



ARTICLE 19

Protecting civic space

Annual Report 2014

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Acronyms

ACHPR	African Commission on Human and People's Rights
ATI	access to information
BBC	British Broadcasting Corporation
CSO	civil society organisation
DGRPA	General Directorate for Administrative Reform
ECLAC	Economic Commission for Latin America and the Caribbean
EU	European Union
HAICA	Independent High Authority for Audio-visual Communication
HRC	Human Rights Council
ICANN	Internet Corporation for Assigned Names and Numbers
ICTs	information and communication technologies
IDAHOT	International Day against Homophobia and Transphobia
IETF	Internet Engineering Task Force
IFEX	International Freedom of Expression Exchange
INGO	international non-governmental organisation
ISMA	Malaysian Muslim Solidarity
ITU	International Telecommunication Union
LGBTI	Lesbian, gay, bisexual, transgender and intersex
MDG	Millennium Development Goals
MoU	memorandum of understanding
NGO	non-governmental organisation
OAS	Organisation of American States
OHCHR	Office of the High Commissioner for Human Rights
OSCE	Organisation for Security and Cooperation in Europe
NPP	Necessary and Proportionate Principles
RTI	right to information
RTS	Radiodiffusion Télévision Sénégalaise
RUSI	Royal United Service Institute
SDG	Sustainable Development Goals
Sida	Swedish International Development and Co-operation Agency
TFM	Television Future Media
UMNO	United Malay National Organisation
UN	United Nations
UNEP	United Nations Environment Programme
UPR	Universal Periodic Review
US	United States
WPFDD	World Press Freedom Day

Message from the Chair

2014 was a year of growth for us: growth in the threats to information and media freedoms around the world but also in our capacity to respond. New funding partnerships also brought growth in our financial resources.

Taking over the chairing of the International Board from Catherine Smadja at the end of 2014, I find us entering a new phase of our 28-year history, embarking on a new, genuinely global six-year strategy. I would like to pay tribute to Catherine for her role in shaping the dynamic organisation which we have become. By the middle of 2015 our organisational strategy should be fully informed by our work on the ground, acting as an umbrella for our thematic and regional strategies.

Our strategy rests on the strengths of our regional affiliates and offices. The International Board was reminded of this at our December meeting in Mexico City. It was a fitting setting, highlighting some of the toughest contemporary human rights challenges along with the determination and creativity which our hosts, ARTICLE 19 Mexico, bring to their work.

The December Board also confirmed Galina Arapova, from the Mass Media Defence Centre, Russia, as Vice Chair, and approved mechanisms to further strengthen our international governance and financial management. I was delighted to learn that Frank La Rue, until recently the UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, will be joining the International Board in 2015.

This report bears witness to the commitment and courage of those taking action on the ground to defend freedom of expression and information.



Paddy Coulter, Chairman

Message from the Executive Director

In 2014, ARTICLE 19 responded to numerous challenges and opportunities involving freedom of expression and information. These spanned the year, starting optimistically with the NETmundial conference in Brazil on the future of internet governance, and ending less positively with Kenya's new national security law restricting civic space and free expression.

Despite negative trends such as mass surveillance and the shrinking of civic space, we continued to press for strong freedom of expression standards to be upheld worldwide. This was supported by our increased global reach via our nine regional offices, and by our unique approach to bringing about change. Driven by our legal, campaign, communication and programme activities, we use local knowledge to inform international standards, national laws and policies.

At international level, our work focused on strengthening protection for journalists, bloggers, social communicators and human rights defenders and highlighting the relevance of human rights to technology. We also advocated successfully for the inclusion of the right to information and freedom of expression within the new Sustainable Development Goals due to be enacted this year, and promoted the importance of human rights within protests.

At national level, we supported the democratic transitions in Tunisia and Myanmar. We also used freedom of expression and information to

support grassroots communities and vulnerable groups worldwide by holding governments and companies to account on issues including the environment, water, health, disability and the right to truth.

Unfortunately, 2014 was marked by a deteriorating security environment for us and our partners. Threats against staff increased, mirroring the global trend of greater suppression and restriction of individuals and institutions defending human rights.

Within our organisation we prepared for a number of internal changes. These included the development of our new multi-year strategy and the strengthening of our monitoring, finances, institutional learning and human resources. We built relationships with new partners to extend our reach in areas such as technology, civic space and transparency and with new donors to increase our budget.

With our new strategy due to be rolled out by mid-2015, the coming year promises to be one of continued transformation and growth.

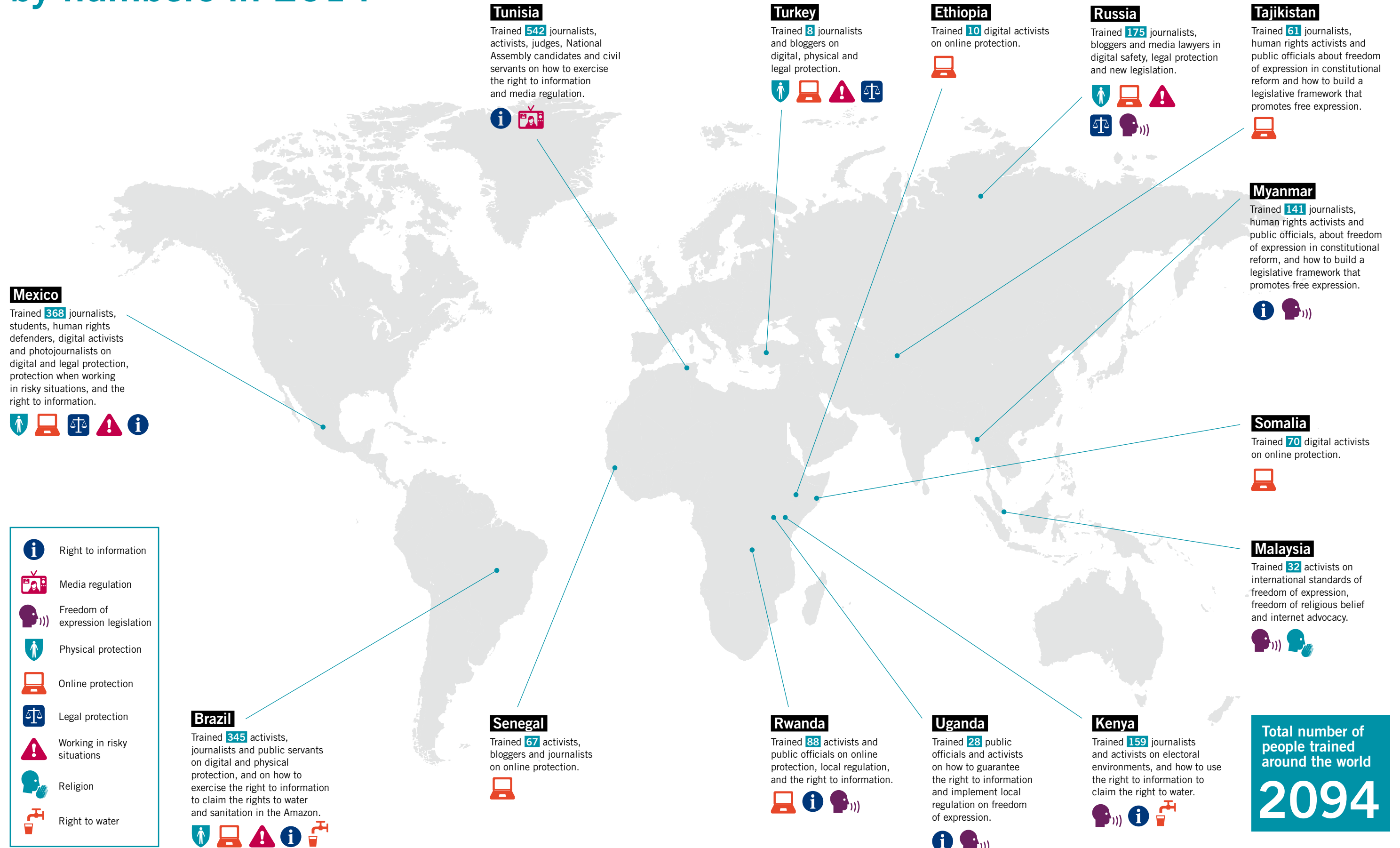


Thomas Hughes, Executive Director



Demotix 2012. Gaza, Palestinian Territory

ARTICLE 19 trainings by numbers in 2014



Civic space in 2014

Around the world, we are increasingly seeing a pushback against the democratic advances of the last century. Nowhere is this seen more clearly than in the battle to restrict civic space. Civic space is the place, both physical and legal, where people achieve their rights. It is the freedom to speak and to access the means to do so, to access information, participate in public decision-making, to organise, associate and assemble. A robust and protected civic space forms the cornerstone of accountable, responsive democratic governance and stable societies.

The restrictions to an open and inclusive civic space stretch from new laws that limit the ability of civil society to act and speak out against injustice to violent attacks against people exercising their rights to peaceful assembly. These attacks are happening not just in authoritarian regimes, but also in democratic States.

We chose the theme of ‘Protecting civic space’ because the defence of freedom of expression and access to information is essentially the defence of civic space. We work on international standards and policies to advance progressive interpretations of human rights laws that allow people to gather, speak, and seek information. We work to apply these international principles in regional and national policies and laws, and to implement projects on the ground that work to defend directly people’s ability to achieve their rights to freedom of expression and information.

Civic space according to one of our partners, the International Center for Not-for-Profit Law

The legal environment for civil society – which we call ‘civic space’ – continues to be highly contested. In the past two years alone, more than 50 laws have been proposed or enacted across the world restricting civic space. The range of legal barriers is diverse, including constraints on:

- forming civil society organisations
- the ability of those organisations to access resources
- the ability of individuals and groups to gather peacefully in public spaces
- the ability of individuals and groups to speak out on issues of public concern, whether online or offline.

While certainly not new, this trend of ‘regulatory backlash’ seems to be gathering momentum. At the same time, however, the response to the backlash is growing more robust at every level.

At the United Nations (UN), we have seen greater attention to civic space. Examples of this are the UN Human Rights Council resolution on civil society space adopted in September 2014 ([A/HRC/27/31](#)); high-level discussions on how civic space should be included in the post-2015 development goals; and [thematic reports](#) from the UN Special Rapporteur on the rights to freedom of peaceful assembly and association.

We have also seen a growing range of multilateral initiatives that recognise the importance of civic space: the Community of Democracies’ Working Group on Enabling and Protecting Civil Society; the Lifeline Embattled Civil Society Organisations Assistance Fund; the Open Government Partnership; and the Extractive Industries Transparency Initiative, which in January 2015 adopted a new [Civil Society Protocol](#) that applies to all of the 48 countries implementing it.

Programmes like the Civic Space Initiative, a bilateral programme supported by the Swedish development agency Sida, aim to support a multi-dimensional response. And the [Presidential Memorandum](#) issued by United States (US) President Obama on 23 September 2014 aims to deepen US government efforts to collaborate with and strengthen civil society.

We continue to be inspired by the efforts of those who have successfully defended and expanded civic space through legal reform in their own countries. For example, in July 2014, Brazil adopted a law on voluntary partnerships between Civil Society Organisations (CSOs) and government; and despite the many ongoing challenges in Myanmar, a more enabling law on freedom of association was also enacted there. In the current global environment, such successes shine all the more brightly.

Protecting people on the frontline

1



“Activists, journalists and protesters are on the frontline when it comes to defending civic space, especially during protests. Their work is now more valuable than ever: when protests erupted in Mexico, Ukraine, Brazil, Hong Kong and the United States of America (USA), they provided information that the traditional media did not. Our work is to make theirs safer, online and offline.”
ARTICLE 19’s Global Protection Officer*

Globally, the safety of those on the frontline of civic space is under increased threat. In the past decade, new threats have emerged against freedom of expression, amongst them organised crime, business interests and religious fundamentalism. A sharp rise in citizen journalism, blogging and information activism has also placed more individuals and groups at risk than ever before.

1.1 Russian Federation: Protecting journalists in the most dangerous environments

The Russian Federation is an increasingly hostile environment for journalists. Over 300 journalists have been killed there over the past 20 years and, more recently, a raft of laws has been introduced restricting freedom of expression. Media organisations are under extreme pressure to self-censor, threatened with violence and punitive legal action.

To overcome these challenges and increase journalists’ safety, we launched the Protecting Journalists in the Most Dangerous Environments project. We realised that it was essential to

engage at every level of society: with individuals, legal professionals, human rights defenders, the government, and international bodies.

The project included a range of advocacy and awareness-raising activities carried out by our national partners. Journalists and bloggers in four Russian regions were trained in safety, legal issues and ethics, and 30 media lawyers were given training on defending journalists in the face of the punitive legal actions used to enforce censorship. Several participants have already been able to apply the training in their working lives. Our emergency fund also provided legal and personal support to seven journalists. Three of their cases resulted in the establishment of legal precedents that will enable future threats to be dealt with more effectively, a very positive legacy for the project.

As a further support to journalists, we set up a ‘legal hotline’ with in-country partners which proved popular: between January and March 2014, it received over 1000 enquiries.

At the international level, we lobbied the **UN** and Council of Europe and put pressure on Russian representatives there to deal with cases of violence against the press.

*Name concealed for security purposes



Akhmednabi Akhmednabiyev.
Pen International, 2013

Seeking justice for Dagestani journalist Akhmednabi Akhmednabiyev

Impunity is one of the greatest threats to journalists and human rights defenders globally: if perpetrators of crimes against human rights defenders are not brought to justice, this encourages more violence against them and has a potentially chilling effect on freedom of expression, and a restrictive impact on civic space.

The case of Akhmednabi Akhmednabiyev, a Dagestani journalist who was shot dead outside his home in 2013, demonstrates the urgent need to tackle impunity. Just six months before his murder, Akhmednabiyev had been the victim of an assassination attempt which the local authorities had not thoroughly investigated, classifying it as ‘property damage’. This lack of appropriate response led directly to his assassination.

Even after Akhmednabiyev’s death, the police were slow to act and the investigation into his death was closed in July 2014 without a single arrest.

Along with our local partners, we called for the UN Human Rights Council (HRC) to reopen Akhmednabiyev’s case. This led to local Dagestani news sites covering the HRC process, helping to put Akhmednabiyev’s case back onto the news agenda and educating the public about the HRC. Two weeks after our call, the Dagestani branch of the Investigative Committee announced the decision to reopen the case.

Our work will not stop there: more still needs to be done. We will continue to apply pressure until Akhmednabiyev’s killers and the instigators of his death are brought to justice. We will ensure the Russian authorities live up to their responsibility to investigate thoroughly the murder of journalists, so that the culture of impunity is ended and journalists can live without fear in all corners of the Russian Federation.

Sadly, Akhmednabiyev’s case is only one of many cases of murder with impunity. Investigations into the murders of many journalists have stalled, including Khadzhimurad Kamalov (2011), Natalia Estemirova (2009), and Mikhail Beketov (who died in 2013 from injuries sustained in a violent attack in 2008). The failure to bring both the perpetrators and instigators of these attacks to justice is contributing to a climate of impunity across the Russian Federation, and poses a serious threat to freedom of expression.

1.2 The Gambia: Campaigning against 20 years of oppression

20 years ago, President Yahya Jammeh seized power. Since then the Gambia has experienced a steadily worsening human rights situation, including the repression, torture and forced disappearance of people who dissent. We marked the anniversary with a **campaign** in the Gambia and West Africa, denouncing Gambia's human rights record and calling on the government to improve the situation.

We coordinated a protest with key human rights groups outside the Gambian embassy in the Senegalese capital, Dakar, attracting media and political attention. We also held a public forum and launched a new booklet highlighting 20 cases of serious human rights violations over the last 20 years. These included the killing of a Gambian newspaper editor in 2004 and the execution of nine prisoners in 2012.

Along with Amnesty International and Gambian diaspora organisations, we were invited by the United Kingdom's All Party Parliamentary Group on Human Rights to take part in a panel on the Gambia. This resulted in a statement highlighting the current situation and lack of effective solutions.

The campaign has strengthened our position as an information source on the Gambia and a reference point for the protection of human rights defenders and journalists.

1.3 Azerbaijan: Responding to the government crackdown

August 2014 saw an unprecedented crackdown on civil society in Azerbaijan, including a brutal attack on journalist Ilgar Nasibov in the Nakhchivan Autonomous Republic. We led an emergency response, joining an **appeal** for Nasibov and calling for the release of human rights defenders **Intigam Aliyev, Leyla and Arif Yunus, and Rasul Jafarov.**

In addition, we presented a report to the Council of Europe in October, **Azerbaijan – When the truth becomes a lie**, immediately following the presentation by Azerbaijan's Minister for Foreign Affairs at the plenary session. Along with Azerbaijani investigative journalists and other members of the **International Partnership Group on Azerbaijan**, we met with the Council of Europe's Secretary General and the Special Rapporteur on Azerbaijan to discuss the deteriorating situation in the country. As a result, the Secretary General agreed to monitor trials against human rights defenders.

ARTICLE 19 staff detained

The deteriorating situation in Ethiopia has affected our operations. An ARTICLE 19 staff member, who flew to Addis Ababa to run safety training for journalists and media workers, was refused entry into the country. Our previous security trainings had included members of the Zone 9 bloggers, which may have raised our profile with the authorities resulting in the detention and deportation of our staff. Immigration officials confiscated his passport and mobile telephone, and refused him access to legal advice. Anticipating the potential risk, he had already followed our internal security protocols and notified his Ethiopian contact that he could be detained.

We believe this was an attempt to prevent our staff from continuing our vital work in the country and from providing the UN with an independent source of information about human rights violations in Ethiopia.

1.4 Ethiopia: Supporting the Zone 9 bloggers

In early 2014, the Ethiopian government began a crackdown on journalists and bloggers. The Zone 9 bloggers, an Ethiopian blogging collective, came to international attention when the government accused them of acts of terrorism for peacefully blogging about the need for political change. They were arrested and given little access to legal or medical attention. All are now on trial alongside three other journalists, despite the Ethiopian constitution explicitly protecting freedom of expression.

We responded in a variety of ways. We provided assistance to some of the Zone 9 bloggers, particularly those who escaped the country. We joined the #FreeZone9Bloggers social media action, **calling** for their immediate release with more than 500,000 views in our social media networks. In collaboration with 40 other organisations, we signed and sent a **letter** to the Prime Minister of Ethiopia, expressing concern over the charging of seven bloggers and three journalists under the Anti-Terrorism Proclamation (652/2009).

We continue, alongside other human rights organisations and campaigners, to **advocate** for the release of the group.

“The six points of ‘My Pledge’ have guided my steps throughout life as a citizen, mother, and filmmaker and were also the reason for running for the National Assembly in the first place. I fully adhere to these six principles and commit to respect them and defend them in all circumstances.”

Selma Baccar, Vice Chair of the Committee on the Rights and Constitutional Liberties, National Constituent Assembly

Tunisia: Working with a country in transition

Following the 2011 Tunisian revolution, civic space in Tunisia has been protected more than ever before. Ignited by the public aspiration for political freedom and change, social movements and civil society have actively shaped the politics of post-revolutionary Tunisia. Economic, political and social challenges still remain, but the hope of achieving freedom of expression and information is the main legacy of the revolution. We have used our expertise to help in a number of areas.

The new constitution

On 26 January 2014, a new constitution, broadly in accordance with international standards, was adopted with wide political consensus. Our work to ensure that media freedom and freedom of expression were included in the new constitution was cited by a number of politicians, including Moncef Marzouki, the then interim President of Tunisia, and Mustapha Ben Jafar, President of the National Constituent Assembly.

The Independent High Authority for Audio-visual Communication

Throughout 2014 we supported the democratic transformation of Tunisia by working closely with civil servants and other stakeholders who were discussing journalism ethics and media self-regulation. We held high-level meetings with relevant stakeholders to ensure that the autonomy of the Independent High Authority for Audio-visual Communication (HAICA) was protected. In less than a year, ARTICLE 19 Tunisia was granted expert status by the HAICA, providing further legal guidance on broadcasting law.



Access to information and right to information

We helped improve Tunisia’s Access to Information (ATI) legal framework, researching legal analyses on current international standards and providing recommendations on planned and existing ATI laws. These were subsequently shared with two committees within the National Constitutional Assembly and the new Parliament.

We have also participated in Right to Information (RTI) awareness raising and training in Tunisia to make sure citizens know how to use the law effectively. A capacity development programme has been running throughout 2014, targeting government officials, journalists and civil society organisations. Our Tunisian office is now developing a training manual on RTI as part of the civil servants’ syllabus at Tunisia’s National School of Administration.

In December 2014, a memorandum of understanding was signed between us and the General Directorate for Administrative Reform (DGRPA). We are the only International Non-Governmental Organisation (INGO) formally recognised by the Tunisian government to provide technical and legal expertise on ATI reform.

‘My Pledge’: parliamentary candidates’ commitment to freedom of expression

In October 2014, ahead of the first parliamentary elections under the new constitution, we encouraged local candidates to sign ‘My Pledge’. This was a voluntary commitment to guarantee freedom of expression and to join others in positive action towards an inclusive and diverse Tunisia. The pledge was signed by 122 candidates from across the country, 14 of whom were elected to the new parliament.

Image above: Tunis, Tunisia. 26th October 2014 – A woman shows her ink-stained finger after casting her ballot paper at a polling station in El Manar, suburbs of Tunis. Picture by: Chedly Ben Ibrahim / Demotix

Protecting freedom of assembly

2



Martin Meissner 2014. Brazil, AP

“Protesting is a form of expression that should be protected. Whilst we believe that people have the right to make their voices heard and demand change, many governments see this right as a threat that needs to be neutralised. If protesters’ rights are not safeguarded, civic space is virtually non-existent.”

Paula Martins, ARTICLE 19’s Director for Brazil and South America

Across the world, people are protesting in increasing numbers, on the streets and online. But this rise has been met by an increase in crackdowns on protests, with an increasing number of attacks on freedom of expression and association and an increase in impunity for those who violate protesters’ human rights.

2014 reinforced for us the importance of working constructively with all the stakeholders in protests, including governments and the police. This work will be central to the protection of civic space in 2015 and beyond. We need to help the police switch from crowd control to a more human rights based approach, to see their job as being to enable demonstrations, guarantee protesters’ rights and protect protesters from agitators and rioters.

In 2014, we prioritised the protection of protesters’ rights – highlighting their right to occupy public space – and worked to strengthen their ability to insist on these rights. Our offices in Brazil and Mexico were at the vanguard of this work.

2.1 Brazil: Protecting protesters’ rights

The street demonstrations that started in 2013 continued during the 2014 FIFA World Cup with protests about key social issues in various host cities. Government, police and courts responded with force: Congress proposed several bills criminalising demonstrations; the government dramatically increased penalties for property damage; the police responded with thousands of arbitrary arrests, preventative detentions and the indiscriminate use of disproportionate force, including potentially lethal rubber bullets and tear gas; and the courts issued arrest warrants without sufficient evidence.

2.1.1 *Protestos Brasilia 2013: Documenting the 2013 violations*

In June 2014, ARTICLE 19 Brazil launched ***Protestos Brasilia 2013***, an online report documenting the human rights violations that occurred during 696 demonstrations across the country in 2013. It revealed the full extent of the violations: 2,608 detentions and eight deaths, including 117 injured or assaulted journalists and 10 arrests.

The report includes analyses, videos, interviews and testimonials and proposes a plan of action to prevent potentially restrictive bills from becoming law. This plan was used to postpone a law that would have effectively criminalised protesters by increasing the penalties for crimes committed during demonstrations.

To maximise the impact of the report, we also published an international version, ***Brazil’s Own Goal: Protest Police and the World Cup***, which was covered by international media including the ***Financial Times***.

2.1.2 ***Protestos.org***: Our online guide about protesters’ rights, safety and digital security. Using demonstrations as a focus, we created ***Protestos.org***, an illustrative online guide with legal and technical information to inform protesters about their rights, digital security and critical demonstration safety.

Using powerful artwork, design and content based on the mantra ‘an effective protester is a secure protester’, the site explained the basics of online anonymity and data encryption, how to keep safe on the streets and what to do if arrested.

The site sparked a debate about anonymity, protest and freedom of expression in Brazil. It has been popular, generating a total of 115,782 page visits by January 2015. There have been requests for translations and other adaptations of ***Protestos.org*** from several countries around the world.

2.1.3 Training protesters to protect themselves

We ran several training workshops to give critical groups the skills they needed to protect themselves during protests.

We worked with our partners, Witness, to organise a workshop for 10 media activists, where participants were able to share their experiences of risky filming situations. The training session also included legal arguments about the right to film events, and technical tips on how to film ethically and use filmed material as evidence. We also developed a handbook that explained how to film police violence safely.

We worked with our partners Escola de Ativismo to train approximately 30 non-governmental organisation (NGO) workers, lawyers and activists on a range of digital security topics including threat modelling and risk reduction. The training proved immediately useful to one lawyer who was arrested and ill-treated in a police van: applying the training, he had encrypted the data on his phone, so vital information about his clients was protected.

We also helped grassroots groups learn to use secure platforms such as Jabber, Chatsecure and Jitsi for their day-to-day internal communications.



Supporting indigenous human rights defender Mario Luna Romero in Mexico

Indigenous communities around the world often struggle to achieve their right to clean water and sanitation. This is frequently made worse by the lack of information in their own language about water projects. Some indigenous people challenge this core civic space issue, speaking out publicly. And some pay dearly for these attempts to protect their communities. Mario Luna Romero is one such man.

Mario Luna Romero is a member of the Yaqui Tribe in the Mexican state of Sonora. As spokesperson, he has represented his tribe in the battle to prevent the diversion of water from the Yaqui River to the Independence Aqueduct. By law, the Yaqui tribe has the right to 50% of the water from the Yaqui River, but only 30% of the Yaqui communities in Sonora have access to water.

The Yaqui Tribe's "caravana"

On 7 August 2014, Mario Luna went to Mexico City to raise awareness about the Yaqui Tribe's access to water in Sonora at an event hosted by ARTICLE 19. Other tribe members joined Luna on his trip to Mexico City, which became a "caravana", publicising their situation more widely. The publicity led to more than 100 organisations, including ARTICLE 19, actively raising the Yaqui Tribe's plight with government ministries.

The arrest and detention of Mario Luna Romero

On 11 September 2014, Mario Luna was detained by several men dressed as civilians and travelling in unidentified cars. Later that day he was arrested in connection with the detention of another Yaqui community leader who had been detained for committing a crime on the tribe's territory. We believe that Mario Luna's arrest and detention are an example of the tactic of ongoing intimidation used against human rights defenders who exercise their right to freedom of expression.

The battle to preserve the Yaqui Tribe's water rights continues. A January 2015 Supreme Court ruling ordered a new environmental impact study, giving some hope of a positive resolution. The battle to free Mario Luna continues.

"For us, *Rompe El Miedo* marks a before and after in the way we protest and protect ourselves while doing so, as the Mexican government keeps targeting protesters on many different fronts. That's why I feel that *Rompe El Miedo* is filling a gap we were not aware of. Working as a network has made us stronger."
Angel Espa, Host at Radio Zapote, Mexico.

2.2 Mexico: Networking to protect protesters and journalists

From December 2012 to date, we have documented that Mexico City is the most dangerous city in Mexico for the press, especially when documenting protests. In this context, there have been dozens of arbitrary arrests of journalists and peaceful participants in the protests, falsely accused by the capital police of engaging in violence. We have worked hard over the last year to ensure that those covering protests are able to do so without endangering their own safety.

2.1 Expanding the use of *Rompe El Miedo*

We launched *Rompe El Miedo* (Break the Fear) in 2013, a real-time monitoring system using key individuals, 'nodes', to monitor police activity. We provide them with radios and they use these, along with Twitter, SMS and Facebook, to feed information to 'coordinators', usually ARTICLE 19 staff who gather and analyse the information, posting all verified information on our social networks.

This system builds upon our approach to journalist protection, aiming to use media and social media monitoring to prevent authorities from taking action against people who document protests. It allows us to react quickly to cases of attacks or arbitrary arrests. We were able to use this solidarity network of journalists and civil society groups to great effect in 2014 to cover six different protests in Mexico City.

Following the success of the network, we developed a training package to enable staff and partners to use the *Rompe El Miedo* approach whenever and wherever freedom of assembly is threatened. The videos have now been translated into English, Spanish, Arabic, Russian and French.

Protecting the world's digital civic space

3

In solidarity with what had become a global movement supporting Hong Kong's fight for democratic progression, thousands gathered outside the Chinese Embassy in London on 1st October – China's national day. Demotix, 2014

“While civic space offline has been shrinking, people have been looking for alternative civic spaces online. And while the online world might have been a refuge for free-form experimentation and collaboration for some time, governments and companies have been quick to catch up and crack down on civic space online. What we are discovering is that power relations offline are being reproduced online. This is an inherent danger for the original fabric of the internet as a global, free and open space for freedom of expression.”

Niels ten Oever, ARTICLE 19’s Head of Digital

In 2014, we invested considerably in our engagement with different internet governance bodies. Our goals were to bring a stronger human rights-based perspective to technical and policy discussions, and to defend a multi-stakeholder model of internet governance.

Some of the highlights for the year in our Digital programme include:

- We were part of the civil society organising committee for the NetMundial in Brazil.
- We had a significant impact on civil society’s position on a multi-stakeholder model of internet governance, particularly at Internet Corporation for Assigned Names and Numbers (ICANN).
- Our work to establish human rights advisory groups within technical and standard-setting bodies, such as ICANN and the Internet Engineering Task Force (IETF) gave us a leading role amongst international digital rights organisations.
- We helped draft the **African Declaration on Internet Rights and Freedoms**.

3.1 NETmundial Global Meeting 2014

In an event aiming to plan future internet governance principles and development, we were instrumental in ensuring the **outcome document** contained good freedom of expression content. We also helped prevent the most hostile amendments on intermediary liability proposed by copyright lobbyists from being accepted. Finally, we played a key part in ensuring that wording about surveillance was consistent with international standards on the right to privacy. Our contributions were covered by the international media, such as the **British Broadcasting Corporation (BBC)**.



Brazil’s Internet Constitution

In 2014, Brazil passed its Civil Rights Framework for the Internet (*Marco Civil da Internet* in Portuguese), which includes progressive protections for freedom of expression online. The law recognises that freedom of expression is necessary in order to exercise the right to access the internet. It also places liability for content on users, not service providers, and legislates for net neutrality.

We engaged with the Brazilian government and civil society every step of the way to protect civic space online and ensure this outcome. It received positive media coverage, for example on **BBC Mundo**. From the initial draft in 2012, and at every stage of the various legislative processes, we made recommendations, raised concerns and campaigned to ensure the bill remained as

progressive as possible. *Marco Civil* has global implications: it has set a standard for how internet rights can be secured, both in the way it involved civil society in its construction and in its strong protection for the internet.

We will continue to monitor the implementation of *Marco Civil* and any other legislation that might amend or impact on the bill.

In particular, we will look at “revenge porn”, where sexually explicit material is publicly shared online without the consent of the pictured individual as it is increasingly being used against women. We will focus on two bills that seek to criminalise this act and to establish mechanisms for the removal of content in 24 hours.

3.2 The “right to be forgotten”

On 13 May, the Court of Justice of the European Union ruled that individuals had the right to ask Google and other search engines operating in the European Union (EU) to remove links to results generated by a search for their name. The implications for the right to know are profoundly worrying. This judgment (the *Costeja v Spain* decision) gives search engines the power to decide what information is “adequate, relevant or no longer relevant”, basing their decisions solely on individual complaints.

On 16 October, we were **invited** to give evidence at a hearing held by Google’s Advisory Committee and also submitted a written response. We highlighted our concerns about the *Costeja* decision’s implications for freedom of expression, and made recommendations about how to maintain a fair balance between the right to freedom of expression and the right to data protection when implementing the judgment. Our input was covered by the international media, including **The Guardian** and the **BBC**.

3.3 Keeping human rights in the mainstream at ICANN

We have worked to ensure that human rights are applied in practice at ICANN, the body that administers IP addresses and domain names. In 2014, ICANN’s globalisation was announced, leading to a review of its priorities. This gave us an opportunity to bring our expertise to a mainly technical and business-oriented community.

We highlighted the need for an assessment of the human rights impact of ICANN’s policies and practices and, by the end of 2014, had managed to get strong support from several members of ICANN’S Governmental Advisory Committee.

In 2014, we took part in several ICANN meetings where our recommendations on accountability and transparency were discussed. In addition, we worked closely with other civil society organisations such as Global Partners Digital, Association for Progressive Communications and Access on high-level principles for the protection of the open internet and for internet governance models.

As a result, we are one of the leading groups pushing for the implementation of strong human rights standards within ICANN’s governance structure, and are seen as experts on human rights at a time when the organisation is changing enormously.

3.4 Working with the UN

We were invited to accompany the delegation of the Netherlands to the annual plenipotentiary meeting of the International Telecommunication Union (ITU). Our contributions ensured that documents coming to and from the negotiations were publicly available, an important step towards making this publicly-funded institution accountable and transparent. Together with the Dutch delegation, we managed to remove a disproportionate response from a resolution on counterfeit phones, ensuring the ITU made user connectivity its guiding policy on this issue.

The ITU is the UN specialised agency for information and communication technologies (ICTs) that strives to improve access to ICTs to underserved communities worldwide.

3.5 National digital work

This year we have had an input into digital issues at national level. This has included:

- **Kenya:** Analysing the Kenyan draft cybercrime bill, which helped shape our strategy on digital issues in East Africa. We continued to support CSOs’ efforts to draft a strong African Declaration on Internet Rights. It is hoped that the draft Declaration, which has already been commended by United Nations Economic, Scientific and Cultural Organisation (UNESCO), will be a milestone in digital rights standard setting in the region.
- **Egypt:** Coordinating a study into the censorship of internet news sites. Egyptian news websites have become very important media for free expression. The research looks at pressures on the sites in the light of new legislation and, reportedly, new surveillance tactics which may set precedents for the whole of the Middle East and North Africa. This study sparked a lot of interest: our **blog post** about it was read more than any other ARTICLE 19 blog post in late 2014.

3.6 Don’t Spy On Us day of action, London

We joined other members of the ***Don’t Spy on Us*** campaign to hold a **high-profile day of action on 7 June 2014** to discuss one of the greatest threats to our freedoms in the modern age: the intrusive and overreaching state surveillance of our communications. Participants heard from Alan Rusbridger, editor of *The Guardian*, about the shock of government officials coming into the *Guardian* building to destroy journalists’ computers. Privacy experts gave tips on keeping online communications safe. Politicians and lawyers discussed the demands civil society should be making to ensure its privacy and free expression rights are respected.

Don’t Spy On Us trended on Twitter, proving more popular than the prime-time TV show *Britain’s Got Talent*. Press coverage included Channel 4 News and several leading print and online newspapers, such as *The Telegraph*, *The Independent*, *The Guardian* and the *Huffington Post*.

Digital reach of ARTICLE 19 in 2014

Increased our website visits* by

56%

Our Spanish-speaking audience grew by

139%

Our Portuguese-speaking audience grew by

40%

Our French-speaking audience grew by

49%

Our Arabic-speaking audience grew by

60%



Our social media action on the International Day against Homophobia and Transphobia on 17 May, reached **1.7 million** Twitter users.

*compared to 2013

15.5 million

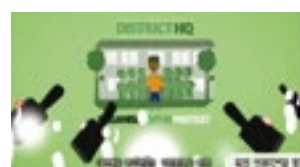


people read our tweets in 2014

Our global mailing list grew by

40%

Occupy Wall St. shared our infographic with the real score of the #WorldCup and it was shared by **20,000** people on Facebook.



Our Right to Water video was watched **40% more times in Bangladesh** than anywhere else.



Our most popular tweet: **We agree! Blogging should not be a crime #FreeZone9Bloggers** – reached **295,000** users



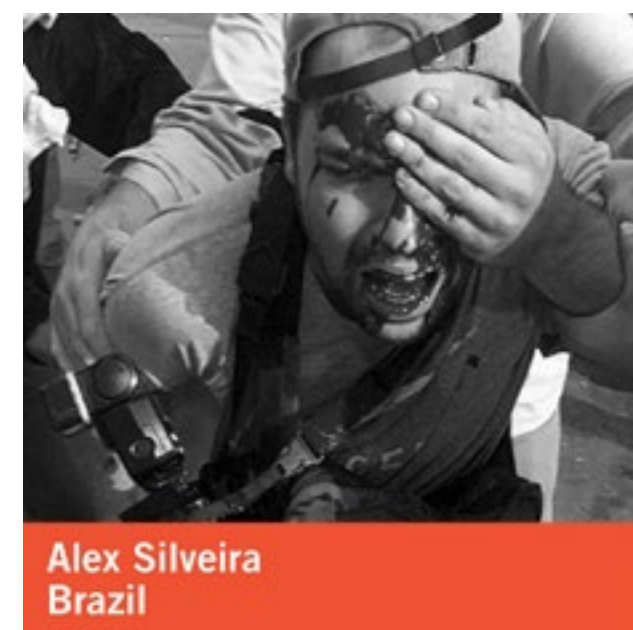
Most searched terms on article19.org in 2014

1. Mexico
2. Ethiopia
3. Gambia
4. Hate Speech
5. Defamation



Our piece on the Right to Be Forgotten was one of the most popular posts on Facebook. It reached **12,000** users

We turned talk into action on the Day to End Impunity and reached **173,000** Twitter users



Our most popular post on Facebook: **The #WorldCup is almost upon us. Don't be blinded by the glamour of football.** www.article19.org/own-goal reached **43,000** Facebook users



“The universality of the UPR process makes it a particularly important human rights mechanism for us and our work globally holding all governments to account. Active and informed civil society is fundamental for the protection and promotion of freedom of expression so we work closely with local partners to build capacity for them to engage in international mechanisms to improve freedom of expression for themselves and their communities”

Charlotte Gill, ARTICLE 19’s Campaigner

ARTICLE 19 and the Universal Periodic Review process



The **UN Human Rights Council’s Universal Periodic Review (UPR)** process is where a State’s progress and commitment to human rights is reviewed. Each member State of the UN is reviewed every four years. It is a peer-review mechanism, so other UN member States make comments and recommendations about how the State under review could improve human rights.

Non-governmental organisations like ARTICLE 19 contribute directly to the review by submitting shadow reports with recommendations and helping local activists and journalists participate in the process. Local expert knowledge helps States make informed recommendations backed by facts. Our work lays the foundations for civil society to hold governments to account for their promises to uphold human rights and protect civic space.

Helping Turkish civil society hold its government to account at the UN

Tayfun Ertan, a member of P24, a Turkish organisation founded in September 2013 in the aftermath of the Gezi Park protests, recounts his experience of the UPR process with us:

“I found the forging of new relationships with people or CSOs who worked for purposes like ours very useful. I would have been lost without your campaigner’s guidance during my stay. After my engagement with the UPR Pre-Session, I got invited by Lawyers for Lawyers and the Law Society of England and Wales to speak at their side event after the Turkey UPR Session on 27 January 2015.”

Having a Turkish partner increased the legitimacy of the submission and allowed us to extend our influence and ability to shape the international policy debate.

UPR impact in Iran

During the UPR process in 2014, as part of our work with the Impact Iran coalition, we drew international attention to the freedom of expression violations experienced by the Iranian digital, media and minority communities through a **joint submission** with PEN International. The submission highlighted unpleasant realities for Iran, including online repression under the Computer Crimes Law, executions for ‘moral’ crimes and Iran’s imprisonment of more than 30 journalists.

We managed to ensure freedom of expression remained a high priority for all stakeholders when submitting reports on Iran to their respective States. Before the UPR, a number of stakeholders used our recommendations as a template for their own work. These included repealing the death penalty for an expressive act and calling for investigations into reports of torture and other ill-treatment in prison, bringing those responsible to justice. A recommendation made by others called for greater cooperation with international mechanisms, including inviting the UN Special Rapporteurs on Iran to visit the country.

For the 31 October 2014 UPR session in Geneva, we developed materials highlighting key concerns and shared information with member States in Geneva to help push for strong recommendations.

Despite this exposure, the number of human rights violations in Iran has risen in 2014. We have learned that advocacy at the UN, whilst important, is not enough. Global businesses must make sure they avoid selling surveillance equipment to Iran, and technology companies must continue to support human rights defenders to help maintain pressure on the country.

UPR submissions by ARTICLE 19 in 2014:

Egypt
Gambia
Kazakhstan
Iran
Kenya
Kyrgyzstan
Turkey (x2)
Honduras

Protecting civic space for women and minorities

4

International Day Against Homophobia
and Transphobia, Havana, Cuba
Javier Galeano, Associated Press

“Civic space provides a rich platform for debate and dissent, but the potential of civic space is only realised when the full diversity of actors in society can engage, including traditionally marginalised and minority voices. We actively campaign for the inclusion and protection of these voices, whether it is supporting interfaith dialogue in Malaysia, women journalists pushing back against gender-based censorship in Bangladesh, or LGBTI activists in hostile countries.”

Quinn McKew, ARTICLE 19’s Deputy Executive Director

Women, the vulnerable, the discriminated and disempowered are at risk for trying to ensure their voices are heard and consulted on issues that affect their lives. We work with lesbian, gay, bisexual, transgender and intersex (LGBTI) and gender campaign groups, protecting their right to freedom of expression without persecution and challenging discrimination.

4.1 Challenging attacks against women human rights defenders and journalists in Bangladesh

Abductions and forced disappearances of women human rights defenders and journalists are on the rise in Bangladesh. In the first part of 2014, 20 gender-based censorship cases were lodged with us. This coincided with the abduction of the husband of well-known attorney and environmentalist, Rizwana Hasan and the attempted abduction of another rights activist, Nur Khan.

These incidents shocked Bangladesh’s civil society and highlighted the lack of protection for activists and journalists. In May 2014, we issued a **statement** with 24 prominent citizens, including academics, rights activists, freedom fighters, writers and musicians, calling for their immediate release.



“We cannot change problematic legislation in Malaysia such as the Sedition Act without first changing the hearts and minds of those suspicious of free expression. This is why in our second scoping mission, we reached out to conservative groups who are often wary of INGOs”.
Judy Taing, ARTICLE 19’s Asia Senior Programme Officer

We advocated strongly on the two high profile cases. Eventually, as a result of pressure from civil society activists including ARTICLE 19, Rizwana’s husband was released but left blindfolded at a roadside at night.

We also worked to draw attention to religious-based discrimination against women journalists in Bangladesh and led civil society’s call for the government to oppose such actions. One such case involved Nadia Sharmin of Ekushey Television, who was attacked by members of the Islamist group *Hefajat-e-Islam* as she reported on a blockade in the Bijoy Nagar area of Dhaka on 6 April. As well as stealing her mobile phone and handbag, the group taunted her about her lack of hijab. She was treated at Dhaka Medical College Hospital for injuries to her head and neck. “I was attacked only because I am a woman,” she said.

4.2 International Day against Homophobia and Transphobia: day of action

Over recent years the world has witnessed a clampdown on LGBTI expression, with repressive legislation being introduced and a culture of violence and intimidation limiting the diversity of LGBTI voices in the media. To mark **2014’s International Day against Homophobia and Transphobia (IDAHOT)**, we took several actions to raise awareness of LGBTI rights:

- We helped IDAHOT’s committee shape 2014’s theme of freedom of expression.
- We developed IDAHOT’s policy demands, which provided the basis for worldwide activism. This led to a strong resolution condemning violence against LGBTI people being passed at the HRC, where Russia failed to table a resolution on traditional values for a second consecutive year. We provided expert information to the UN Special Rapporteurs, which contributed to the drafting of a **joint statement** of the Special Rapporteurs against censoring LGBTI voices.
- We joined Amnesty International, International Freedom of Expression Exchange (IFEX) and the IDAHOT Committee in launching a **global call** demanding freedom of expression for the LGBTI community, which was joined by over 170 organisations. A corresponding social media **‘thunderclap’** reached almost 1.7million, with nearly 700 individuals or organisations signing in support. IFEX reported record number of website hits in a single day, and it was one of our biggest social media successes.
- We held a London event on free expression & LGBTI, with a film from Russia and speakers from the LGBTI diaspora.

In 2014, we also intervened in the **case** of *Baev and others v. Russia* in relation to the ban on ‘propaganda’ about same sex relations, submitting an amicus brief to which the Russian government specifically responded. We also intervened in a similar case regarding the Uganda Anti-Homosexuality Act and have been contacted by Nigerian lawyers about challenging the law on the prohibition of same-sex marriage.



Chris Stowers, Panos

Supporting interfaith dialogue in Malaysia

Minority’s groups often find it difficult to be heard. So securing their right to freedom of expression is a key priority for us.

In Malaysia, civic space is shrinking, particularly for non-Muslim minority groups. Their right to freedom of expression is highly restricted, particularly the right to assemble and freely practise their faiths or beliefs. LGBTI individuals and their supporters suffer, in particular, and are often ostracised from civil society coalitions due to overwhelming social stigmas.

We are working with our partners **Projek Dialog** to reverse this shrinking of civic space by supporting a social media campaign to facilitate discussion about issues surrounding religious intolerance in Malaysia. The Projek Dialog website hosts blogs on religious issues, encouraging bloggers to write articles exploring different aspects of faith from a diverse cross-section of Malaysian society. These have included a blog by a transgender woman

speaking about her Islamic faith, and another about the problems caused by a National Fatwa Council ban on female judges. We have supported the blogs’ impact by providing training sessions, meeting with key civil society stakeholders and hosting interfaith seminars. The blog posts have proved popular, averaging around 2,000 hits each, with some popular pieces gaining nearly 9,000 hits. The discussions they provoke are hopefully helping to shift public opinion, one post at a time.

The success of this project is based on the understanding that it is important to engage not only with our allies, but also with those not likely to agree with us. We met with the Deputy President of Malaysian Muslim Solidarity (ISMA), an Islamic NGO, and a youth officer from the United Malay National Organisation (UMNO), Malaysia’s largest political party. By engaging in constructive dialogue, dispelling myths about INGOs and building trust, we have been able to gain a greater understanding of their concerns and build bridges that we hope will help curb intolerance in the future.



Jacob Silberberg, Panos

4.3 Supporting women's voices in Senegal

We carried out a monitoring exercise looking at media and women in Senegal. The project, which resulted in a report, ***Women and Media*** (published in French), exposed the prevailing negative stereotypes of women in the media and revealed their limited participation in this and other areas of public life.

We used our research to lobby prominent Senegalese media organisations to increase positive representations of women. This led to two important media organisations requesting our assistance by profiling women who could feature on their programmes.

Over the year we witnessed an increase in the number of women invited to take part in public media debates with the national broadcaster Radiodiffusion Télévision Sénégalaise (RTS), and Television Future Media (TFM). Our report is also being used by the Ministry of Communication to assist in training and empowerment activities for women journalists and reporters.

4.4 Myanmar: Getting women's issues on the air

As part of our research and outreach programme into women's rights in Myanmar, we set up an advocacy roundtable with state radio broadcaster Mandalay FM. The roundtable pressurised the radio station to cover a range of highly political issues facing women, which had previously been deemed "too sensitive" with almost no coverage by state media.

The roundtable included women lawyers, labour activists and media professionals, who put their demands to broadcast officials. Eventually, Mandalay FM agreed to air material on women and labour rights, sex work and reproductive health during their weekly Women's Show programme for the first time.

The aims of our wider programme there are to understand how and where women's right to freedom of expression and information are violated, and how these violations impact on women's rights in civic space.

ARTICLE 19's cutting edge legal work

5

A Myanmar journalist with his mouth sealed with tape, symbolizing the government's recent crackdown on media
Gemunu Amarasinghe / Associated Press

“For people around the world to exercise their right to freedom of expression – wherever this occurs, whether through publishing, art, protest or activism – requires an enabling legal and policy framework that does not restrict this right unduly and arbitrarily. Throughout the year, we have elaborated the most progressive freedom of expression standards, developed policies that respond to current threats to freedom of speech and ensured that domestic legislation complies with international freedom of expression standards.”

Barbora Bukovska, ARTICLE 19’s Senior Director for Law and Policy

5.1 Standard setting

5.1.1 Universality: At the UNESCO World Press Freedom Day in May 2014, we provided significant support to Special Mandates from the UN, Organization for Security and Co-operation in Europe (OSCE), Organisation of American States (OAS) and African Commission on Human and Peoples’ Rights (ACHPR), drafting the 2014 Joint **Declaration on Universality of the Right to Freedom of Expression.**

Joint declarations are a form of ‘soft law’ that guide international policymaking and help set legal standards that countries can follow. We have been assisting Special Rapporteurs with joint declarations since 1999.

The 2014 Declaration responds to recent attacks on the universality of the right to freedom of expression, in particular those restricting freedom of expression for women, minorities and LGBTI people. It reiterates the universal nature of freedom of expression reflected in international and regional human rights standards and national constitutions. It also highlights the importance of debate about different cultures, values, beliefs and practices in promoting understanding and tolerance, and combating hatred and social division.

5.1.2 Free Flow Principles: On the eve of World Water Day in March 2014, we released a new document, **The Free Flow Principles: Freedom of Expression and Rights to Water and Sanitation.** This explains that freedom of expression, right to information and public participation are essential for achieving the rights to water and sanitation. *The Free Flow Principles* were developed in

collaboration with water, media and freedom of expression experts to ensure they reflect regional and global problems and offer tangible solutions.

The Principles are being used by our regional offices and by activists in the regions where we work. In August, we launched the Principles at a roundtable in Mexico City, where they attracted the attention of water rights activists, especially from indigenous communities in Mexico’s Sonora state and other water agencies.

5.2 Hate speech

Our work on **hate speech** is beginning to have an impact globally with key institutions and policies adopting our recommendations.

- The EU External Action Service referred to them during their internal policy drafting processes.
- The International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA) Europe consulted extensively with us before releasing their policy position on hate speech. Our position was referenced at the HRC by the UN Special Rapporteur on freedom of religion or belief and the UN Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance.

5.3 Surveillance

We have been building on our surveillance policy work in the UK and internationally. The Office of the High Commissioner for Human Rights (OHCHR) 2014 report on privacy rights in the digital age largely reflected our **Necessary and Proportionate Principles** (NPP) background document, co-authored with the Electronic Frontier Foundation. This explained the legal or conceptual basis of the NPP that evaluate whether current or proposed surveillance laws and practices around the world are compatible with human rights. We also engaged with the HRC and participated in the 2014 Internet Governance Forum on the issue.

In the UK, our work on the NPPs made a strong contribution to the *Don’t Spy on Us* coalition’s policy on reforming surveillance laws. As a result, we were invited to take part in UK political party conference events. We were also invited by the Royal United Service Institute (RUSI) to make a presentation on the challenges posed to privacy and free expression by mass surveillance, which involved discussing possible joint strategies with technology companies.

“The HRC is a space where human rights defenders can confront States in ways that are often not possible at home. States care about their reputations, so highlighting abuses in front of their peers can bring about real change on the ground.”

Andrew Smith, ARTICLE 19's Legal Officer

ARTICLE 19 and the Human Rights Council – an interview

In 2014, we were recognised as a leading influencer at the UN Human Rights Council (HRC). Our sustained advocacy had an impact on resolutions protecting journalists and civil society. Andrew Smith, who leads our HRC advocacy work, tells us more.

1. Why is the HRC such an important forum for the global protection of civic space?

The HRC is the UN's primary human rights body, where all States come together to debate and act on key human rights issues. The resolutions it adopts help shape the development of international human rights law, and its mechanisms ensuring accountability for abuses can be victims' only hope of redress.

Many of the States that try to limit dissent and civic space are HRC members with voting powers. So civic space is one of the most contentious issues at the HRC. There are also many States that are committed to increasing the protection of civic space. The standards they and civil society encourage and their vocal support for human rights defenders are an essential building block for civic space.

2. What were our most notable successes at the HRC in 2014?

I'd say there were four major successes. Achieving the adoption of a consensus [resolution 27/5](#) on the safety of journalists; defeating the hostile amendments to the [resolution 27/31](#) on civil society space; mobilising 63 civil society organisations to call for the development of the [resolution](#) on the Internet and Human Rights; and affirming the [universality of human rights](#) in a wide variety of ways.

3. How did we achieve these?

Scaling up our presence at the HRC throughout 2014 was key. Our work on the resolutions involved close work with a number of States, establishing ourselves as reliable partners with the necessary legal expertise and practical experience. Our strong connections to human rights defenders on the ground meant we could help ensure the resolutions were relevant and useful. Providing a platform for voices from our regional offices, programmes, and our partner organisations to participate in advocacy also played a strong part in our successes. They provided evidence of the need

for the standards we were advocating, and engaged with States and UN mechanisms to achieve clear changes in international and domestic policy.

Defeating hostile amendments to resolution 27/31 on civil society space demonstrated that the HRC is capable of articulating progressive human rights standards, even where resistance is high. We worked with our partners and other organisations to raise our concerns with States about the shrinking of civic space, and lobbied the core group to ensure this resolution was progressive and addressed domestic concerns. We mobilised quickly against the series of hostile amendments that aimed to undermine the spirit of the resolution and provided States with legal and practical talking points so they understood the importance of supporting the resolution as drafted. The request for the OHCHR to develop guidelines on protecting civic space is a positive step forward and will be the basis for future advocacy in Geneva.

4. What have you learnt at the HRC in 2014?

It takes time to have an impact on policy. Many of our 2014 successes have been the result of sustained attention to issues that were not always in the media spotlight.

Freedom of expression continues to be a divisive issue at intergovernmental forums like the HRC. But the eventual adoption – without hostile amendments – of the protest and journalist resolutions and the smoother ride of the resolution on the safety of journalists has proved that it is possible to achieve progressive standards at the HRC.

5. What next for us at the HRC?

Defending and consolidating the gains of 2014 will be crucial, as it is always possible for the HRC to backslide. Agreements that took years to achieve can collapse in a moment, so we must remain vigilant.

We'll be ambitious too, advocating for the HRC to respond to abuses of freedom of expression wherever they exist, to adopt the most progressive international standards possible, and to push back against the global shrinking of civic space.



Image: Human Rights Council Chamber, in Geneva, Switzerland. United Nations Photo Library, 2010

5.4 Strategic litigation in 2014

We routinely intervene to defend freedom of expression in court cases. Here are two examples at European and global level in 2014.

5.4.1 Intervening in intermediary liability: In 2013, the European Court of Human Rights upheld a decision by an Estonian court ruling that an online news portal in the country was liable for defamatory comments made by readers beneath an online article. This was a serious blow to freedom of expression online, displaying a profound failure to understand the EU's legal framework regulating intermediary liability.

We **intervened**, filing an amicus brief on the case. We drafted a letter of protest about the decision, signed by 69 other organisations including Thomson Reuters, The New York Times, The Guardian and Forbes. We also helped convince Google and other internet intermediaries to intervene and were subsequently asked to review their submissions informally. These actions contributed to the case being examined for referral by the Grand Chamber Panel of the European Court.

5.4.2 Fighting impunity in Mexico: Investigative journalist and ARTICLE 19 International Board member, Lydia Cacho was kidnapped by a group of police officers in 2005, tortured and threatened with sexual assault. A gun was placed in her mouth and she was told she was going to be executed. A network of friends managed to secure her release but attempts on her life continued and she eventually fled Mexico in 2012.

To date, the Mexican authorities have remained silent. In 2014, having exposed her **case** in Mexico without any resulting justice, we took it to the UN Human Rights Committee, the first case of a Mexican journalist and human rights defender to have been brought to the committee.

5.5 Analysing national legislation

Throughout this year we analysed a variety of laws and draft laws around the world relating to freedom of expression, including the following countries

5.5.1 Italy: In February, we were the only international NGO to take part in a consultation on defamation law reform in the Italian Senate and were asked to discuss international standards in this area. This followed our **review** of Italian defamation law and was the first time that we had been invited by a Western European parliament to offer an analysis of draft legislation.

5.5.2 Pakistan: In March, our **analysis** of Pakistan's draft computer crimes law revealed its potential to undermine freedom of expression. The subsequent joint statement with our Pakistani partners, the Digital Rights Foundation, prompted a consultation between us and MP Zahid Jamil, who had drafted the original text and who subsequently asked for amendments to the draft.

5.5.3 Cambodia: In April, we worked with the ***Phnom Penh Post***, one of Cambodia's largest bilingual dailies, to expose a highly secretive version of the draft cybercrime law that we had obtained. This enabled Cambodian civil society, such as the Program on Rights and Justice in Cambodia of the East-West Management Institute, to analyse and comment on the law months before it was enacted, which is rare given the culture of secrecy that often surrounds the Cambodian government's creation of oppressive laws. Large media organisations such as the ***Wall Street Journal*** and ***Al-Jazeera*** picked up the story and featured our input.

Promoting development and transparency

6

Tanzania Sagala-a, Kongwa
A group of women walk home carrying water vessels on their heads.
Jenny Matthews - Panos

“Civic space and transparency are inexorably linked. Transparency activists need an open civic space to be able to operate, demand information, speak, and act on what they discover. At the same time, transparency enables civic space by revealing governments’ actions, including spying and illegality. Over the past five years that space has been closing in. In India, for example, numerous RTI ‘requesters’ have been found murdered, and in Russia in 2014, a leading right to information group was shut down. Elsewhere the pressures on operational limits and foreign finance are affecting RTI groups across the world. But civil society is pushing back: a key victory for us in 2014 was the inclusion of transparency and civic space in the post-2015 international agenda.”

David Banisar, ARTICLE 19’s Senior Legal Counsel

In 2014, a major focus for us was the relationship between the right to information and sustainable development. At international level, we promoted the right to information, freedom of expression and protection of civic space within the Sustainable Development Goals (SDGs). At regional level, we advocated on a proposed legal instrument on access to environmental information, public participation and justice in Latin America. At national and local level, our regional offices worked with governments and local communities to promote the right to information in areas such as women’s health and communities’ access to water.

6.1 Negotiating RTI in the SDGs

Access to information and the right to information have been significant themes during the creation of a new set of development priorities as the Millennium Development Goals (MDGs) era draws to a close. We are deeply involved in the Post- 2015 SDG process and have been part of the Open Working Group throughout 2014. As a result, we are now regarded as the leader on right to information and freedom of expression issues by CSOs, UN officials and governments.

We have helped to ensure that access to information, along with freedom of expression, association and assembly, have all been included as key prerequisites in important documents. Most importantly, access to information was made one of the SDG’s ‘targets’ by the **UN’s Open Working Group in 2014**, and in the UN Secretary General’s **‘stocktaking report’** on the MDGs. The goals are now being considered by the full UN General Assembly before being adopted in September 2015.

An example of our contribution to the SDGs was the addition of a clause ensuring access to information to proposed **Goal 16: Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels**. Clause 10 of this goal now states, “Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements.”

6.2 Friends of Governance in Sustainable Development

We led the development of a new group providing countries at the UN with expertise on good governance as part of its ongoing effort to add right to information principles to the SDGs.

The Friends of Governance in Sustainable Development group has provided us with a new point of direct access to country delegations. The group operates at the UN and was co-sponsored by Mexico, Romania and South Korea. We are now the group’s informal secretariat, coordinating discussions and advising delegations.

In November 2014, over 50 delegations attended the group’s first workshop, where we explained RTI principles to 75 people including UN ambassadors and high-level representatives. For the first time, this provided a space where delegations could hear experts giving a detailed analysis of RTI issues in a cooperative atmosphere, rather than the formal, sometimes political, public submissions in the UN General Assembly.



Jacob Silberberg, Panos

6.3 Advancing RTI in Latin America

Since the 2012 United Nations Conference on Sustainable Development (Rio+20), we have been engaged with civil society groups, UN staff and national governments to help promote the development of a regional instrument on access to information, public participation and access to justice on environmental matters. In November 2014, 19 countries agreed to start negotiations, with the first draft to be released early in 2015 and negotiations to be completed by the end of 2016.

This instrument has the potential to significantly advance the right to information in the region, in terms of both new laws and new mechanisms to enforce it at regional level. It has also been acknowledged by the Secretary General of ECLAC as a potentially powerful force in the advancement of the SDGs in the region.

We engaged with United Nations Environment Programme (UNEP), and was appointed to the advisory committee that was considering how to implement the *Bali Guidelines* on access to *environmental information*. We also participated in the Meeting of Parties to the European Aarhus Convention, releasing a **new report** and holding a side event on threats to environmental activists and journalists.

6.4 Countries adopting right to information laws

In 2014, we played a key part in helping civil society and governments refine laws and in raising public awareness of the need to adopt right to information laws. We received several requests for legal and technical assistance with drafting and revising legislation on RTI and related issues. These included reviews of laws and proposed bills in Morocco, Mozambique, Tunisia, Japan and Mexico.

In Tunisia, our analysis of the access to information law is currently being used as the basis of civil society advocacy during the parliamentary adoption process. In Morocco, one minister asked us for more detailed legal commentary and help in formulating arguments that he could use with other ministers when advocating for changes to the law.

2014 saw a number of countries that we have worked with for several years adopting new RTI laws, including South Sudan, Afghanistan, and Paraguay.

Developing our new strategy 2015 - 2020



Journalist Ashok Prasad shows film
footage to the villagers of Dinajpur.
G. M. B. Akash, panos

Our current global strategy, based around five goals, ends in 2015. This strategy has served us well and provided a solid framework upon which to defend and promote freedom of expression and information. However, the landscape is changing fast so in the second half of 2014 we began reviewing our work and discussing what our focus should be for the next few years. This has involved staff from all our global offices, as well as our international and regional Board members.

Our aim is to develop a strategy that identifies the key current and future challenges, resonates globally and provides structure and coordination across our projects. Although our law and policy will remain a defining feature, the new strategy will apply equally to our communications, campaigns and programmes. It will be a strategy that is informed by our broad experience in countries across the world. It will take the shape of a combination of long-term aspirations and short-term more attainable outcomes covering our five core thematic areas: digital, media, civic space, protection and development and transparency.

Digital

We will pursue progressive standards regarding the principles that are the most critical for the rights to freedom of expression, information, privacy and association in this digital age. We will seek to ensure that developers and ICT providers have clear guidelines with strong human rights protections. We will also engage with the main bodies, institutions and processes that govern and impact on internet resources, encouraging them to pursue freedom of expression and information principles in their policies and technical standards. Finally, we will seek to make a persuasive case for universal internet access and net neutrality worldwide.

Media

We will work with media regulators, media organisations, journalist associations, legislators and others to ensure a comprehensive understanding of the laws and regulatory frameworks that are necessary for a free, diverse and independent media, especially in an increasingly converged digital landscape. Finally, we will pursue media environments that are conducive to the wider public interest, ensuring a diversity of perspectives – editorial, staffing and ownership – across media.

Civic space

We will pursue progressive standards on the right to protest, along with progressive policies and practice in key countries. We will also promote public participation, supporting a robust environment for civic discourse, debate and protest. Finally, we will support social movements, civil society and individuals in the use of digital platforms, strategies and tactics.

Protection

We will ensure journalists, human rights defenders, media workers and other social communicators have access to tools and knowledge so that they can protect themselves online and offline from physical, digital and legal risks or threats. We will work with media organisations, journalist associations, civil society and other non-state actors to enable them to defend individuals at risk, and lobby governments for effective policies and practices to decrease threats. Finally, we will push for investigations into the most critical free expression cases.

Development and Transparency

We will ensure that the rights to information, free expression, participation and association are incorporated into global and regional agreements and accountability mechanisms on sustainable development and the environment. We will pursue progressive legal frameworks, comprehensive disclosure regimes, and access to social accountability tools to improve government and corporate accountability and transparency. Finally, we will work with individuals, organisations and communities to enhance their influence on decision making.

As we work on these five themes, we will continue to ensure that gender issues are considered, and to prioritise work with marginalised, vulnerable and threatened communities. These include human rights and environmental defenders, social communicators, LGBTI communities, and people with disabilities.

About ARTICLE 19

What we do

Established in 1987, ARTICLE 19 defends freedom of expression and freedom of information. We fight for hostages of censorship, defend dissenting voices that have been muzzled, and campaign against laws and practices that silence.

“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

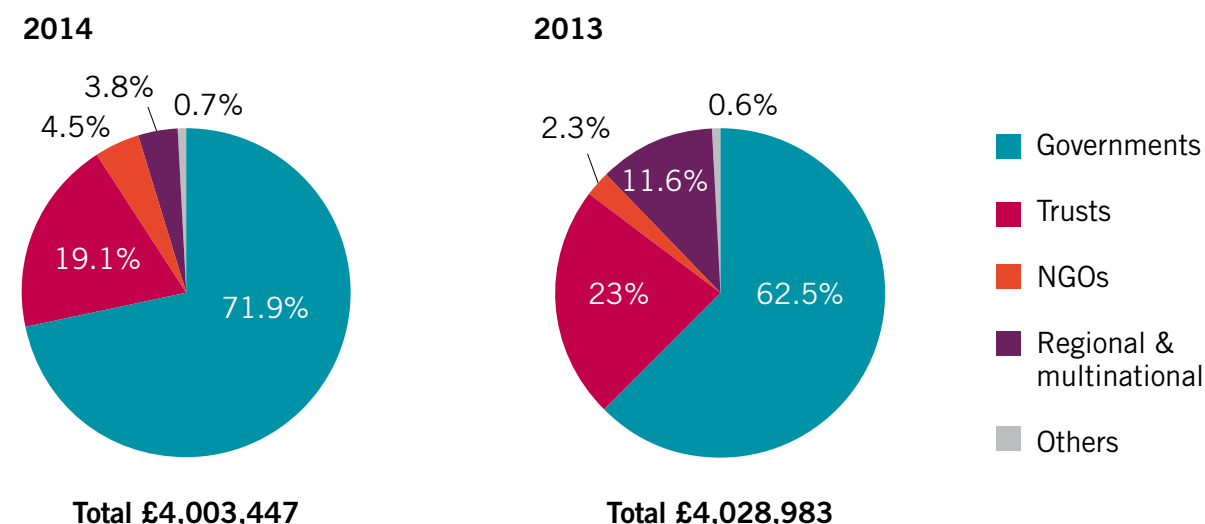
We are governed by an International Board of Trustees ('Directors' under company law). The International Board of Trustees meets twice a year to provide strategic direction for the organisation, and to monitor the work of the Executive Director. Our Finance and General Purpose Committee, which looks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

We currently have nine Trustees:

- Paddy Coulter (Chair), Director, Oxford Global Media, UK
- Galina Arapova, Director, Mass Media Defence Centre, Russia (Vice Chair)
- Nigel Saxby-Soffe (Treasurer)
- Catherine Smadja, Head of Special Projects, Policy & Strategy, BBC, UK
- Evan Harris, Free speech campaigner, UK
- Lydia Cacho, Journalist, Mexico
- Malak Poppovic, Senior Advisor, Conectas Direitos Humanos, Brazil
- Jennifer Robinson, Director of Legal Advocacy, Bertha Foundation, UK
- Kamel Labidi, Journalist, Tunisia.

Financial information*

Sources of income



Expenditure by activity

	2014	2013
Africa Projects	815,885	968,240
Asia Projects	374,105	236,767
Latin America Projects	737,655	473,783
Law and Policy Projects	455,610	277,775
Europe and Central Asia Projects	586,484	413,606
Middle East and North Africa Projects	385,115	496,202
Global Projects	538,224	700,597
Costs of Generating Voluntary Income	32,556	26,544
Governance Costs	54,674	55,943
Total resources expended	3,980,308	3,649,457

Our Supporters

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

- Adessium Foundation
- Baring Foundation
- Department for International Development (DFID)
- Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH
- DOEN Foundation
- Dutch Ministry of Foreign Affairs
- European Commission
- Ford Foundation
- Foreign and Commonwealth Office
- Free Press Unlimited
- Freedom House
- Fritt Ord
- International Media Support
- John Ellerman Foundation
- Kenya Media Programme, Hivos
- National Endowment for Democracy
- National Resource Governance Institute
- Norwegian Ministry of Foreign Affairs
- Open Society Foundations
- Panos Institute West Africa
- Swedish International Development and Co-operation Agency (Sida)
- The Guardian Foundation
- United States Department of State (USDoS)
- William and Flora Hewlett Foundation.

DEFENDING FREEDOM
OF EXPRESSION AND INFORMATION

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