

47th Regular Session of the United Nations Human Rights Council

Item 3: Interactive Dialogue of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression

Joint Oral Statement

Commonwealth Human Rights Initiative (CHRI) and Asian Forum for Human Rights and Development (FORUM-ASIA)

Wednesday, 2 July 2021

Madam President,

This is a joint statement on behalf of the Commonwealth Human Rights Initiative (CHRI) and the Asian Forum for Human Rights and Development (FORUM-ASIA).

We commend the Special Rapporteur for her timely report identifying the complex challenges posed by disinformation. Among other intersecting concerns, we raise the following issues:

First, deliberate spread of false information by State as well as non-State actors has had a disproportionate impact on journalists, activists and human rights defenders. This has sought to delegitimise their work, put them at a greater risk and condone or even sanction harassment and attacks against them. It has most adversely affected the already marginalised groups, especially during the COVID-19 pandemic, and has led to a sharp rise in xenophobia, racism, hate speech and violence, both online and offline.

Secondly, State responses to tackle disinformation such as internet shutdowns, restrictions on social media, broadly-defined laws, and excessive discretionary powers have often violated the rights to privacy and to freedoms of information and expression, and failed to meet the requirements under Article 19(3) of the ICCPR.

Thirdly, geographical disparities in this respect should be seen in terms of unequal internet penetration rates, especially in Asia and Africa. Corporate and hegemonic fact-checking platforms often exclude vernacular languages and specific socio-political contexts leaving unchecked digital spaces. This underlines the need for decentralised and democratised fact-checking processes that are both innovative and context-sensitive.

We call on States to meaningfully implement the recommendations in the report and request the Special Rapporteur to consider having regional consultations on the issue to share concerns and best practices.

We thank you.