



1 October 2009

STATEMENT

**UN Human Rights Council: Latest Version of Draft Resolution
Still Compromises Freedom of Expression**

ARTICLE 19 is concerned about the latest version of the Draft Resolution on Freedom of Opinion and Expression which is being discussed at the twelfth session of the UN Human Rights Council, upon the proposal of Egypt and the United States of America.

The latest version of the draft resolution fails to address *any* of the negative features of the earlier resolution by adopting the amendments ARTICLE 19 proposed to that draft in its Comment which was released last week. Instead, this version of the draft resolution remains as flawed as the earlier draft resolution, if not more so.

ARTICLE 19 is particularly concerned about the reference in paragraph 4 of the latest version of the draft resolution which states that the Human Rights Council “*expresses its concern that ... negative racial and religious stereotyping continue[s] to rise around the world*”. The earlier resolution referred to “*negative stereotyping of religions and racial groups around the world*”. While the word “religions” is omitted from paragraph 4 of the latest draft, the language of “negative racial and religious stereotyping” does not resolve the problems inherent in the earlier draft resolution: it is ambiguous as to what “stereotyping” refers to and it may be easily interpreted to encompass religions, religious ideas and religious symbols, none of which are not protected by international law. We recommend that the words “negative racial and religious stereotyping” should be replaced with “negative stereotyping of individuals and groups on the basis of their religion or race”, language which is conformity with international human rights law.

ARTICLE 19 also notes that the latest version of the draft resolution also entirely deletes paragraph 9 which stated that the Human Rights Council “*Encourages consultations among media professionals ... with the assistance of the Office of the United Nations High Commissioner for Human Rights, with a view to exchanging views on this subject and sharing best practices, taking into account the independence of the media and international human rights law*”. In ARTICLE 19’s view, this provision was positive and should be included in the final draft before the adoption of the resolution.

We strongly urge the Human Rights Council to amend the latest version of the draft resolution according to these recommendations and those which are set out at the end of our Comment.

FURTHER INFORMATION:

- For the draft resolution on Freedom of Opinion and Expression as proposed by Egypt and the United States of America on 30 September 2009 A/HRC/12/L.14/Rev.1 see: <http://www.article19.org/pdfs/laws/resolution-on-the-promotion-and-protection-of-all-human-rights-civil-politic.pdf>
- For ARTICLE 19's Comment on the earlier version of the draft resolution on Freedom of Opinion and Expression as proposed by Egypt and the United States of America see <http://www.article19.org/pdfs/analysis/comment-on-the-draft-text-of-the-resolution-on-freedom-of-expression-propose.pdf>
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- ARTICLE 19 is an independent human rights organisation that works around the world to protect and promote the right to freedom of expression. It takes its name from Article 19 of the Universal Declaration of Human Rights, which guarantees free speech.