharted future, we must decide how we want human nature and society to be reflected. We cannot draw artificial distinctions between what is offline and online, so must ensure that digital technology reinforces the rights that we know are essential for realising human potential. Our rights must not be framed as a threat to safety and security, and digital communications must not be portrayed as the harbinger and hiding place of wrong doing. Expression and information rights will be central to achieving this.

Whilst it is not possible to list all our successes in 2016 in this report, they nevertheless give me optimism for the future. ARTICLE 19 delivered important successes from the global to local levels and we will continue the challenging and increasingly vital role of guaranteeing freedom of expression and information for the years to come.

A handwritten signature in black ink, appearing to read 'THUG', with a stylized flourish extending from the end.

Thomas Hughes, Executive Director

Message from Paddy Coulter, Chairperson of the Board

It was 30 years ago that ARTICLE 19 was first established to advocate for progressive free expression. In that time the world within which the organisation has to operate has been changing radically. Many observers are daunted by the trends of creeping authoritarianism and national chauvinism. These present a very real and pressing challenge to media freedoms but the very severity of these negative developments only reinforces the imperative of asserting freedom of expression principles ever more vigorously.

Against a background of some states scapegoating multilateralism and undermining international institutions and mechanisms, ARTICLE 19 continues to assert the value of international and regional institutions and standard setting. Given a pattern of threats to civic space and increasing governmental controls, ARTICLE 19 helps social movements deal with such restrictions by insisting on transparency and access to information. In the face of propaganda, “fake news” and attacks on press freedom, ARTICLE 19 promotes models of editorial independence and professional journalism.

At this critical juncture it is therefore gratifying to be able to report that ARTICLE 19 now has more programmes, more partners, and more financial support from a larger number of backers than ever in our 30-year history!

One token of this increased recognition was the award this year of the very first Franco-German Prize for Human Rights and the Rule of Law to ARTICLE 19 Director of Bangladesh and South Asia, Tahmina Rahman. Another accolade was the presentation of the prestigious International Bar Association’s 2016 Human Rights Award to the Vice-Chair of the ARTICLE 19 International

Board, Russian media lawyer Galina Arapova. The IBA cited her unwavering commitment to advocating for freedom of expression, especially in the face of threats and harassment, and managing to run so many cases domestically and before the European Court of Human Rights as well as teaching, training and being involved in the work of organisations such as ARTICLE 19.

During 2016 we strengthened our international board by recruiting distinguished new members from around the world: the respected Latvian-Australian journalist Peter Greste, himself wrongly imprisoned by the Egyptian authorities; the veteran South Sudanese writer and human rights expert Jacob Akol; Mexican development economist and social entrepreneur Arturo Franco; Gayathry Venkiteswaran, until recently the executive director of the South East Asian Press Alliance; Frank Ledwidge, a British barrister with a record of international human rights involvement in conflict zones; and Tamar Ghosh, a founder of a social enterprise in global eyecare between India and UK who is now the chief executive of the Royal Society of Tropical Medicine and Hygiene.

ARTICLE 19’s expanded board, in combination with our regional affiliates, committed staff and partners right across the world, constitute a formidable force for the defence of those whose rights to information and free expression are threatened – as this report attests.



Paddy Coulter, Chair of the Board



Frank-Walter Steinmeier, German Minister for Foreign Affairs (now President of Germany) and Jean-Marc Ayrault, French Minister for Foreign Affairs presenting the first Franco-German Human Rights award to Tahmina Rahman, Director of ARTICLE 19 Bangladesh and South Asia.

Recognition of Our Work

ARTICLE 19's global work received significant recognition both from states and legal organisations in 2016.

In December, Tahmina Rahman, Director for ARTICLE 19 Bangladesh and South Asia, was awarded the first annual Franco-German human rights award, by Frank-Walter Steinmeier, German Minister for Foreign Affairs (now President of Germany) and Jean-Marc Ayrault, French Minister for Foreign Affairs, for her tireless work on freedom of expression in Bangladesh and South Asia. The award, which was created in a joint effort by France and Germany to recognise the contribution of human rights defenders across the world, recognised Tahmina as a “driving force” in combatting discrimination and gender-based censorship, as well as commending her active work as regional director to support

the rights of online journalists and bloggers under threat in Bangladesh, including the creation of an ARTICLE 19 12-point Charter of Rights for the Protection of Online Expression in Bangladesh.

In September, our Trustee and Vice-Chair Galina Arapova was awarded the International Bar Association's 2016 Human Rights Award for her work defending media freedom in Russia. Alongside contributing her valuable expertise on media law and assistance to Article 19's governance, Galina is the Director of the Mass Media Defence Centre (MMDC) in Russia, which provides assistance and legal aid to journalists in Russia.

The Mx Method

How ARTICLE 19 is bringing gender to the forefront of what we do.

Discrimination based on sex, gender identity, and sexual orientation leads to significant obstacles to free expression and access to information around the world. Women and LGBTI people have often been left with little choice but to resort to self-censorship or face grave risks when conducting their work or speaking out. They are often confronted with oppressive laws on gender expression, social norms, and systemic power imbalances that restrict women's economic and educational opportunities, limitations to public participation in decision-making processes, as well as widespread impunity for gender-based violence.

Through ARTICLE 19's cross-cutting and intersectional gender strategy entitled the Mx Method, ARTICLE 19 seeks to ensure all individuals enjoy the right to freedom of expression and information, without discrimination, throughout our key pillars: protection, digital, transparency, civic space, and the media. We have appointed a gender thematic lead to proactively and meaningfully include gender in all of our priorities and across

our global work, ensuring that our approaches and actions are context specific and local, based upon grassroots resilience structures, and incorporates resources and structures to ensure equal access. In 2016, we continued to work on incorporating our Mx Method into all aspects of our work, both internally in discussions on projects and processes, and externally through our work with partners.

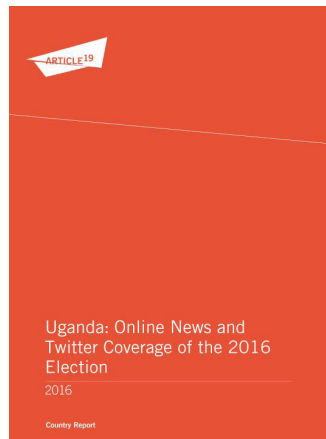
The bedrock of ARTICLE 19's gender strategy is to infuse feminist thinking into our core strategy and operations, to question our norms, deconstruct existing power structures and address the insidious ways in which women and LGBTI people have been forced into silence or attacked by virtue of who they are.



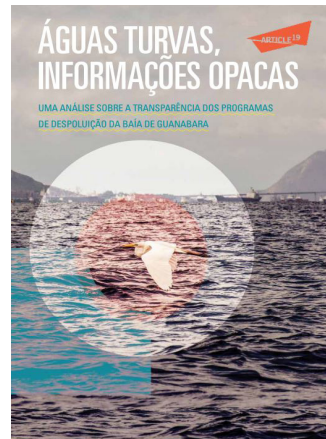
Research and Reports



Paths of Transparency – the Access to Information Law and the Law Courts in Brazil, May 2016



Uganda: Online News and Twitter Coverage of the 2016 Election, August 2016



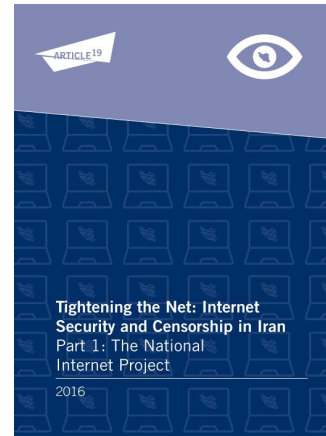
Brazil: Murky waters and Olypmic opacity, July 2016



A Deadly Shade of Green: Threats against Environmental Rights Defenders in Latin America, August 2016



Disappearance and forced disappearance of people exercising the right to freedom of expression in Mexico, February 2016



Tightening the Net: Iran's National Internet Project, March 2016

ARTICLE 19's Right to Information graphics in 11 languages



Bangla



Arabic



French



Russian

ARTICLE 19 Trainings in 2016

SENEGAL

4 trainings on:



77 trained

Participants: Community media, media monitors, activists, academics.

TUNISIA

16 trainings



249 trained

Participants: Journalists, judges, civil society professionals, public

THE GAMBIA

1 training on:



4 trained

Participants: Youth activists.

MEXICO

12 trainings on:



918 trained

Participants: Journalists, police.

BRAZIL

18 trainings on:



469 trained

Participants: Communities, journalists, students, youth, community media, women in media.

TURKEY

1 training

10 trained

♀5 ♂5

Participants: Journalists.

ARTICLE19 Trainings

-  Right to information
-  Gender & Sexuality
-  Digital Rights
-  Community Media
-  Environment
-  Protection
-  Legal
-  Protests
-  Media

RUSSIA

7 trainings on:



133 trained

Participants: Journalists, bloggers, civil society, lawyers.

KAZAKHSTAN

1 training on:



73 trained

Participants: Journalists.

BANGLADESH

14 trainings on:



763 trained

♀ 225 ♂ 538

Participants: Community leaders, journalists, online communicators, public officials.

MYANMAR

6 trainings on:



130+ trained

♀ 33 ♂ 17 ♀ 20

Participants: Activists and sex workers.

CAMBODIA

2 trainings on:



36 trained

♀ 7 ♂ 29

Participants: Environmental HRDs.

KENYA

9 trainings on:



201 trained

Participants: HRDs, journalists, lawyers, civil society, public officials, bloggers.

LEBANON

2 trainings on:



36 trained


Participants: Disability rights activists.

Tunis
ARTICLE 19 Middle East & North Africa

Dhaka
ARTICLE 19 Bangladesh & South Asia

Yangon
ARTICLE 19 Asia-Pacific

Nairobi
ARTICLE 19 Eastern Africa

 Where we are

International Engagement



1



ARTICLE 19 engages directly with states at the international level to advocate for the better protection of freedom of expression and information, and to bring the concerns of civil society at the national level to international attention. Through the UN Human Rights Council and its mechanisms like the Universal Periodic Review (UPR), we advocate for commitments from states to better protect free expression, and for the advancement of international standards on free expression which are relevant in the modern world.

ARTICLE 19 at the UN Human Rights Council

Resolution 33/2 on the safety of journalists

“Violence against journalists and impunity for crimes against them remains one of the greatest challenges to freedom of expression worldwide. This is an unequivocal commitment from states to ensure that these crimes do not go unpunished and to prevent their recurrence.”

Thomas Hughes, Executive Director of ARTICLE 19.

The resolution adopted at the Human Rights Council's (HRC) 33rd session on the safety of journalists is one of the strongest resolutions ever adopted by the UN HRC on freedom of expression. It represents a landmark commitment from states to protect journalists, requiring them to release arbitrarily detained journalists, reform repressive laws, and protect digital security.

ARTICLE 19's advocacy and expert recommendations to states assisted efforts that led to the adoption of the resolution by all 47 HRC members by consensus, and subsequent sponsorship by more than 90 other states.

While several previous HRC resolutions have been adopted on the safety of journalists, implementation has been poor and gaps remained around digital security, abusive laws, and gender.

We engaged with key delegations leading up to the HRC Session and throughout negotiations, to ensure the strongest possible standards were adopted. Our regional and national offices will be working at the national and local levels to ensure the commitments in Resolution 33/2 are implemented, to further their work to end impunity.

Resolution 32/13 on the promotion, protection and enjoyment of human rights on the Internet

The UN HRC adopted the third resolution reaffirming human rights online by consensus at its 32nd session.

ARTICLE 19's advocacy ensured commitments on accountability for human rights violations against people expressing themselves online, including murder and arbitrary detention, and commitments to refrain from disrupting access to, or dissemination of, information online, were included in the resolution that was adopted. We worked closely with the core group of states to make sure the complex nature of violations of free expression and information in the digital age were reflected and addressed in the text.

Joining with more than 80 partner organisations, we also fought to ensure hostile amendments to the resolution by Russia and China were defeated.

Freedom of Expression and Countering Violent Extremism (CVE)

Throughout the last year ARTICLE 19 has engaged on the issue of free expression and countering violent extremism.

At the 31st session of the UN HRC, ARTICLE 19 joined 22 other organisations in an oral statement during a panel discussion on the issue in Geneva, to raise serious concerns about the risk of human rights violations in initiatives to prevent violent extremism.

We later advocated successfully for the Mexico-led resolution on countering terrorism and human rights at HRC 33 to include language on the

importance of free expression, and to reference OHCHR reports, which reflected ARTICLE 19's recommendations.

Joint Declaration by international and regional experts

This year's annual joint declaration by the UN Special Rapporteur on Freedom of Expression, the Organisation for Security and Cooperation in Europe (OSCE) Representative on Freedom of the Media, the Organisation for American States (OAS) Special Rapporteur on Freedom of Expression and the African Commission on Human and People's Rights (ACHPR) Special Rapporteur on Freedom of Expression and Access to Information, which we coordinate, also highlighted our concerns on freedom of expression and CVE. The declaration provided a strong message on the importance of basing approaches to CVE on human rights and freedom of expression, and will be a valuable advocacy tool for both our continued work on this issue and that by broader civil society.

“The lack of an agreed definition for ‘violent extremism’ opens the door to human rights abuses. We know that many governments target journalists, bloggers, political dissidents, activists, and human rights defenders by labeling them as ‘extremists’ or ‘terrorists.’ The Joint Declaration draws on expertise from different international and regional experts to challenge human rights violations in the context of countering violent extremism,”

Thomas Hughes, Executive Director of ARTICLE 19.

ARTICLE 19 at the UN General Assembly

ARTICLE 19 played a leadership role on the implementation of Agenda 2030 (formerly called the Sustainable Development Goals). In 2015, we were instrumental in ensuring the final Goals included specific targets on protecting “fundamental freedoms” (including freedom of expression) and access to information. In 2016, ARTICLE 19 built on this by working with partners to successfully advocate for good indicators to underpin this target, ensuring measurability and accountability for Agenda 2030 going ahead.

ARTICLE 19 also contributed to the overall dialog on the implementation of Agenda 2030 through our support for the Group of Friends for Sustainable Development Governance, a member-state group in the General Assembly which convenes to openly debate and discuss how to best ensure the successful achievement of Agenda 2030.

ARTICLE 19 at regional human rights bodies

Connecting civil society with the Inter-American Commission on Human Rights (IACHR)

Attacks on protests through criminal charges or excessive use of force have been on the rise in Brazil. ARTICLE 19 has documented the detention of at least 1,244 protestors between August 2015 and December 2016.

To address this, we have been working with civil society in Brazil and the Inter-American Commission on Human Rights Special Rapporteur on Freedom of Expression, Edison Lanza. Through a series of consultations on land rights and protests, and violations against women and young people, we enabled civil society to share its concerns and experiences directly with the Special Rapporteur, and provided recommendations from the results of the consultations to input into his upcoming report on the right to protest.

Raising concerns with the IACHR on journalists' protection in Mexico

In April 2016, the IACHR requested the Mexican government to enact precautionary measures for the protection of journalists and other media workers at the *Luces del Siglo* magazine in Quintana Roo, including its Director Norma Madero, after they had been victims of harassment, intimidation, and death threats

as result of their journalism. This followed the filing of a request for precautionary measures by ARTICLE 19 in 2014, and requires the government to take all necessary measures to protect the 18 journalists and media workers.

As part of our work on the protection of journalists in Mexico, we have sought to raise serious violations of the right to freedom of expression with Edison Lanza, regularly providing information on cases of disappeared journalists to the Special Rapporteur. We have also met with him to provide expert recommendations on freedom of expression online in Mexico.

Advocating for freedom of expression at the African Commission on Human and People's Rights (ACHPR)

Prior to the successful democratic elections in December 2016, which saw the defeat of the repressive regime of President Yahya Jammeh by Adama Barrow, ARTICLE 19 worked to raise the profile of, and pressure on, human rights violations in The Gambia.

We have focussed particularly on the use of abusive and flawed laws, arbitrary detention, torture, and excessive force against journalists, human rights defenders, and protesters in the country. In October, at the meeting of the ACHPR, which coincided with the African Human Rights Year, ARTICLE 19 advocated for the adoption of a strong resolution on The Gambia, bringing victims to testify and meet Commissioners, as well as civil

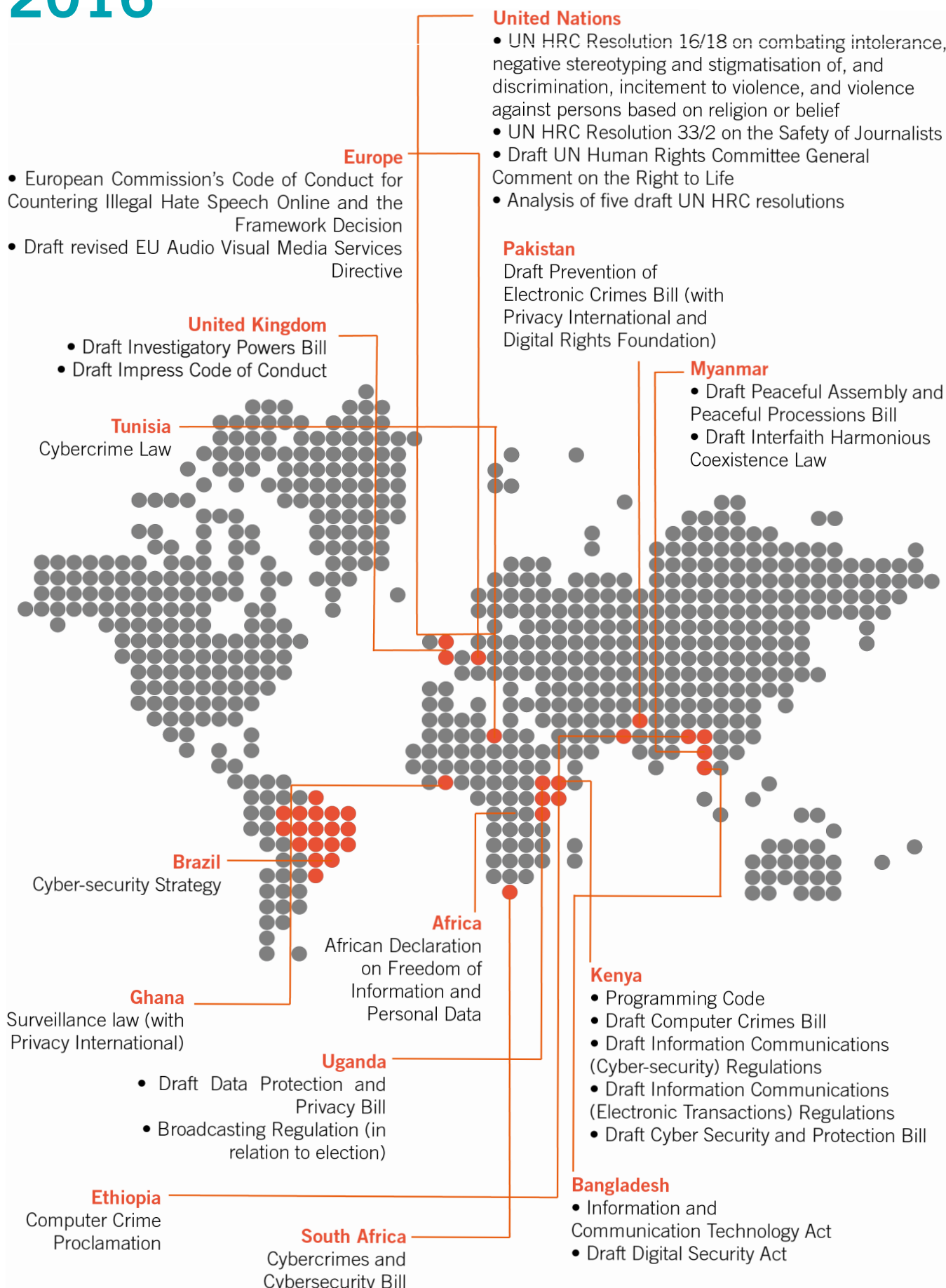
society experts. The participants discussed free expression violations at a side event, attended for the first time by ACHPR Special Rapporteur on freedom of expression, Pansy Tlakula, as well as three other Commissioners.

ARTICLE 19 met with diplomats and the Minister of Justice for The Gambia, to call for more to be done to address serious human rights violations and this advocacy contributed to the adoption of a landmark resolution against The Gambia for “consistent failure” to comply with the Commission’s previous recommendations on addressing the violations.

The forum was the first open public space where victims and human rights organisations came forward to expression their experiences of the situation.

In addition to this, ARTICLE 19 actively engaged and influenced the ACHPR on broader issues, leading to the adoption of several important resolutions during the 58th Ordinary Session (April 2016) and the 20th Extraordinary Session (June 2016). Through engagement with Pansy Tlakula and the Special Rapporteur on HRDs, Reine Alapini-Gansou, we were able to ensure resolutions adopted on the situation of Human Rights Defenders in Africa, the fights against impunity in Africa, and the Resolution on measures to protect and promote the work of women HRDs, among others, included key ARTICLE 19 recommendations.

ARTICLE 19 Legal Analyses in 2016

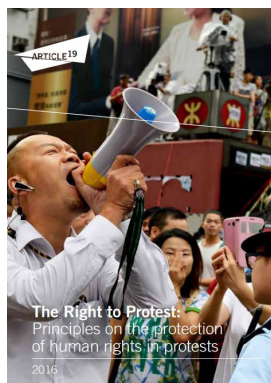


Legal Outputs and Submissions

Defending freedom of speech in courts

Amicus brief in Doe v Cisco Inc to the US Supreme Court 9th Circuit (together with Electronic Frontier Foundation) (case seeking to hold Cisco Systems accountable for aiding in human rights abuses) • **Amicus brief 10 Human Rights Organisations v the UK to the ECtHR** (on mass surveillance) • **Amicus brief in Butkevich v Russia to the ECtHR** (on protest) • **Amicus brief in Tamis v UK to the ECtHR** (on online defamation) • **Amicus brief in Ismayilova v Azerbaijan to the ECtHR** (considering imprisonment of journalist); • **Amicus brief in Taulats and Capellera v Spain to the ECtHR** (protest and defamation) • **Amicus brief in Google v CNIL before the Conseil d'Etat in France** (right to be forgotten) • **Amicus brief in Google v Equustek Solutions to the Supreme Court of Canada** (right to be forgotten) • **Amicus brief in Magyar Jeti vs Hungary to the ECtHR** • **Amicus brief in Patrick and Jonas Breyer vs Germany to the ECtHR** (privacy and FOE) • **Amicus brief in Akdeniz, Altiparmak and Güven vs Turkey to the ECtHR** (injunction) • **Amicus brief to the Constitutional Court South Korea** (mass surveillance) • **Amicus brief in Geoffrey Andare v Attorney General & 2 others to the High Court of Kenya** (Section 29 of the Constitution) • **Amicus brief in Robert Alai v AG – Petition No. 132 of 2016 to the High Court of Kenya** (challenging criminal defamation laws) • **Amicus brief in Kurgat Marindany v AG Petition No. 312 of 2015 to Kajiado Criminal Court** (challenging criminal defamation laws) • **Amicus brief in Jacqueline Okuta & Another v Attorney General & 2 others** Petition No. 397 of 2016 to the High Court of Kenya (challenging criminal defamation laws) • **Amicus brief in Trusted Society of Human Rights v Judicial Service Commission & 2 others** (Judicial Review Case No 306/2016) to the High Court of Kenya • **Amicus brief in FIDA Kenya, JMM through PKM, Ruth Mumbi, Victoria Atieno Awuor v AG & 2 others** (Petition No. 266 of 2015) to the High Court of Kenya (artistic and academic freedom) • **Amicus brief in the case of Ricardo Fraga to Sao Paulo Court of Justice** (censorship against a protester) • **Amicus briefs in Secretary of Health of São Paulo State v three journalists to court of First Instance of Justice of São Paulo** (civil and criminal defamation) • **Amicus brief in criminal action against community media actor Zacarias de Almeida Silva to Federal Regional Court 1st Region** (broadcasting “illegally”).

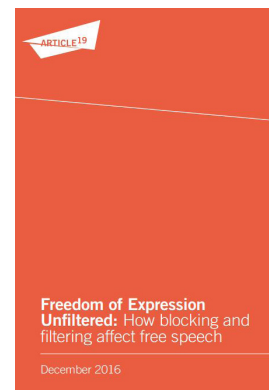
ARTICLE 19 Policy Briefs



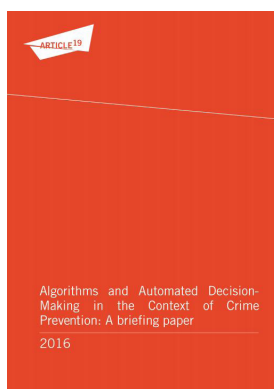
Principles on the protection of human rights in protests



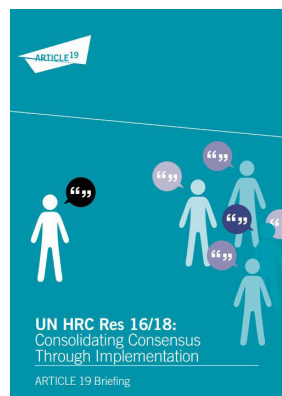
The “Right to be Forgotten”



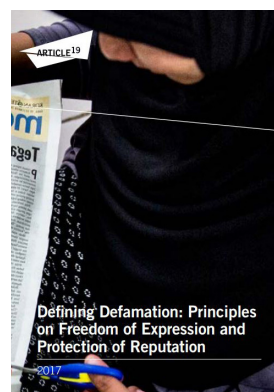
How blocking and filtering affect free speech



Algorithms and automated decision-making



UN HRC Resolution 16/18



Defining Defamation Principles

Civic Space





Civic space is the place, both physical and legal, where people exercise their rights to freedom of association, expression, and peaceful assembly. By forming associations, by speaking out on issues of public concern, by gathering together in online and offline fora, and by participating in public decision-making, individuals use civic space to solve problems and improve lives.

Civic space continues to shrink around the world in alarming ways. ARTICLE 19 noted both the rise of protest actions and the disproportionate response by governments seeking to silence people using this right. Between August 2015 and December 2016, at least 22 bills were proposed or passed around the world that directly and indirectly restricted the right to protest.

States also continue to use unrelated laws to criminalise legitimate speech, increasingly under the banner of maintaining security. For example, governments in Egypt and Bangladesh have used laws on countering violent extremism and maintaining public order to crack down on journalists and opposition voices. In Brazil, the criminalisation of the right to protest through actions by the judiciary, legislative, and executive branches has raised grave concerns.

As part of the SIDA-funded Civic Space Initiative (CSI) consortium ARTICLE 19 has worked relentlessly against these challenges. During 2016 we finalised our Right to Protest Principles, and saw them beginning to influence the dialogue on the protection of protesters in Mexico, Brazil, and Myanmar. The bedrock of our work on civic space is ensuring that progressive interpretations of human rights law which protect civic space are applied at regional and national levels.

ARTICLE 19's national policy and legal work directly ensure that people can use civic space to demand accountability, engage with policy makers, and take part in crucial debates on rights and resources.

Safeguarding protestors in Mexico

In 2016, ARTICLE 19 participated in the creation of a landmark protocol on the use of force by the police during protests and social demonstrations in Mexico City. Based on international human rights standards, the protocol which was finally approved by Mexico City's Public Security Ministry in December, will set standards for the police in protecting the right to protest in Mexico City. It is a key step in ensuring protection of freedom of expression by public authorities and the security forces.

Equally, our Rompe el Miedo network, first set up in 2014, not only continued to monitor aggressions against journalists during protests in Mexico City (registering almost none, which partially reflects the achievements of this network), but was also activated to monitor elections in several Mexican states in June 2016, documenting 19 attacks on the press.

Picture on page 20: A strike leader addresses striking workers as they congregate outside the Tai Yi footwear factory in Yangon, Myanmar.
Credit: Adam Dean/Panos

Chaw Sandi Tun and a case of defamation in Myanmar

In December 2015, Chaw Sandi Tun was arrested and charged under Article 66(d) of the Telecommunications Law and Article 500 of the Penal Code, for a satirical Facebook post deemed offensive to the military.

She had posted images on her page, showing that the Myanmar military's re-designed uniform matched the colour of one of Aung San Suu Kyi's dresses. On the images were the words "if you like her [dress] so much, why not put it on your head".

Placing female clothing for the lower body on a male head is considered by some in Myanmar to be offensive, as it undermines a man's "phon" or masculinity.

The Telecommunications Law and Penal Code criminalise defamation, and Article 66(d) in particular, has been used to target online expression. Combined with entrenched gender prejudices in Myanmar, Chaw Sandi Tun's right to free expression was violated under the Code and the disproportionate sentence imposed on her further exposed the weakness in the Law.

ARTICLE 19 sponsored Chaw Sandi Tun's legal defence through prominent human rights lawyer Robert San Aung, and provided assistance on legal arguments relating to international standards on defamation and freedom of expression.

While she still received a six-month prison sentence and was released in March 2016, we continued to work with national partner organisations to highlight the case, with a particular emphasis on the gender prejudices that contributed to the violation of Chaw Sandi Tun's right to free expression.

Working with religious groups in Malaysia

Malaysian socio-political norms have increasingly become dominated by extremist views. Since 2014, we have worked with a local social outreach group, Projek Dialogue, to counter this trend by shifting the socio-political discourse towards tolerance. By widening the space for constructive engagement on freedom of expression and freedom of religion or belief, we continued to use blogs and videos to promote a healthy exchange of ideas through their online platform.

Such topics on the platform included rejecting stereotypes in Hinduism and the role of women according to hadith (which documents thoughts and values in Islam).

We broadened the support base for freedom of expression and freedom of religion or belief by forging alliances with moderate and conservative religious groups, including Malaysian Muslim Solidarity (ISMA), United Malays National Organisation (UMNO) Youth, Youth Parliament, and Angkatan Belia Islam Malaysia (ABIM) that greatly influence the government's decision-making.

Next year, we will train the national human rights institution (SUHAKAM) on hate speech and the Rabat Plan of Action¹ to strengthen their ability to support civil society in pressuring the government to adhere to international standards on freedom of expression and freedom of religion or belief.

¹ The UN OHCHR's Rabat Plan of Action sets clear guidance and practical steps on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence. For more information, see: <https://www.article19.org/resources.php/resource/3530/en/article-19-welcomes-the-rabat-plan-of-action-on-prohibition-of-incitement-and-calls-for-its-full-implementation>

New hopes for free expression in The Gambia

to express views on the status quo, and through social media amplified their voices, mobilising more people in communities and outside the country.

The determination of citizens who spoke out and who came out onto the streets and queued in their thousands at polling stations, resulted in the successful democratic removal of an authoritarian head of state and the election of President Adama Barrow. On 1 December, with Barrow's inauguration, The Gambia saw an end to years of repression, and now looks to a future where the rights to freedom of expression and access to information are guaranteed.

Having campaigned for many years for freedom of expression to be available to citizens in The Gambia, ARTICLE 19's Senegal and Western Africa Director Fatou Jagne Senghor was asked about how she saw the work on the ground that led to a new era for Gambians:

A free and fair election requires free public debate and independent media reporting – how did ARTICLE 19's work contribute to this in 2016?

Our approach had been multipronged capacity building, helping local actors to network with regional mechanisms and others partners and supporting victims and their families to stand for justice and to speak out. We also documented cases of violations of freedom of expression, and used press releases and statements to expose the issues to the media in the region and internationally. And finally, we engaged with ACHPR, ECOWAS and UN bodies to address the situation.

Prior to the December 2016 elections, our team conducted three field missions (April, July and October), and during the campaign one of our communication and social media consultants was in the field to monitor the situation and report back on a daily basis.

During our missions, not only did we meet officials, but we also spent time visiting victims and their families in rural areas outside the capital city Banjul, who had been affected by the crack down. We provided briefings and contacts to many international actors and media during the



ARTICLE 19 Senegal and Western Africa Director Fatou Jagne Senghor at the inauguration of new Gambian President Adama Barrow

election, and were often requested to provide perspectives that enabled regional decision-makers and especially the people in Senegal to better understand the situation.

ARTICLE 19 has been working on freedom of expression in The Gambia for many years. After this year's election, how do you see the priorities for ARTICLE 19's work in future? What are the key priorities for protecting freedom of expression and information in the new era?

We aim to build on the foundation laid by our Senegal and Western Africa office, after more than a decade of intervention in The Gambia, to support the nascent democracy, especially by assisting local civil society organisations to strengthen civic engagement, provide technical expertise to the government and professional bodies on the reforms of policies and laws that will better enable free speech and access to information.

Another key area where we would like to invest is supporting the right to access information and the right to truth concerning historical violations. This would ensure that victims are placed at the heart of the reconciliation process. Meanwhile we will increase our local presence in the coming months with permanent staff assigned in The Gambia.

Working with schools to counter “hate speech” in Tunisia

By working with young people and teachers in schools, we are tackling “hate speech” and extremism in Tunisian society².

Collaborating with national organisation ADO+, we developed a hate speech toolkit targeted at Tunisian teens and teachers, designed in the form of a comic strip. The project enables us to tackle “hate speech” and understanding of free expression within a core part of Tunisian society, and channels the creativity and technical abilities of young people to spread important messages on tolerance and human rights. We have also been able to open up important discussions between civil society, the government, and educational institutions on tackling hate speech and building strategic partnerships.

We extended the influence of the toolkit by developing an interactive online platform for use with audiences across the MENA region. With input from activists from the region, the guide to combatting “hate speech” has been developed with specific regional examples and context, and will be available through both ARTICLE 19 and Amnesty International, as a platform on free expression.

Our work with local organisations and the Ministry of Education in Tunisia aims to create interventions with a lasting impact. Through cooperation with the Ministry of Education, we are able to fully integrate the toolkit into the school system and enable long term use by the teachers.

² Due to the broad and often emotive definition of hate speech which is commonly used, we refer to the term in inverted commas here, to signify that we use it to refer to hate speech as we define it in our approach to the topic, detailed in ARTICLE 19's Hate Speech toolkit and accompanied pyramid graphic.

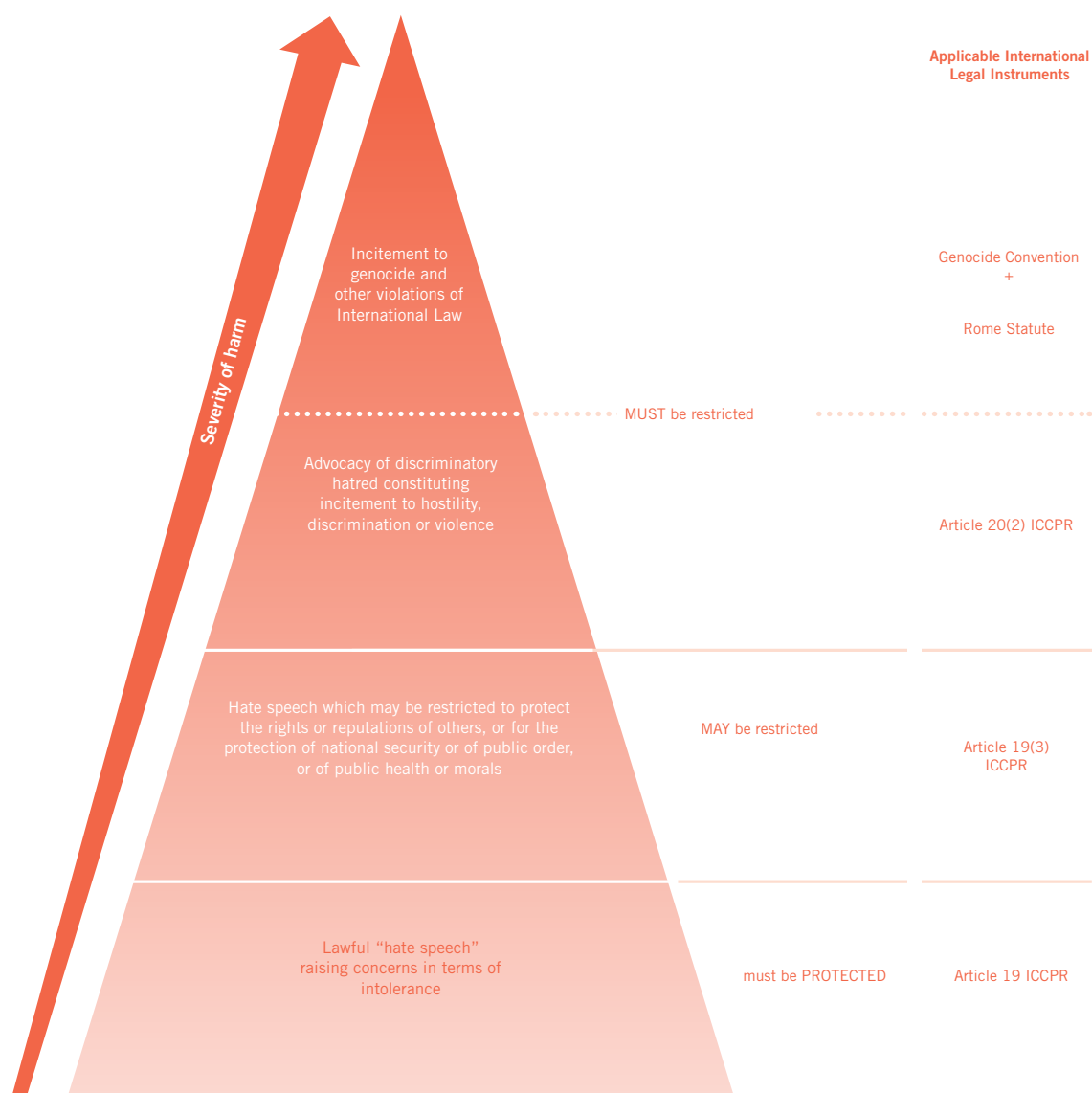
“Schools should foster an environment conducive to the development of students’ freedom of expression through dedicated spaces to debate issues, but also through the official curriculum”

Saloua Ghazouani, Regional Director, ARTICLE 19 Tunisia.



A cartoon image from the Tunisia hate speech toolkit for schools.

The “Hate Speech” Pyramid



ARTICLE 19 is one of the world's leading experts on the balance between free speech and incitement to violence. Our project in Tunisia builds on over a decade of work defining this balance in law and policy through tools like our Hate Speech Pyramid, taken from our 2015 publication *“Hate Speech” explained: A toolkit*.

Digital





3

Protecting individuals' ability to freely express themselves and access information through digital technologies is essential to guaranteeing the right to freedom of expression in the modern world. As governments seek to restrict Internet access by ordering Internet shut-downs, blocking content, or enacting restrictive legislation on Internet use, we work in international bodies, national courts, with activists, and through broader public outreach to make sure these rights are protected equally online and offline.

Through engaging with Internet governance bodies including ICANN, IETF and ITU, ARTICLE 19 encourages policy makers towards ensuring human rights impacts are considered and the rights to freedom of expression and information are embedded in technical standards and policies that govern how the Internet functions.

Influencing Internet governance and international standards

The emerging frontline in the battle to protect freedom of expression and information is online. Increasingly, we exercise our human rights through the Internet, and its architecture can make human rights violations online easier, while making it harder for users to protect themselves.

In order to ensure that the Internet is strengthened as a rights-enabling space ARTICLE 19 works in the forums where the Internet is developed, standardised, and governed. ARTICLE 19 has been working with Internet standards bodies, Internet governance bodies, and with Internet operators to build human rights into policies and procedures, as well as driving this conversation forward in other

international fora, particularly with the UN special procedures.

The UN Special Rapporteur on Freedom of Expression, David Kaye's 2016 report on the private sector in the digital age specifically cited ARTICLE 19's work to bring a human rights perspective to the development of technical standards, through ICANN's Cross Community Working Group on Corporate and Social Responsibility to Protect Human Rights, and the Human Rights Protocol Considerations Research Group (HRPC) at the Internet Research Taskforce (IRTF).

The Special Rapporteur's report also provides recommendations that closely align with those that we have been making for some time. This not only shows the progress being made in policy discussions around human rights and technical standards, but it increases our legitimacy and allows us to feed these recommendations from the UN Special Rapporteur back into our discussions with technical bodies.

ARTICLE 19 at the Internet Corporation for Assigned Names and Numbers (ICANN)

Our work with Internet governance bodies has also seen direct results within these groups. As chair of the Cross Community Working Group (CCWG) on human rights, we presented recommendations to ICANN's board on the importance of incorporating human rights considerations into its by-laws. Despite initial push-back from some states, the board officially codified its commitment to respect human rights in its by-laws in May 2016. This is a significant step towards accountability for ICANN's human rights impacts, and the broader mainstreaming of human rights in Internet governance. ARTICLE 19 is currently the rapporteur for the sub-group on defining the framework of implementation of the human rights by-laws.

We are also working in other areas at ICANN to ensure commitments on human rights: for instance currently chairing the CCWG on ICANN's responsibility to protect human rights, ensuring it abides by the standards set out in the UN Guiding Principles on Business and Human Rights.

ARTICLE 19 has been training civil society members from all over the world to get more engaged in Internet governance, a priority we plan to continue through 2017.

Securing inclusive community policies at ICANN

In 2016, ARTICLE 19 was able to drive forward the process to create a solid anti-harassment policy for ICANN, to develop it as an inclusive environment, and ensure a range of voices are able to contribute to the development of technical standards on the Internet.

Following an incident at ICANN55 in Marrakech, Morocco, it became obvious that ICANN did not have sufficient policies in place to address harassment and ensure accountability. This situation was of considerable concern, as deep-seated challenges to the involvement of women, LGBTI people, and minority groups in Internet governance forums including ICANN, are already clear. Impunity for harassment would only worsen this situation.

We worked with ICANN staff to develop an anti-harassment policy initially for ICANN's conferences, and later across all of its work. After discussions that saw the incorporation of ARTICLE 19's proposals on the policy, the latest draft was presented for further community input in late 2016.

ARTICLE 19 at the Institute of Electrical and Electronics Engineers (IEEE)

The IEEE develops many of the international standards that drive modern telecommunication, and the technology that will define our “connected future”, including the extent to which these standards will enable human rights like freedom of expression, privacy, and access to information. ARTICLE 19 has been heavily involved in the IEEE’s work on ethical considerations for artificial intelligence, co-chairing the working group on “Methodologies to Guide Ethical Research and Design”, as well as participating in the working group on “General Principles”, and “Policy Making for Artificial Intelligence and Autonomous Systems (AIS)”. We have also been actively participating in the technical standard P7000 group³, to develop a model process for addressing ethical concerns during system design. Our work is ensuring that a focus on ethical frameworks is paired with strong legal frameworks based on international human rights law.

Influencing legislation in Bangladesh

Through providing detailed legal analysis and engaging with key government ministers, ARTICLE 19 has positively influenced the drafting of the Bangladesh draft Digital Security Act.

Although concerns remain with the draft law, recommendations from our initial legal analysis, (which we discussed with relevant ministries, including the Minister of Law and Parliamentary Affairs), have been included in the second draft. This includes a decision to repeal of Section 57 of the Information and Communication Technology Act. The changes made to national law as part of the new Digital Security Act are a visible sign of our impact on a vitally important area of freedom of expression.

Further analysis of the draft Act revealed potential risks of violating international human rights standards, including dangerously broad definitions that could be abused. On the basis of our recommendations revisions were incorporated in the second draft and we plan to continue our engagement to help address remaining problems.

As a result of our work on the Act we were also invited to provide expert views on the draft to a meeting of national civil society organisations, and the Dutch Human Rights Ambassador, during which we were also able to provide a detailed briefing on our key concerns.

³ See: <http://sites.ieee.org/sagroups-7000/>

Digital rights in Russia


Since 2010, the Russian authorities have used increasingly reactive and excessive measures to restrict online expression and the public's right to know. ARTICLE 19's Russia Digital Rights project has focused on raising awareness of growing restrictions among key stakeholders in Russia. We have worked with the Expert Bureau on Media Law (EBML) to train Russian media lawyers on the challenges posed by laws restricting digital rights and their impact, and developed an interactive resource detailing the timeline of the enactment of these laws and their links to significant socio-political events.

On-going crackdowns on freedom of expression online by the Russian state present a major challenge, not just for individuals exercising their rights in Russia, but also for private companies operating there and subject to restrictive domestic laws. In order to provide concrete recommendations to private companies on these issues, we convened a meeting of digital experts, journalists, lawyers, and civil society activists in Moscow to discuss the challenges and brainstorm potential solutions. From this, we were able to collectively decide on recommendations to feed into our advocacy with private tech companies, which aims to encourage them to promote freedom of expression within Russia, and avoid behaviour that undermines this right.

Protecting free expression through the courts in Kenya

ARTICLE 19 has used targeted legal interventions to promote protection for freedom of expression in Kenyan case law, both online and offline, most recently through a successful submission to the High Court, which challenged the constitutionality of Section 29 of the Kenyan Information and Communication Act. The Court declared Section 29, which criminalises the "improper use of a licensed telecommunications system" to be unconstitutional.

In 2015, Geoffrey Andare was charged under Section 29 of the Act for making "grossly offensive" statements about another person through his Facebook account. After he brought a petition challenging the constitutionality of his prosecution, ARTICLE 19 joined the case as an interested party, arguing that the provisions of the Act violated the right to free expression by being vague and overbroad, which also created a chilling effect. The court's judgement agreed with ARTICLE 19's argument, and in declaring the provision unconstitutional took an important step towards the protection of free expression online in Kenya.

 *"We have been increasingly concerned by the repressive use of this law against those expressing dissenting opinions online. ARTICLE 19 is pleased to see that this substantial threat to freedom of expression has been recognised by the courts."*

Henry Maina, Director of ARTICLE 19 Eastern Africa.

Highlighting attacks on digital rights in Iran

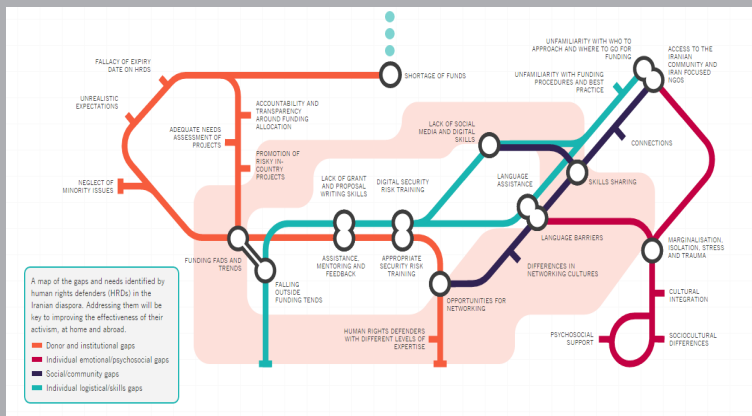
ARTICLE 19's Iran programme has raised awareness of threats to free expression online in Iran and for Iranian diaspora activists, and provided important information for individuals on protecting themselves against these threats.

Risky online behaviours

Following on from the 2015 report, *Computer Crimes in Iran: Risky Online Behaviours*, which highlighted how Iranian's online activities could make them vulnerable to arrest and prosecution by the authorities, we produced a series of online materials to promote online security and a deeper understanding of risks when exercising the rights to freedom of expression and information online in Iran.

Targeting users of the messaging app Telegram, which has a large user base in Iran, we produced a series of "stickers", which promote simple online security messages. The stickers were extremely popular with our target audience, and were downloaded and used by 448,000 users in Iran.

In addition to this, our online "Iropoly" game and explainer videos allowed us to provide key recommendations on online security in an interactive and easy-to-access way – the videos have been viewed by around 6,000 people on our website and YouTube channel. On Telegram, the videos have been seen by 120,000 people, which is a hugely important outreach into a new and essential audience of average Iranian Internet users.



Credit: Iran Mind the Gap 2016



Credit: Iran's Internet Laundrette 2016

Mapping challenges for activists in exile

Our online interactive “Mind the Gap” map presented the findings of our report “*Defending from the Outside: A Needs Assessment of Iranian Human Rights Defenders in the Diaspora*”. The report showed the challenges faced by Iranian diaspora activists in carrying out their work. As a result of the report and interactive map, we have been contacted directly by key donors and asked to provide recommendations on supporting activists more effectively.

Iran’s Internet laundrette

50% censorship, 50% surveillance, 100% control: ARTICLE 19 highlighted how the Iranian government has sought to “clean up” the Internet in part one of our “Tightening the Net” report series, *Tightening the Net: Iran’s National Internet Project*. This was the first report that has brought together all the information on the government’s efforts to restrict free speech, making it a valuable resource for those working on this issue.

We created an infographic seen and shared by around 60,000 people to share our findings and recommendations for Internet users, governments and companies.

Digital rights for LGBTI people in MENA

In our LGBTI project, we are working with partners from the private sector, including Grindr, whose LGBTI dating apps are used widely in Iran, Lebanon, and Egypt in the MENA region. As part of on-going research, which will ultimately see the production of a report on security risks of using online platforms by the LGBTI community, we have conducted a survey of LGBTI dating app users in the 3 countries, which received more than 1,000 responses. Our successful outreach with the survey, which received a much larger than anticipated response, will enable us to provide detailed analysis and recommendations in our reporting. We will also be developing guides for the users in the three countries on three priority issues that have come up in the research to help them address those issues. The guides will not only be shared with the partner companies' users, but also through other dissemination methods.

We have also been able to work with partner companies to provide recommendations on key security issues encountered through their operations in various countries. With Grindr, we were able to provide information specific to security risks in Iran as well as Indonesia, sharing with them the findings of our *Computer Crimes in Iran: Risky Online Behaviours* report, and suggesting the use of Psiphon, and integration of the Tor browser, to improve security in these contexts. Their willingness to follow our recommendations and engage seriously on human rights concerns related to digital security is an important step, as we are establishing ourselves as a trustworthy source of human rights recommendations.

The use of LGBTI dating apps can present a serious risk for users in countries where LGBTI people are subject to stigma, persecution or criminalisation, and by working with companies in this way we are enabling them to better protect their customers' equal rights to privacy and free expression.

Although the project continues through to 2017, we have already received informal agreements from several more app companies to work with us in the future, and hope to strengthen these relationships to further our impacts in this area.

Embedding freedom of expression in cyber security laws in Senegal

Through our work on freedom of expression and access to information online in Senegal, ARTICLE 19 was invited to join the working group of predominantly government agencies engaged in developing the new national strategy on cyber security. We also took part in the West Africa regional forum on cyber security, and assisted the Senegalese government in reviewing the findings of a study by Oxford University's Global Cyber Security Capacity Centre on cyber security capacity in Senegal.

This increases our ability to influence the design of cyber security policies in Senegal that are balanced with the need to protect freedom of expression.



Students read a news website while browsing the Internet at Suffolk University's satellite campus in Dakar.

Credit: Jacob Silberberg / Panos

Media





ARTICLE 19 believes a free and independent media, able to report on diverse issues and provide information in the public interest, must be protected and promoted around the world. We seek to protect media freedom through challenging repressive defamation laws and reporting restrictions, as well as ensuring the development of strong legal frameworks at the national and international level. In an increasingly digital and converged media landscape, we also engage with new threats to media freedom, such as the influence of private actors online, and online censorship.

Revising our global principles on defamation

As part of our push to develop an updated core of policy documents, which have buy-in and input from key stakeholders and wider civil society, we completed a detailed *public consultation* in 2016 to make our influential Defining Defamation Principles fit for the digital age. We incorporated comments from a diverse range of voices into the Principles, to make sure they are relevant to today's changing and dynamic media landscape.

Initially published in 2000, *The Principles* are one of the first standard-setting documents in this area, and set out the appropriate balance between the right to freedom of expression and the need to protect individual reputation. Since their adoption, they have obtained significant recognition and international endorsement.

To ensure the relevance of the Principles and broad ownership of them by stakeholders, ARTICLE 19 invited a group of international freedom of expression and media experts to discuss and comment on the revision. Subsequently, a public consultation from May to July 2016 provided time for stakeholders to review the Principles and leave feedback on the draft. This step was critical to ensure the principles reflected the developments in this area.

The *Defining Defamation: Principles on Freedom of Expression and Protection of Reputation* were published in February 2017. We hope that they will be used in national, regional, and international advocacy to protect freedom of expression and improve flawed legal frameworks on defamation.

Picture on page 42: Guy Martin / Panos - People protest attacks on press freedom outside the offices of the Kurdish-focused newspaper 'Ozgur Gundem', in Istanbul, Turkey, in response to the arrest of three prominent human rights lawyers who were arrested for 'colluding with terrorists' for their part in guest editing the newspaper

Small steps for Somalia's Media Law

A new law regulating Somalia's media industry came into force in 2016, containing several key recommendations from ARTICLE 19 following an analysis of its provisions. While the law remains deeply flawed, our engagement amounted to a significant improvement on the initial draft and will allow us to continue engagement on freedom of expression issues with the government in future.

Thanks to our engagement with the Somalian government, The Media Law of 2016 has a clearer (albeit limiting) definition of who can be considered a "journalist", defining them as "any person who has the knowledge of journalism, engages in the practice of journalism and is authorised to operate."

Moreover, the Act now has commendable passages on media freedoms, explicitly guaranteeing freedom of speech, prohibition of censorship or forced reporting, independence of public broadcasting, and the right to information for journalists. It provides for a broad scope of ethics, which includes the protection of sources, and respect for the private lives of persons except where there is a public interest. Crucially, it also includes non-criminal sanctions for issues such as apologies and corrections and underlines the importance of recourse at the Somali Press Commission.

Bangladesh's draft Broadcasting Law

We are working with the Bangladesh government to ensure the country's new broadcasting law reflects international standards on freedom of expression. First announced in 2014, the current draft bill calls for the creation of a media commission and power to enforce criminal measures against broadcasters who violate the law.

ARTICLE 19 Bangladesh and South Asia Director Tahmina Rahman has been part of the Broadcast Act's drafting committee since its inception, and has provided crucial recommendations to improve on the flawed early drafts of the law, seeking to maintain a free press environment in the country, which were incorporated into the draft.

ARTICLE 19 has continued to advise the committee in 2016, and pushed for recommendations that included ensuring that the selection and removal of commissioners who oversee media regulation is a straight forward procedure. We have also highlighted the need to narrow down definitions of obscenity, threats to national security, and incitement to keep the bill in line with international standards set out in the International Covenant on Civil and Political Rights (ICCPR).

Public authorities and private power against the media

ARTICLE 19 Senior Legal Officer Pierre Francois Docquir reflects on our work on media freedom in 2016, and looks ahead to new challenges.

Looking back on our work in 2016, I am reminded that at the beginning of the 20th century, at the emergence of the US Supreme Court's case law on freedom of expression, it was a time when the legal protection of free expression was still being built brick by brick, and numerous beautifully written contributions to legal thinking on freedom of expression went down to posterity. At the time one judge wrote that, when it comes to threats on freedom of expression, "we should be eternally vigilant."

One century later, this remains very true.

To a large extent, freedom of expression is about questioning powers, which is the perfect recipe to set off all sorts of repressive reactions. We need to be constantly reminding the world that free expression is a cornerstone of individual self-fulfilment as well as of democracy.

When I look at the major threats to media worldwide, in one sense, we keep seeing the same old sad tricks being played by public authorities or private powers. Set against the media they use brutal force and threats to the

lives of journalists and media workers, relying on the legal framework and judicial institutions to repress critical voices, or changing legislation to undermine media freedom.

For instance, in 2016, Soe Moe Tun, a journalist for Eleven Media in Myanmar, was killed while investigating illegal logging and corruption. Elsewhere, trials against journalists and repression of independent media in Turkey became increasingly alarming. At the same time, the government of Poland has been undermining the independence of public service media in order to turn national radio and television into a docile instrument of propaganda.

In ARTICLE 19 we are working to reduce these threats to free expression by taking both a global and local perspective. At the global level, we have a set of policies that detail the meaning and requirements of freedom of expression. This is what we rely on when we analyse a draft law in a given country.



An internet journalist, from onet.pl website, uses a mobile phone to record a demonstration by the KOD (Committee to Defend Democracy), and other opposition parties, in defence of a free media after the ruling party PiS (Law and Justice) imposed an effective ban on media coverage of most activities happening in the Sejm, the Polish parliament. Credit: Piotr Malecki / Panos.

Our legal analysis of the Programming Code in Kenya, for example, is based on the comprehensive understanding of freedom of expression in the field of media that ARTICLE 19 has built through our policy work. There is a direct and important link, that works both ways, between our legal work at the national level and the development of global policies: the policies serve as a basis for assessing national legislation, and the knowledge of national and local context, issues and concerns inform the drafting of our global documents.

Another way of contributing to the emergence and consolidation of an appropriate legal and regulatory framework for media freedom can be to support the creation of the relevant institutions: for instance, our regional office in Tunisia has been providing continuous support to the independent regulatory authority for audio-visual media and to the creation of the Press Council, a self-regulatory body for the print media.

Going forward, one ambitious challenge ARTICLE 19 is taking on that I find very exciting is the development of standards on freedom of expression and media policy in the digital age. There are deep changes going on in the world of media, and the influence of the most powerful social media networks is not the least of them. We will be defining the requirements of freedom of expression in the current context of rapid changes and mutations of the media landscapes, and hopefully putting forward a new reference document, a general framework for freedom of expression and media policy.



A man reads a newspaper in the early morning in Sidi Bouzid, Tunisia. Credit: Samuel Aranda / Panos

Working on the establishment of the Tunisia Press Council

For several years, ARTICLE 19 has been working extensively on issues related to freedom of expression and media freedom in Tunisia. Our work in 2016 helped to consolidate the media's legal and regulatory framework that guarantees freedom, independence, and pluralism for the media.

Last year, following a three-year campaign, ARTICLE 19 achieved a huge step forward in this work by securing agreement amongst critical media stakeholders (including the Syndicat Nationale des Journalistes Tunisiens (SNJT), the Association of the Directors of Newspapers (FTDJ), the Independent High Authority for Audio-visual Communication (HAICA), the syndicate of media and the League

of Defense of Human Rights) to establish a self-regulatory *press council* by creating an overseeing body called the Association of Support to the Press Council. This newly formed association would support the development of the new Press Council by including all stakeholders in the discussion.

In partnership with SNJT, we provided technical assistance to media actors in charge of setting up the Press Council who subsequently agreed to create two committees: one to set up the charter of the Press Council and the other to define its status in the country. We also facilitated meetings between key Tunisian media organisations and leading media experts from Canada and Sweden to present best practices in other press councils and broadcasting regulatory body models.

The Myanmar Women Journalists' Society

Women in Myanmar face discrimination in various aspects of daily life, and the media environment is largely male-dominated, reflecting challenges for women in accessing these jobs, but also perpetuating male perspectives in media coverage.

To push forward the Myanmar Press Council's commitment to tackle gender prejudice in the media, we worked with the Press Council chairperson and a small network of leading women journalists to set the ground for a Women Journalists' Society.

Through a series of meetings, the group agreed on some initial policies to be presented to a broader audience of women from diverse ethnic groups and rural areas for endorsement and engagement at a nationwide dialogue. The dialogue took place in August 2016, and the Myanmar Women Journalists' Society was successfully launched.

We were also able to secure commitments on consideration of gender issues in the 2016 National Media Development Conference, and have pushed for stakeholders to reach out to non-binary gender media communities in the years to come.



Protection



ARTICLE 19 works to ensure the protection of those working on the frontline of defending freedom of expression through effective laws and policies. We work not only to implement laws and policies at the national and international level that protect the rights of journalists and human rights defenders, but we also engage directly with activists at the local level to ensure they have access to appropriate self-protection mechanisms and information.

We aim to combat impunity, and assist human rights defenders working on especially controversial or sensitive issues, such as LGBTI rights and the environment, as well as those subject to harsh and abusive laws which crackdown on dissent, assembly, and association.

Media crackdown in Turkey

Following a failed coup attempt in July 2016, the Turkish government invoked a state of emergency and began a brutal crackdown on dissent, arresting dozens of journalists and closing more than 100 media outlets.

By responding quickly to the crisis and coordinating with partner organisations on joint advocacy, we have established ourselves as a leading organisation working on free expression in Turkey, and have been able to engage with high-level stakeholders about our concerns.

Having previously joined an emergency press freedom fact-finding mission in 2015, (for which we received a press freedom award from the Journalists Association of Turkey (TGC) ARTICLE 19 organised another mission to the country in response to the crisis.

The mission consisted of a broad delegation including representatives of Reporters Sans Frontiers, PEN International, the European Federation of Journalists, and Index on Censorship. We met independent media outlets, journalists' unions, and human rights defenders to hear their concerns, as well as attending the trial of five journalists who had previously worked for the *Taraf* newspaper, two of whom were representatives of our partner organisation in Turkey.

We shared the preliminary findings from the mission with consular representatives of states in Istanbul, and urged representatives to attend the *Taraf* trial. We believe the subsequent pressure of international consular presence at the trial had some influence on the judge, who ordered that one of the defendants, held in pre-trial detention, have increased access to a lawyer, and to the evidence against them.



ARTICLE 19 with the Turkey delegation at IMC-TV, a national TV channel specialising in minority issues and promoting pluralism and human rights, which was closed under a state of emergency decree and raided by police on 4 October 2016. From left to right: Şaban Gezer - IMC-TV (not from the delegation), Regular Venske – PEN International / PEN Germany, Katie Morris – ARTICLE 19, Faruk Eren – IMC-TV (not from the delegation), Georgia Nash – ARTICLE 19, Kjersti Løken Stavrum – Norwegian Press Association, Melody Patry – Index on Censorship, Caroline Stockford - PEN Cymru, Eva Stabell – Norwegian Union of Journalists / European Federation of Journalists.

The report that came out of the mission has also been a valuable advocacy tool, which we used at the OSCE Human Dimension Implementation Meeting to urge key states to condemn the crackdown, including at a joint event organised with Dunja Mijatovic, OSCE Representative on Freedom of the Media.

We have also issued a number of press releases and statements to highlight individual cases and show solidarity with journalists, as well as accompanying graphics for social media, which were shared hundreds of times on Twitter.

“The international community has failed to adequately respond to the crisis in Turkey. Despite the post-coup crackdown, journalists and activists continue to express their dissent and must be better supported.”

Katie Morris, Head of ARTICLE 19's Europe and Central Asia Programme

Protecting the LGBTI community and sex workers in Myanmar

Through our work on gender and free expression in Myanmar, we identified a group of human rights defenders (HRDs), and paralegals from the LGBTI and sex worker communities to receive training in self-protection.

Women and LGBTI people in Myanmar face a range of barriers to free expression, as well as threats of persecution and violence if they speak out. Our training focused on enabling participants to assess, mitigate, and manage the risks they face due to their expression of their gender identity or sexual orientation. Participants later stated their intentions to go out and share the lessons they had learned through the training, enabling it to have an even wider reach among these communities.

Green Voices Cambodia

Environmental HRDs in Cambodia faced persistent threats to their safety and security in 2016. At least 12 were attacked or threatened for speaking out against widespread environmental degradation, illegal activities (such as logging), corrupt extractives industries, and attacks or exploitation of communities affected by large-scale development projects or land-grabbing. Kem Ley, a prominent political commentator and environmental activist, was killed on 10 July 2016 in an attack that is believed to be connected to this work. In response to this, ARTICLE 19 has been working with national partner organisations to pilot a protection programme for at-risk environmental HRDs. We trained 37 environmental HRDs in digital and physical security and citizen journalism,

provided them with digital devices, and initiated a monitoring and alert system. Through the system, the environmental HRDs regularly communicate with ARTICLE 19 via secure methods and inform us of their personal safety and well-being. This has enabled us to track threats to environmental HRDs and to share this critical information with key influencers, such as UN Special Rapporteurs and other human rights organisations.

Police training in Myanmar and Mexico

To effectively protect the right to protest and associated rights, including free expression, state authorities must ensure police officers are trained and policies are in place to facilitate protest and prevent excessive uses of force.

We have been working with the authorities in Mexico to deliver a series of trainings to raise awareness of the importance of human rights protections in policing protests. We delivered 15 sessions to forces in Mexico City, highlighting international standards and best practices.

Meanwhile in Myanmar, our *Principles on Human Rights in Protest* have been incorporated by the EU into training for the police. We do not underestimate the scope of the work required to bring about a culture and practice change in police forces, however, this work is an essential part of any reform processes if we are truly going to protect the right to protest in practice.



José Moisés Sánchez Cerezo Credit: ARTICLE 19 Mexico and Central America

Seeking justice for journalists killed in Mexico

Journalist José Moisés Sánchez Cerezo was kidnapped and murdered in 2015 in Veracruz state, Mexico. Moisés Sánchez founded La Unión newspaper, which had been critical of the local mayor and authorities.

In 2016, as part of our wide-ranging legal work for the protection of journalists in Mexico, ARTICLE 19 submitted an amparo against the Special Prosecutor's Office for Crimes against Freedom of Expression (FEADLE), which had

refused to investigate the case at Federal level, arguing that Moisés Sánchez did not come within the definition of "journalist". We successfully argued that FEADLE should be required to investigate the killing, with the court agreeing with our submission and using a broad interpretation of journalist in line with international human rights standards. Although the investigation has not progressed so far, the case itself sets a clear precedent for future investigations and exposes the systematic failure of FEADLE to perform its function in investigating attacks on free expression.



Journalist Alhagie Ceesay (right) following his escape from persecution in The Gambia, with ARTICLE 19 West Africa Director Fatou Jagne Senghor (centre) and the lawyer assisting him in Senegal, Combeh Gaye (left). Credit: ARTICLE 19 Senegal and West Africa

Assisting imprisoned Gambian journalist Alhagie Ceesay

Alhagie Ceesay, managing director of the independent radio station Teranga FM, was arrested on 2 July 2015 by the National Intelligence Agency after he privately shared a picture in which a gun was pointed toward a photograph of former President Yahya Jammeh. Ceesay was charged with six counts of sedition and one count of false publication.

ARTICLE 19 was engaged in Ceesay's case from the beginning, highlighting the violation at the centre of the case, as well as raising the fact of intimidation of witnesses to the case with the African Commission on Human and People's Rights (ACHPR). In March 2016, the United Nations Working Group on Arbitrary Detention adopted an opinion that Ceesay had been arbitrarily deprived of liberty, should be released immediately and given an enforceable right to compensation.

Ceesay was hospitalised several times during his detention with serious ill health, before he eventually escaped to Senegal during a subsequent visit to hospital in April. From this time, ARTICLE 19 was able to provide him with direct emergency assistance, supported by funding from the EU and the Committee to Protect Journalists (the CPJ worked with the Canadian Embassy to get Ceesay asylum in Canada, where he now lives).

After the results of the Presidential elections was announced, Ceesay told us:

“I can't believe what I saw on the news. Despite all the suffering I was going through, today is the first day my heart felt so heavy. We are free. My country is free at last. Thank you very much for all your efforts towards achieving this dream for all Gambians.”



Journalist Zhalaudi Geriev. Credit: Creative Commons

Our work with the Chaser Lecture: the case of Zhalaudi Geriev

Zhalaudi Geriev is a journalist with the independent Russian media portal Caucasian Knot, which covers current developments in the Caucasus and is well-known for its reporting on abuses by Chechen authorities. Geriev has written extensively on human rights violations in Chechnya.

On 16 April 2016, Geriev was abducted from a bus to Grozny, by three armed men. He was taken to a forest, where his backpack, phone and laptop were taken and he was subjected to torture, including being suffocated with a plastic bag. He was then released into police custody, where he was forced to sign a confession for charges of drug possession in large quantities, for marijuana supposedly found in his backpack.

Despite retracting his confession as it was made under duress, Geriev was sentenced on 5 September to three years in prison. The charges have been widely criticised by media and *human rights organisations*. Before being arrested, Geriev was the sole breadwinner for his family, who are seeking to appeal against his conviction. Geriev's case is thought to have been a warning to other journalists ahead of the elections in September, which the ruling party won with 99% of the vote.

With the support of the Chaser Lecture event delivered by Giant Dwarf in November 2016 in Sydney, we were able to provide temporary financial assistance to Geriev's family.



Transparency

A photograph of a city skyline across a body of water. In the foreground, the water is slightly out of focus, showing gentle ripples and some white foam from a small wave. The middle ground features a dense line of trees and greenery. In the background, a row of tall, modern apartment buildings or hotels with many windows and balconies stretches across the horizon. The sky is a pale, clear blue. In the top right corner, there is a dark gray square containing a large white number '6'.

6

The basis of transparency is the right to information (RTI): the right of individuals to obtain information from bodies, public and private, about policies and actions that relate to how government operates, or which affect the public interest. Transparency is a tool of empowerment; a means to understand and engage effectively with the institutions that hold power and affect our lives.

For over 20 years, ARTICLE 19 has been at the forefront of developing new international standards and principles on the right to information. We have also been working with communities and civil society in Mexico, Brazil, and Kenya to ensure they are empowered to use their right to information to guarantee other rights, including the right to health and the right to water.

This combined approach has meant real progress not only in right to information laws, but in their implementation, and thus an improvement in the lives of people where we work.

Improving international standards

Following ARTICLE 19's extensive engagement on implementation of the Sustainable Development Goals (SDGs), the Inter-Agency Expert Group of the UN Statistics Commission included a specific indicator on access to information (indicator 16.10.2) advocated by ARTICLE 19 and our partners. This will ensure a crucial dimension of freedom of expression will be monitored as part of the SDGs.

Following the lead taken by the Mexican and Norwegian missions at the UN in Geneva, we have assisted efforts to put the right to information high on the agenda at the Human Rights Council in 2016, and to develop clear international legal frameworks on transparency, in line with

ARTICLE 19's revised principles on the right to information.

We provided expertise and recommendations to the Norwegian mission, which were incorporated into a declaration joined by 47 countries on access to information and transparency at the 31st session of the Human Rights Council.

Resolution 31/32 on human rights defenders, which was supported by 33 states, included positive language acknowledging the importance of the right to information for human rights defenders, for the first time. We built on this momentum through a side event on RTI at the 32nd session and subsequent meetings with the Norwegian and Mexican missions. We welcome the decision by Norway to seek an opportunity to submit a resolution focused on the right to information at the 36th session in 2017, which would mark a major achievement in our work on international legal standards.

Picture on page 60: Lianne Milton / Panos A boat's propellers stir up contaminated water, in Lagao da Jacarepaqua, near the 2016 Olympic Park in Rio de Janeiro, Brazil, revealing a fluorescent green colour caused by sewage and other pollutants. ARTICLE 19's 2016 report 'Brazil: Murky waters and Olympic opacity' found "there is a direct relationship between the opacity of the bay waters and the opacity of information regarding its pollution".



The absence of running water in houses in the favelas, and the scarcity of sources where people can tap into a clean supply of water, mean that it is common for residents to have to walk some way to collect their water. Credit: Ian Teh/Panos

The impact of transparency on Brazil's water crisis

Tackling one of the worst droughts in Brazil's history between 2013 and 2015, ARTICLE 19 Brazil and South America developed a series of studies and products to measure the transparency of the government in the management of the water crisis.

In late 2015, Sao Paulo, Brazil's largest city, was in the grips of a water crisis that threatened the water supply of 20 million residents. Brazilian authorities blamed the crisis on a lack of rain, but by using the indicators that we had helped to set for Goal 16 of the SDGs we were able to show how poor transparency on water quality and scarcity contributed to a failing water management system, which threatened the city's inhabitants' right to water.

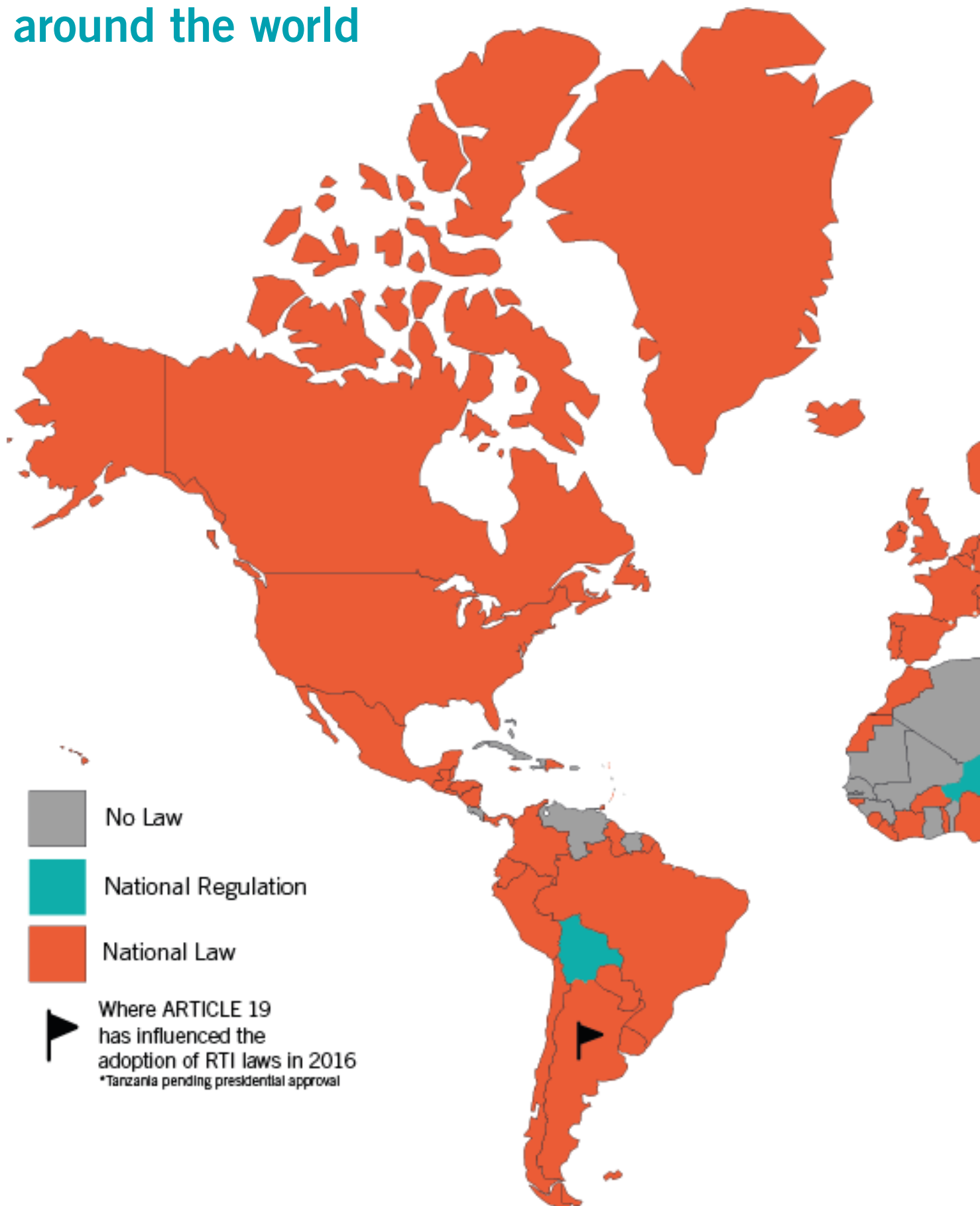
We distributed our report, *The Cantreira System and the Water Crisis in Sao Paulo* to the state public prosecutor and the Water Alliance – a group of more than 100 CSOs formed to tackle the water crisis. It provided a valuable tool for the Water Alliance to engage in effective advocacy with public authorities on residents' right to water, as well as critical evidence in the public

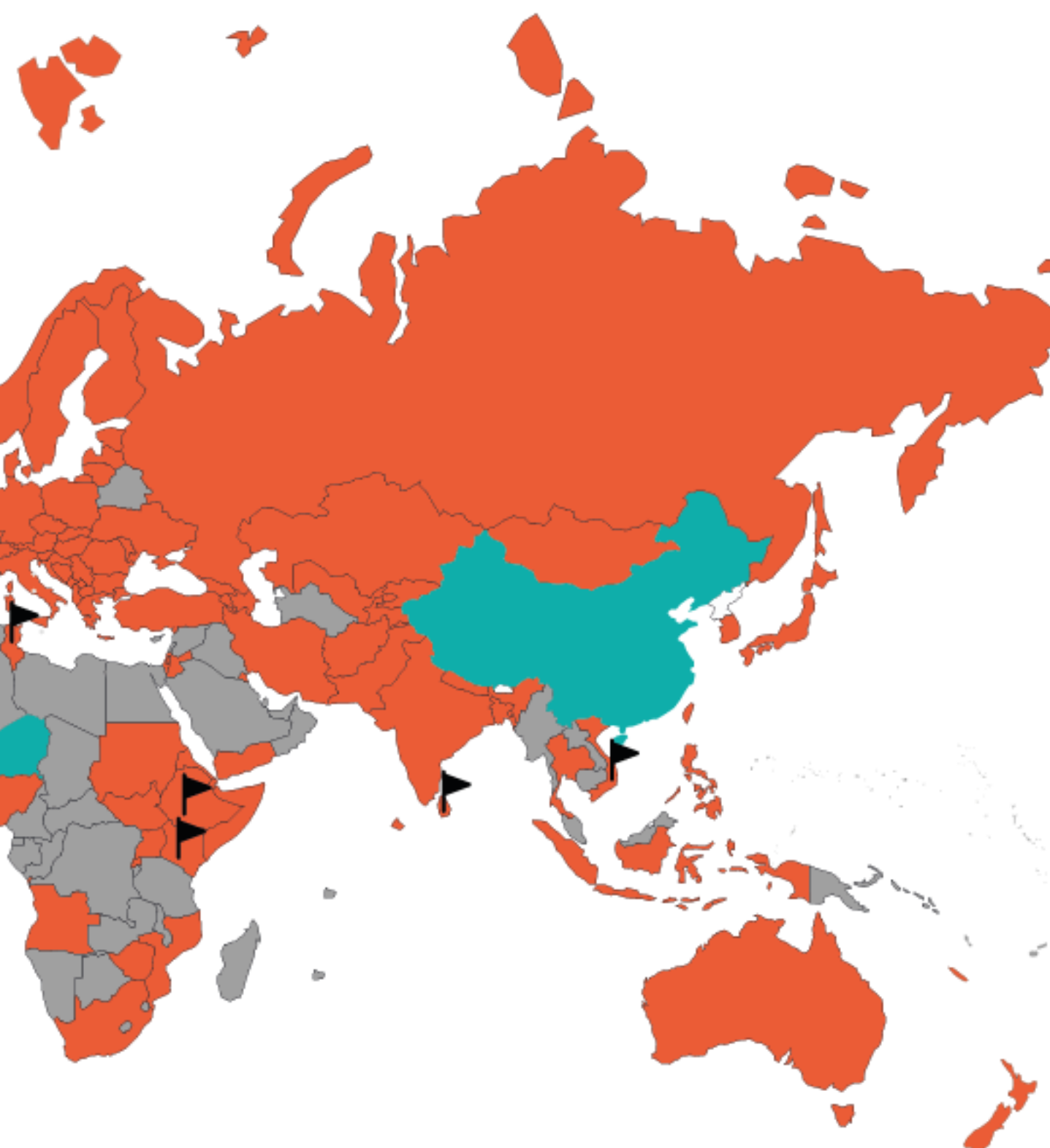
prosecutor's case against the Sao Paulo state for their management of the crisis.

A further study on transparency in water resource management in all 27 Brazilian states looked at the type of information readily available to the public. After direct engagement from ARTICLE 19 on the findings of the report, eight states managed to improve their water rankings after following ARTICLE 19's advice, and one agreed to work directly with ARTICLE 19 in adopting access to information mechanisms.

This project has not only strengthened ARTICLE 19's positioning as a leader on transparency and water access in Brazil, it has also enabled national CSOs to build better links with academics and influence on water management bodies.

Map of laws on the Right to Information around the world





Laws on the Right to Information around the world

Tunisia

In March 2016, the Tunisian Parliament adopted a progressive RTI law, following successful engagement and advocacy by ARTICLE 19. The law sets out the right to information of every person and establishes an independent Committee on Access to Information, charged with investigating complaints and overseeing implementation of the law.

Since the adoption of the law, Tunisia has been ranked 10th in the world in the Access Info Europe (AIE) and Center for Law and Democracy's (CLD) Global Right to Information Rating, up from 45th place the previous year. This is significant for the region, with only four other countries having adopted RTI laws.

Providing legal analysis and technical assistance, we developed a better understanding of RTI among relevant authorities, and recommendations from ARTICLE 19, particularly relating to RTI exemptions, were taken on board during the drafting and adoption process.

The law is the culmination of three years of work by ARTICLE 19, and presents a model for the region in the strength of its protections and the involvement of civil society in the process. We have since been invited to, and participated in,

a workshop on a similar law by the Moroccan Parliament, expanding our influence in the region.

Kenya

Kenya's new Information Law was brought into force in August 2016, making it the 18th African country to enact an RTI law and placing it in joint 13th place on the AIE and CLD ranking. ARTICLE 19 has been advocating for right to information laws across Africa for many years, and the Kenyan law is the culmination of sustained efforts in the country. Submissions made by ARTICLE 19 at several stages of the drafting process saw our recommendations accepted and the enactment of a law, which we hope will secure the right to information across the country, and form part of wider progress on RTI legislation in Eastern Africa.

The bill positively enshrines a number of progressive freedom of information principles, as it affirms a legally enforceable right for every citizen to access all information held by public entities and private bodies; clear and simple procedures for assessing information; the creation of a comprehensive proactive disclosure regime; and provision for exempt information subject to international standards.

The Right to Information around the World



88%

of the world's population lives in a country with an RTI law or policy



105

countries have adopted RTI laws



40

countries have pending bills or other initiatives



What is the right to information?

The right to information gives every person the right to obtain information, documents, or data from government bodies without having to give reasons



70

countries have joined the Open Government Partnership



countries do not have legislation, but have adopted policies to give people rights to information from the government



countries specifically include the right to information in their constitution

51

countries have joined the Extractive Industries Transparency Initiative



Information accurate as of September 2016

Part of ARTICLE 19's RTI infographics series, produced for Right to Know Day 2016.

Myanmar

As part of our efforts to ensure information laws promote real transparency, ARTICLE 19 has worked to ensure any RTI law adopted in Myanmar as part of reforms is in line with international standards on the right to information. We have mobilised and engaged with a range of CSOs, including the coalition formed to support Myanmar's Extractive Industries Transparency Initiative (EITI) membership, and acted as a channel in bringing their concerns, alongside our own, to the Ministry of Information. Engaging directly with the government in this way, and seeking to develop a level of trust between the government and CSOs working on this issue, enabled us to drive forward the consultations process on the draft Right to Information Bill.

“We accept your recommendations, which are really quite useful. Not only on RTI but also on other areas.”

*Myanmar Ministry of Information
Permanent Secretary*

Mexico

ARTICLE 19 was heavily involved in the drafting and adoption of Mexico's Ley General de Transparencia RTI law, adopted in May 2015. This year (2016), the law was rated number one in the world in the AIE and CLD Global Right to Information Rating.

In May 2016, ARTICLE 19 launched the second edition of its National Index of Information Commissions in Mexico with partner Mexico Infórmante. Examining information commissions based on their transparency and accountability, promotion of the right to information, resolution of disputes, and state legal framework on transparency, the study showed that the commissions generally fail to explore channels to make information available to marginalised groups in the population.

Empowering rural indigenous women through RTI in Mexico

“Information is power for women”
– project participant

ARTICLE 19, in partnership with national organisation Colectivo Feminista la Casa de la Mujer Ixim Antsetic (CAM), has sought to address a gap that exists in the availability of information for marginalised groups, through a project to empower rural and indigenous women to seek and obtain public information to improve their and their communities' lives.

The way access to information in Mexico is structured relies heavily on individuals actively seeking information, as opposed to authorities reaching out to communities. In addition a reliance on the Internet for such requests can exclude some communities.

The 2015 Transparency Law includes provisions on proactive transparency and a duty on authorities to promote RTI among vulnerable communities, however implementation of these aspects of the law has been poor.

The project focused on communities in the northern jungle of Chiapas and the swamps of Tabasco, where a large portion of the population is indigenous, and a third do not speak Spanish (an additional challenge to their ability to access information). Women in these communities face a lack of education and high illiteracy rates, and often exclusion from public life due to traditional approaches to land ownership and decision-making.

Women were therefore the primary target in the project, which involved the delivery of workshops on the right to information and gender equality, identification of “multiplication agents” to deliver RTI training in their own communities, as well as the facilitation of information requests and support for local authorities in providing information.

The project not only had a direct impact on communities' ability to exercise their right to information but also to access other rights and hold authorities accountable (see p59 for case study). It also had a positive effect on attitudes to gender and free expression in communities, where as a direct result of the engagement, women have begun to be included in community assemblies. Community leaders commented after the project that, “it's good for women to participate. They have the right to defend the land and territory in which we live.”

Women involved in the project told us that as a result they felt truly empowered: “We've always been told we don't have a voice, but that's not true. Since we began to seek information, my life has changed, and the lives of the other people in the community as well.” The project also creates long-term impact, by being focused on the priorities of communities themselves, and providing long-term skills for addressing these once the project concludes.



Rob Waddington / Flickr / Creative Commons
Indigenous Women, Chiapas, Mexico 2016

Case study: Lázaro Cárdenas and Nuevo Egipto, Chiapas, Mexico

The communities of Lázaro Cárdenas and Nuevo Egipto had been left without sufficient medical assistance for several years, after the local clinic began employing under-qualified doctors who failed to attend shifts and maintain appropriate medical stocks.

Through ARTICLE 19's RTI project, women from the community submitted an RTI request to local authorities on the doctor's contracted shifts, responsibilities, and salary. After receiving information on what medical care they were expected to provide, all 300 project participants from the communities submitted a petition for a

new doctor committed to delivering full services to be appointed to the health centre. State authorities eventually agreed to the request and a new doctor was assigned, and a monitoring committee was set up by the community to ensure full medical services were provided.

“After this, people began speaking out. Our neighbours have done the same thing.”

Project participant

Using RTI to access other rights

After four years, 2016 saw the culmination of the UK government's Department for International Development (DFID)funded projects on the right to information and its importance as an enabling right for development. Specifically, these were on the right to information and the right to water (Kenya and Brazil); sexual and reproductive rights (Senegal and later Myanmar); and environmental sustainability (Bangladesh). Through these projects we developed the capacity of national and local CSOs, working with poor and vulnerable groups, to use the right to information to address issues affecting their lives and their enjoyment of other rights.

We ensured sustainability beyond our intervention was established through the broad number and range of CSOs and community groups that have now gained the skills to use the right to information to seek information on issues that affect their daily lives.

Using access to information to protect women's health in Senegal

Sinthiou Sow has been one of ARTICLE 19 community focal points in its right to information project on maternal health, specifically in the region of Tambacounda, Senegal. She used to perform traditional home births, however Sow says that now that she better understands the consequences of female genital mutilation (FGM) and the links with obstetric fistula, she has decided to reject such practices. She has stopped providing home care and referred women to the maternal health centre in her area where she has now been trained by the health centre to assist them to encourage other women from rural areas to visit the health centre. Sow expressed her pride in being our voice in her community and says she will ensure that other women and her community are sensitised about the harm such practices as FGM can cause to women. She has been a good partner to ARTICLE 19 and her actions enabled us to get more women to come out and speak about their case and be referred. During the last trip, her team managed to get more than a dozen women referred to the health centre for treatment.

Civic Engagement for Open Contracting

ARTICLE 19 continues to lead the way in illustrating the role of the right to information in greater civic engagement. One of the new fields to emerge in recent years has been Open Contracting, which requires governments to publish open data on their public procurement processes.

Open Contracting facilitates both increased responsiveness and good governance, and enhances anti-corruption efforts. In partnership with HIVOS, in 2016 we began a five-year project to improve the capacity of civil society and “infomediaries” to advocate for, and use, open contracting data. By combining international advocacy at bodies like the UN Convention Against Corruption and the Open Government Partnership (OGP) with efforts to build the capacity of CSOs at the national level in Kenya, Tanzania, Malawi, the Philippines, Indonesia, and Guatemala, our partnership will increase the demand side for greater government transparency and accountability.

Landmark ECtHR case recognises right of access to information

After a successful third party intervention by ARTICLE 19 and others, in November 2016 the Grand Chamber of the European Court of Human Rights officially recognised, for the first time, that there is a right to access information inherent in the right to “receive and impart information” under Article 10 of the European Convention on Human Rights (ECHR). The case, *Magyar Helsinki Bizottság v Hungary*, concerned the denial of an information request from a Hungarian NGO seeking information on public defenders as part of a study on the public defenders’ system in the country.

ARTICLE 19, together with the Media Legal Defence Initiative, the Campaign for Freedom of Information, the Access to Information Programme, and the Hungarian Civil Liberties Union submitted a third party intervention to the case, arguing that the court should interpret Article 10 to include the right to information, and that in striking a balance where an information request includes personal data, it should consider the public interest in the information being made available.

The submission was heavily cited in the court’s judgement, which found that “there has been a perceptible evolution in favour of the recognition, under certain conditions, of a right to information as an inherent element of the freedom to receive and impart information enshrined in Article 10 of the Convention,” and that the restriction was disproportionate to the legitimate aim pursued by the government. The case has significant

implications for the right to information across Europe, by setting an important legal precedent that will have a positive impact on RTI legislation and case law. ARTICLE 19 is also currently intervening in three additional cases at the ECtHR relating to access to information.

Memoria y Verdad: truth and justice for past human rights violations in Mexico

The right to truth is a key element in achieving justice in contexts where impunity for human rights violations prevail, as in Mexico. Information on past human rights violations is also important for providing relief to victims and society more broadly. ARTICLE 19 has promoted this agenda in Mexico since 2015, and successfully brought together a variety of actors working on human rights violations and the right to information.

The culmination of this work is the online “Memoria y Verdad” platform, launched by ARTICLE 19 in 2016 in collaboration with national CSOs Fundar and Centro de Derechos Humanos Miguel Agustín Pro Juárez, as well as the Universidad Iberoamericana and the state Instituto Nacional de Transparencia (INAI).

The online platform brings together public information on 14 cases of grave human rights violations between the 1980s “Dirty War” and now. We worked with the INAI to bring together

all the information it held on the cases and make it accessible to the public.

The project is complementary to efforts to activate a transitional justice agenda in the country. It sets the ground for this long-term goal through more immediate action to guarantee the right to information, through the availability and flow of information relating to past violations.

Guaranteeing freedom of expression and information for persons with disabilities

It is recognised that freedom of expression and information is central to the successful implementation of states' obligations to protect and promote the rights of persons with disabilities (PwD). Despite this recognition, there has not yet been any comprehensive elaboration of what specific measures and steps must be taken by states and other duty bearers to ensure that PwD can fully realise their right to freedom of expression and information. As part of our standard-setting work, we developed a background paper and first draft of the principles on Freedom of Expression and Information and Persons with Disabilities, with the online consultative version in accessible formats. These Principles are part of ARTICLE 19's International Standards Series, an ongoing effort to elaborate in greater detail the implications of freedom of expression in different thematic areas.

Our consultation with experts in the field of disability rights as well as our country work with disabled persons organisations (DPOs) in Lebanon and Kenya was important to inform our standard-setting work.

In Kenya, this year we sought to bring relevant actors to discuss PwD and the media, to analyse steps the media has taken to ensure the realisation of freedom of expression and information rights for PwD, and to identify initiatives that can be undertaken jointly by CSOs

and the media to enhance those rights for PwD.

In Lebanon, our activities, in collaboration with the Lebanese Physically Handicapped Union (LPHU), centred on our work in building the capacity, through training and mentoring on campaigning and advocacy, among local DPOs and disability activists in four regions with the goal of effectively campaigning for access to information on issues relevant to PwD.

We were encouraged to see how our partner and other DPOs used knowledge gained through our interaction to monitor the May 2016 municipal elections for accessibility. Disability rights activists from around the country, including those who participated in the nine-month long mentoring programme as part of our joint project, attended voting booths and checked to see how disabled voters were able to vote, including by documenting their findings with photographs and sharing them through social media.

About ARTICLE 19

What we do

Established in 1987, ARTICLE 19's vision is a world in which all people can freely express themselves and actively engage in public life without fear or discrimination. As such, ARTICLE 19's mission is to promote and defend freedom of expression and information globally.

"Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive, and impart information and ideas through any media and regardless of frontiers." We take our name from Article 19 of the Universal Declaration of Human Rights and champion freedom of expression, which includes freedom of information, as a fundamental human right, central to the protection of other rights.

Freedom of expression allows people to demand the right to health, to a clean environment, to memory, and to justice. It makes electoral democracy meaningful and builds public trust in administration. It strengthens mechanisms to hold governments accountable for their promises, obligations, and actions. It provides external checks on state accountability, preventing corruption, which thrives on secrecy and closed environments.

We provide expertise on international human rights standards and legislation that protect the right to speak and the right to know in countries around the world and also in international bodies. We campaign to safeguard media pluralism, independence and diversity of opinion.

Trustees

We are governed by an International Board of Trustees ('Directors' under company law). The International Board of Trustees meets twice a year to provide strategic direction for the organisation, and to monitor the work of the Executive Director. Our Finance and General Purpose Committee, which looks at financial and operational matters, meets bi-monthly. Our Trustees provide the organisation with ongoing advice on their areas of expertise, which cover finance, policy, charities, and human resources.

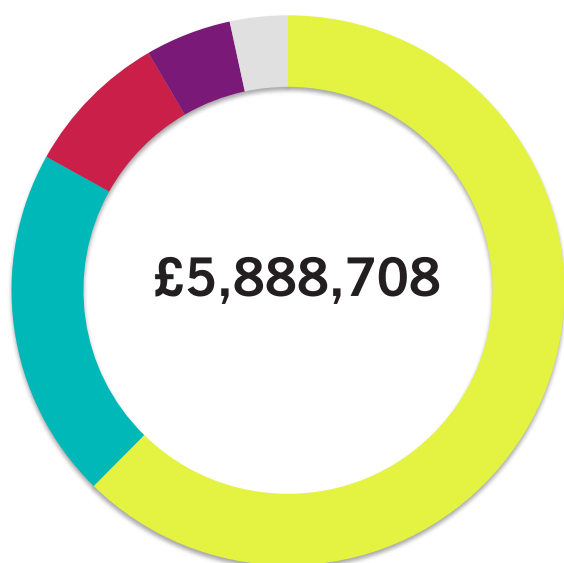
During 2016 the Board formally appointed a new sub-committee for governance. The Governance Sub-Committee (GSC) is chaired by trustee Galina Arapova, and is charged with overseeing and measuring the overall effectiveness of the governance mechanisms of the organisation, and recommending new Trustees for appointment to fill vacancies.

In 2016, two Trustees retired from the Board and five additional members joined adding much needed skill sets:

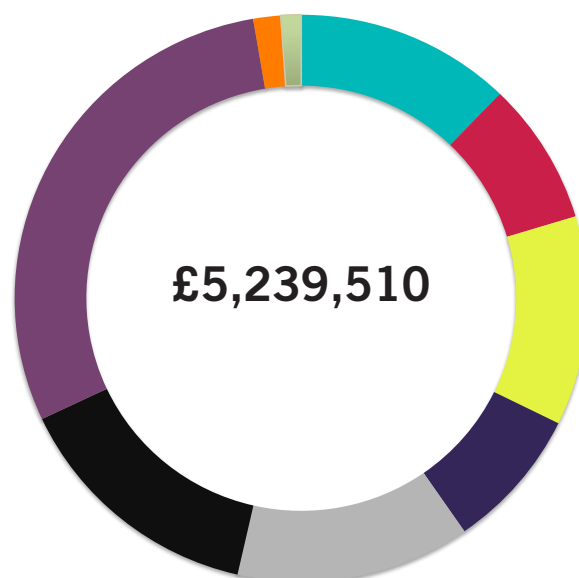
- Paddy Coulter (Chair), Director, Oxford Global Media, UK
- Galina Arapova (Vice Chair), Director, Mass Media Defence Centre, Russia
- Nigel Saxby-Soffe (Treasurer), UK
- Malak Poppovic, Senior Advisor, Conectas Direitos Humanos, Brazil
- Evan Harris, Free speech campaigner, UK
- Arturo Franco, Economist, UK
- Jennifer Robinson, Director of Legal Advocacy, Bertha Foundation, UK
- Kamel Labidi, Journalist, Tunisia
- Tamar Ghosh, CEO, Royal Society of Tropical Medicine and Hygiene, UK
- Peter Greste, Journalist, Australia
- Jacob Jiel Akol, Journalist, UK
- Frank Ledwidge, Lecturer, Barrister and former military intelligence officer, UK
- Gayathri Venkiteswaran, Executive Director, Southeast Asian Press Alliance, Thailand

Financial information

IN YEAR INCOME



ACTIVITY



Resources

● Governments	3,674,862
● Trusts & Foundations	1,217,043
● NGOs	501,264
● Regional and Multilaterals	296,170
● Others	199,369
Total	5,888,708
Total brought forward 2015	1,125,770
Total resources	7,014,478

Disclaimer: 2016 figures are provisional and subject to change following our organisation audit

● Africa	638,655
● Asia	426,724
● Latin America	625,606
● Law and Policy	423,603
● Europe and Central Asia	692,461
● Middle East and North Africa	755,487
● Global	1,535,977
● Costs of Generating Voluntary Income	80,945
● Governance	60,053
Total funding expended	5,239,510
Total funds carried forward 2017	1,774,968

Our Donors

ARTICLE 19 wishes to thank our funders for the vital support they provide:

- Angelica Foundation
- Embassy of Canada in Senegal
- Danish International Development Agency (Danida)
- DW Akademie
- European Commission
- Ford Foundation
- Freedom House
- Fritt Ord
- Embassy of Germany in Bangladesh
- Guardian Foundation
- Hivos
- Embassy of Ireland in Mexico
- John D. and Catherine T. MacArthur Foundation
- National Endowment for Democracy
- Natural Resources Governance Institute
- Netherlands Ministry of Foreign Affairs
- Norwegian Ministry of Foreign Affairs
- Norwegian Press Association
- Open Society Foundations
- Swedish International Development and Cooperation Agency (SIDA)
- UK Department for International Development (DFID)
- UK Foreign and Commonwealth Office (FCO)
- United States Agency for International Development (USAID)
- United States Department of State (USDoS)
- William and Flora Hewlett Foundation

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