



## Committee Guide: **HRC**



Forum: Human Rights Council (HRC)

Issue: *Preserving the freedom of expression and human rights on social media*

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Honorable Delegates and most esteemed administrative Staff at MUNESRM 2021,

We are more than delighted to welcome you to the Human Rights Council – HRC at MUNESRM 2021.

This Committee Guide should inform you and prepare you for the topics that will be debated at our upcoming conference. We feel it is of the highest importance for delegates and chairs to be prepared to have a fruitful debate. In addition to reading this committee guide thoroughly and attentively, we recommend detailed research on your assigned country and information regarding the topic of discussion. To effectively debate, it is also essential to familiarize yourself with the Rules of Procedure. As this is only a short and brief Committee Guide, due to the current circumstances, we recommend you to check out the sources we attached for you in this Committee Guide.

## **I. Key Terms**

### Human Rights

Universal inherited rights given to (theoretically) every human being by simply existing, whilst promoting personal liberty, equality and access to vital resources, defined and protected by international law.

### United Nations Human Rights Council

An intergovernmental body of the United Nations who promotes and protects the fulfillment of transposing human rights on a universal foundation.

### Freedom of Expression

The liberty to publicly voice one's personal opinion, beliefs and values without interference.

### Hate Speech

Verbal or written attacks on individuals or targeted groups that discriminate the person's political, socio-cultural or economic identity. It is characterized as violent, hostile incitement, whilst endangering the targeted.

### Social Media

The universal, interconnected interaction in which online communities publicly share personal ideas, creations, information and personal messages.

## Censorship

The suppression or withholding of information or communication whilst limiting society's expression, and commonly restricting the media.

## **II. General Overview**

### *A. Media Censorship and Freedom of Speech*

A large majority of people on earth have access to the internet and therefore media more specifically, platforms such as Instagram, Twitter or Facebook.

All those who have access to these platforms are able to share pictures, videos and texts. These can also convey personal opinions. Freedom of Speech is listed as Article 19 in the Universal Declaration of Human Rights as the "Freedom to Expression". It is recognized under international law and allows everyone to express their religious, political, economic etc. beliefs without having to fear persecution. This logic can be adapted to expressing one's thoughts on social media as well. But an issue arises. How far should this freedom go? Is an individual allowed to make anti semitic remarks without having to fear consequences all under the umbrella of "Freedom of Speech"? The Universal Declaration of Human Rights also outlines the "Freedom from Discrimination". No person should be discriminated against based on their characteristics, such as race, religion or gender. But taking the idea of free speech, everyone should be allowed to say whatever they wish, even if it is discriminating or hateful against others. An issue that arises here: how far governments or companies should restrict freedom of speech in the media, and more specifically, social media, so that it does not get abused and turn into hate speech?

Regulations have been outlined by companies such as Facebook or Twitter, who have strategically gone against the spread of fake news and block content which goes against their community guidelines. The famous platform TikTok states in their community guidelines that they consider hate speech to be classified as discrimination based on their characteristics, such as gender, sexual orientation or race or inciting violence against certain groups. They will block any content which violates these guidelines. The moral discussion here is significant due to the varying interpretations of both rights. How far should governments interfere to reduce hate speech or bullying? Regulating free speech is a slippery slope and often falls into the category of censorship quite easily. Another issue which arises is the fact that social media platforms are owned by private companies. In liberal states such as the US, private firms enjoy almost no interference from the government and are free to create their own regulations. This makes it especially difficult for countries to control the things being spread on social media. In the 2016 US Election, it is speculated that russian hackers

interfered in the democratic election process by influencing voters to give their voice to Donald Trump. Fake news and facts were spread to support the agenda of Russia, as well as Trump himself. These forms of interference with our free democracy in the western world are a threat to freedom. But how far should governments go to interfere? Social media allows news to travel faster than ever and regulating what is being said is considered one of the main challenges of our digital age.

Many governments choose to censor internet platforms, to protect their citizens, but also spread their political agenda. Media Censorship is most prevalent in authoritarian regimes, such as the People's Republic of China, the DPRK and Iran. All these governments heavily censor the internet their citizens have access to. China created its own replacement to the common social media platforms used, which they could control. The DPRK banned the usage of the internet altogether without a special permit. And Iran heavily persecutes any media which blasphemies Islam. Censorship is a common tool used by many states, but the question posed here is how far it should go. Cultural, social, economic and political censorship is recognized as a violation of fundamental human rights - as information, data and communication are selectively withheld from the public. How far should states be allowed to reduce the freedom of their citizens for their own good and for “the good” of the state. This is the issue the delegates will be discussing in these issues. It is a difficult task to understand where one needs to draw the line between these overlapping rights, but it is a necessary topic in our digitalising world today.

### **III. Major Parties involved**

#### **A. European Union/Western Countries**

The European Union, as well as other western countries, have become increasingly more concerned with hate speech and protecting individual rights on social media and in the media in general. European courts have decided on regulations which force companies who wish to keep their european consumers to follow them. These include privacy rules and restrictions on hate speech.

#### **B. United States**

The United States, as a liberal nation, have left the regulations of hate speech and discrimination mainly to the private companies. The first amendment of the constitution protects the freedom of speech of the individual. Hate speech is not illegal in the United States.

### C. United Nations

The United Nations has a clear stance against discrimination and hate speech, but also outlines the freedom of expression without persecution. The line between these is a common place for discussion.

### D. Islamic States

In countries such as Iran, blasphemy against Islam is illegal and prosecuted. This is also applied to the media and social media. Iran ranks as one of the lowest three on the list of freedom of speech by countries. Other Islamic countries, such as Pakistan are not as strict, but still base their laws on Islamic religion.

### E. Totalitarian Regimes

Nations such as China, have been open about censoring media platforms for their citizens. The Chinese government has created alternatives to platforms created by the US or other Western countries and prohibits their citizens from using banned sites. The DPRK ranks the lowest on the list of freedom of speech by country. The dictatorship prohibits all regime-hostile information on the media. All news sources are state-regulated and the internet is banned for the general public.

### F. Post Colonized Countries

Countries such as South Africa, with the history of apartheid and colonialism, protect the freedom of speech of the individual, but restrict it in areas where the opinion shared might incite violence or is discriminatory against people based on their characteristics, such as gender, sexual orientation or race.

### G. African Countries

The majority of African constitutions provide legal protection for freedom of speech, with the extent and enforcement varying from country to country. For these countries it is better to research the individual country and see to what extent the views align with the other bloc countries.

### H. Latin America

There has been a history of Latin American governments censoring social media. Currently in Latin America, it seems as though there is not a clear framework for sanctioning private enterprises and intermediaries when they act, either by themselves or through governmental requests, to foster online censorship. The UN Guiding Framework and Principles to Protect,

Respect and Remedy are an important starting point, but these have been criticised for providing corporations with the responsibility to respect human rights, but not a true obligation to do so. Indeed, it can be difficult to offer effective sanctions, particularly in weaker countries of Latin America where multinationals can hold more real power than governments.

## IV. Helpful Links and UN Documents

[https://www.ohchr.org/EN/UDHR/Documents/UDHR\\_Translations/eng.pdf](https://www.ohchr.org/EN/UDHR/Documents/UDHR_Translations/eng.pdf)

Universal Declaration of Human Rights

(Specific consideration of Article 3, 12, 18 and 19)

<https://www.un.org/en/genocideprevention/documents/UN%20Strategy%20and%20Plan%20of%20Action%20on%20Hate%20Speech%2018%20June%20SYNOPSIS.pdf>

UN strategy and plan of action on hate speech.

<https://www.ohchr.org/en/hrbodies/hrc/pages/home.aspx>

Home page of the UN Human Rights Council

[Regulating Freedom of Speech on Social Media: Comparing the EU and the U.S. Approach - Stanford Law School](#)

This abstract of a research paper outlines the difficult discussion surrounding social media laws in the US and EU. It also outlines some steps taken by the EU to secure data privacy and reduction of hate speech on media platforms.

[Freedom of expression and information | European Commission \(europa.eu\)](#)

Information on the freedom of expression in the European Union

[Freedom of speech by country - Wikipedia](#)

List of countries and information on their freedom of speech.

[U.N. Human Rights Council: First Resolution on Internet Free Speech | Global Legal Monitor \(loc.gov\)](#)

UN Resolution on internet free speech.

[UN Human Rights Council resolution on protection of human rights on the Internet a milestone for free speech, says OSCE Representative | OSCE](#)

<https://www.civicus.org/documents/reports-and-publications/SOCS/2017/essays/freedom-of-expression-in-latin-america-the-struggle-continues-in-the-digital-environment.pdf>

## **V. Sources**

[TikTok Overhauls Community Guidelines to Ban 'Underage Delinquent Behavior' | WIRED](#)

[Universal Declaration of Human Rights | United Nations](#)

[European Union to Social Media: Regulate or Be Regulated | Center for Strategic and International Studies \(csis.org\)](#)