



‘The survival right’: freedom of expression in armed conflicts

ARTICLE 19 welcomes the [report](#) of the UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Irene Khan, on disinformation and freedom of opinion and expression during armed conflicts (the Report).

The Special Rapporteur [presented the Report](#) at the 77th Session of the UN General Assembly (Third Committee) on 17 October 2022.

During armed conflict, the right to freedom of expression and access to information becomes more important than ever. Yet, parties to an armed conflict typically try to control the flow of information at the expense of the right to freedom of expression and other related human rights. While disinformation and State propaganda activities during conflicts can have many harmful consequences for those most affected by the hostilities, the legal framework applicable to such forms of information manipulation and the question of what responses can counter disinformation in an appropriate and effective manner is not always clear. The illegal Russian invasion of Ukraine has added renewed urgency to finding responses to these issues that have affected ongoing conflicts in many parts of the world.

ARTICLE 19, therefore, welcomes the decision of the Special Rapporteur to examine these questions and to offer recommendations to States and social media companies on how to address challenges and threats stemming from information manipulation during armed conflicts in a way that complies with international standards on freedom of expression and information.

ARTICLE 19’s submission

ARTICLE 19 took part in the consultation organised by the Special Rapporteur during the preparation of the Report. In our [response](#), we stress that international human rights law, including freedom of expression and information, continues to apply during armed conflict. Any responses to the outbreak of conflict, and in particular to disinformation and State propaganda during armed conflicts, need to be grounded in international human rights law and uphold free expression.

We further explain that while sound public interest reporting is one of the key tools to counter the spread of disinformation in armed conflicts, some legacy media outlets can also be a vehicle of propaganda and incitement to violence. Social media platforms, for their part, have also increasingly become a driver of conflict. This is not least due to their problematic business model, which is often based on the vast collection of personal data and selling access to users’ attention through targeted advertising which is routinely coupled with flawed content moderation processes. Both States and non-State actors have instrumentalised social media to crush dissent, recruit members to join armed groups or incite international crimes.

The Special Rapporteur’s report

In her report, the Special Rapporteur approaches the complex issue of information manipulation during armed conflicts by examining different factors, such as the protection of

journalists, internet shutdowns or social media regulation – issues which impact the spread of disinformation, propaganda and ‘hate speech’ during armed conflicts. It further examines the applicable legal framework and makes recommendations to States and social media companies.

ARTICLE 19 shares the conclusion of the Special Rapporteur that the effective protection of the right to freedom of opinion and expression remains vital during armed conflicts and that censorship of critical voices, attacks on independent media and internet disruptions are ineffective responses to disinformation that harm free expression. We agree that positive measures promoting media and digital literacy are generally more effective in countering propaganda and disinformation – both in times of peace and in times of armed conflicts.

We also welcome the important recommendation that social media companies must do much more to ensure that their policies and operational practices are applied consistently in situations of armed conflicts across the world and that enhanced human rights due diligence and impact assessments need to be attuned to local contexts.

Following the presentation of the Report at the Third Committee, we call on States and social media companies to implement its recommendations and to do their utmost to ensure respect for the right to freedom of expression and access to information during armed conflicts.

ARTICLE 19 will continue to promote respect for freedom of expression and the free flow of information during armed conflict and looks forward to continuing our engagement with the Special Rapporteur in the follow-up to the Report.