

**FREEDOM OF EXPRESSION AND PRESS FREEDOM:  
PROTECTING AND RESPECTING HUMAN SECURITY**

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**KEY NOTE SPEECH**

**OSCE SUPPLEMENTARY MEETING  
FREEDOM OF THE MEDIA:  
PROTECTION OF JOURNALISTS AND ACCES TO INFORMATION  
OPENING SESSION**

**13-14 July, 2006**

**Excellencies, colleagues, ladies and gentlemen:**

Many thanks to the OSCE, the Belgian Chairmanship and the OSCE Representative on Freedom of the Media, for inviting me to this important event and for giving ARTICLE 19 the privilege of addressing you and presenting some of our thoughts on the key themes that this meeting is proposing to address, namely access to information, hate speech and the protection of journalists.

**Introduction**

ARTICLE 19 is a human rights organization that works all over the world for the defense and promotion of freedom of expression. Our approach and interventions are based on international human rights standards, beginning with article 19 of the Universal Declaration of Human Rights (UDHR) from which we take our name, and which guarantees the right to freedom of expression and the right to seek, receive and impart information and ideas. As a human rights organization, we also recognize that human rights are universal, meaning that rights apply to everyone whoever or wherever that person is; inalienable, in that they precede state authority and are based on peoples' humanity; and indivisible in that all rights are of equal importance.

In practice, ARTICLE 19 unique mandate has two main implications. The first is that we consider freedom of expression as both a fundamental right in its own regard as well as a crucial safeguard for the exercise of all other rights and a critical underpinning of democracy. The full enjoyment of the right to freedom of expression is central to achieving individual freedoms and developing democracy, and plays a critical role in tackling the underlying causes of poverty. It makes electoral democracy meaningful and builds public trust in the administration. Access to information strengthens mechanisms to hold governments accountable for their promises, obligations and actions. It not only increases the knowledge base and participation within a society but can also secure external checks on state accountability, and thus prevent corruption that thrives on secrecy and closed environments.

The second implication is that ARTICLE 19 also recognizes that the right to freedom of expression is not absolute and that under very specific circumstances, the exercise of this right

may be balanced with other rights or circumstances. Under international human rights law, the right to freedom of expression **may** be restricted in order to protect, amongst others, *the rights of others, public order, and national security* if it is "necessary in a democratic society" to do so and it is done by law. This formulation is found in both the UN Covenant on Civil and Political Rights and in the European Convention on Human Rights.

The European Court establishes a strict three-part test for the restriction of freedom of expression, and for a restriction to be legitimate, all three parts of the test must be met:

- (i) a restriction must indeed pursue the legitimate aim that it claims to pursue;
- (ii) the restriction must be imposed in a democratic framework (so, either by parliament or pursuant to powers granted by parliament); and
- (iii) the restriction must be "necessary in a democratic society". The word "necessary" must be taken quite literally and means that a restriction must not be merely "useful" or "reasonable".

Exactly what measures States impose to restrict freedom of expression may vary, but the main parameter is that whatever they do has to be "**necessary in a democratic society**". This really is crucial. States are not under an international obligation to restrict freedom of expression on the grounds listed above, but if they do so, they must meet the three part test.

International law provides also for narrowly drawn limitations on the right to freedom of expression under article 20 of the ICCPR which provide:

- (1) *Any propaganda for war shall be prohibited by law.*
- (2) *Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law.*

This is the only duty that States are under in the context of restricting freedom of expression.

## **1 - National security and freedom of the press**

It is universally accepted that certain restrictions on freedom of expression are warranted to protect national security interests. A State can hardly allow its citizens to divulge information about its troop movements during an active conflict, to give just one obvious example.

At the same time, the historic abuse of restrictions on freedom of expression and information in the name of national security has been, and remains, one of the most serious obstacles with respect to freedom of expression around the world. These problems manifest themselves in two related but different areas<sup>1</sup>.

First, many States impose criminal restrictions on the making of statements which allegedly undermine national security. Cases based on these restrictions may be used to suppress political opposition and critical reporting. Second, in almost all States where freedom of information is guaranteed by law, these laws limit the right in relation to national security, often in very broad terms. Excessive secrecy in relation to national security is a widespread problem around the world, even in established democracies<sup>2</sup>.

Over recent years, and particularly in the first six months of 2006, ARTICLE 19 has noted with increasing concern the multiplication all over the world of restrictions on freedom of expression, or attempted restrictions, justified on the grounds of national security. These restrictions have

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<sup>1</sup> Toby Mendel, "National Security vs. Openness: An Overview and Status Report on the Johannesburg Principles" in National Security and Open Government: Striking the Right Balance, Syracuse: Campbell Public Affairs Institute, 2003, pp.1-32

<sup>2</sup> Ibid, p.5.

included: the development of anti-terrorist laws, which are too often vague and overly broad, leaving them open to interpretation and potential abuse<sup>3</sup>; the controversy surrounding the Abu Ghraib and Basra photos; the use of Official Secrets Acts to deny access to publicly held information, including information of vital public interest, such as whether or not Al Jazeera was considered as a potential military target during the recent Iraq war; etc. All of these situations have one thing in common: the desire to bury or silence controversial voices that are deemed to pose a *potential* threaten our security. ARTICLE 19 has carried out detailed analyses of laws and specific cases which highlight a broad pattern of excessive restrictions.

Let me make a strong disclaimer: there is no doubt that the individuals and groups behind the continuing sectarian attacks in Iraq, 9/11 in New York, 7/7 in London, Besran, have acted in violation of, and with disregard, for human rights and humanitarian law; the rules which are grounded in the recognition of our common humanity. But do actions and policies by governments that further disregard, erode and ultimately abuse those very same rules – rules that until just a few months ago were held as inviolable by this and other governments – represent an appropriate response?

My answer would be no.

In 1995, ARTICLE 19 and the Centre for Applied Legal Studies (CALs) at the University of Witwatersrand, South Africa, jointly convened a meeting of some 36 leading experts from every region of the world to discuss this issue. After intensive debate, the group adopted the **Johannesburg Principles**, setting out standards on the extent to which governments may legitimately withhold information from the public and prohibit expression for reasons of national security<sup>4</sup>.

The Johannesburg Principles comprise 25 principles divided into four sections: General Principles, Restrictions on Freedom of Expression, Restrictions on Freedom of Information and Rule of Law and Other Matters. What follows is an overview of some of these principles:

A narrow definition of a legitimate national security interest is provided in Principle 2, which draws its inspiration from The Siracusa Principles on the *Limitation and Derogation Provisions in the International Covenant on Civil and Political Rights*.<sup>23</sup> This provides that a restriction is not legitimate unless its purpose and effect is to “protect a country’s existence or its territorial integrity against the use or threat of force, or its capacity to respond to the use or threat of force” from either an internal or an external threat.

Principle 2 goes on to elaborate a number of illegitimate grounds for claiming a national security interest, such as protecting the government from embarrassment or entrenching a particular ideology. These are clearly not national security interests but, at the same time, countries around the world fail to respect this Principle.

The key test for restrictions on freedom of expression in the name of national security is set out in Principle 6, which subject to other principles, prohibits restrictions on expression unless:

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<sup>3</sup> See for instance: ARTICLE 19 analysis of: Russia: anti-terrorism amendments; Latvia: prosecution of Aleksanders Gilmans; Bahrain: Gathering Codes (with Amnesty International); United Kingdom: submission on terror legislation to the ICJ; Australia: review of newly enacted sedition laws; etc. <http://www.article19.org/publications/global-issues/security-agendas.html>

<sup>4</sup> ARTICLE 19, the Johannesburg Principles: Principles on National Security, Freedom of Expression, and Access to Information, December 1996

- the expression is intended to incite imminent violence;
- it is likely to incite such violence; and
- there is a direct and immediate connection between the expression and the likelihood or occurrence of such violence.

At the root of this principle are two central ideas. First, there is a difference between beliefs and actions and, in turn, between *inciting* beliefs and *inciting* actions. It may be noted that this rule applies only in the context of national security.

Principles 7-9 set out a number of specific examples of expression that shall not be considered a threat to national security. These are, by-and- large, uncontroversial, including items such as advocating change of government policy, criticizing the State or government, objecting to military service, transmitting information about a banned organisation, or using minority languages.

As with the second part of Principle 2, however, all of these restrictions have been applied, purportedly to protect national security, and many countries continue to apply them.

### **Recommendations:**

To the extent that the Johannesburg Principles offer the closest possible international understanding of national security and freedom of expression, ARTICLE 19 wishes to take the opportunity provided by this conference to call upon government officials, the media and civil society to promote understanding and implementation of the principles, and more generally to raise awareness of the limited scope of restrictions that may be imposed upon freedom of expression, press freedom and access to information in the interest of national security.

In addition:

### **Anti-terror legislations:**

- Anti-terror laws and the legitimate objective of protecting the public from terrorism cannot justify illegitimate restrictions on freedom of expression or access to information.
  - In most countries, legitimate prohibitions on incitement to violence are already covered under existing provisions, calling into question the reasons for enacting new laws. These are often characterised by vague and overly broad provisions which leave them open to interpretation and potential abuse, including censorship or in worse cases, the closure of media outlets.
  - The most likely effect of such laws is the further marginalization of communities that already feel under threat.
  - A democracy needs vigorous debate on all matters of public interest in order to survive and progress. Suicide bombing is a despicable tactic; but in order to begin putting in place truly effective anti-terror measures, we need to understand its causes; and to understand its causes, we need debate, and we need to hear a multitude of voices, including those that express a deep sense of injustice and anger.

### **Censorship of the Media:**

- Censorship of the Media or pressure on the Media by governments or individual government officials to refrain from publishing information that has a clear public interest dimension (for example, an interview with Taliban commanders) cannot be considered a legitimate reason to restrict freedom of expression. The media is not responsible for difficult or ill-fated foreign or domestic policies. By providing

information on all sides to a conflict, or reporting breaches of international humanitarian law, the media performs its duty. Universal human rights values demands that we celebrate a diligent media that brings to public attention issues of significant, even if unpopular, public interest.

**Access to information:**

- Restrictions to nationally-held information on the grounds of national security must be narrowly defined and implemented.
- Public authorities and their staff bear sole responsibility for protecting the confidentiality of legitimately secret information under their control. Other individuals, including journalists and civil society representatives, should never be subject to liability for publishing or further disseminating this information, regardless of whether or not it has been leaked to them, unless they committed fraud or another crime to obtain the information.
- Criminal law provisions that do not restrict liability for the dissemination of State secrets to those who are officially entitled to handle those secrets should be repealed or amended.
- Anyone disclosing classified information should benefit from a **public interest defence** whereby, even if disclosure of the information would cause harm to a protected interest, no liability should ensue if the benefits of disclosure outweigh the harm. Although we recognise that civil servants may legitimately be placed under obligations of secrecy, these should be limited by their obligation to serve the overall public interest.

## **2 - Hate Speech**

The second topic that this conference purports to address is one that has also been at the centre of the controversies and violence that have characterised the last six months. The September publication of cartoons depicting the Prophet Mohammed in Denmark resulted in protests in the first half of 2006, which escalated into violent demonstrations in many parts of the world, deaths, the boycott of Danish goods, arrests of editors and journalists in the Middle East, etc<sup>5</sup>.

These events highlighted a shared sense and experience of insecurity. For some, insecurity was linked to the fear that their societies were about to lose values that were deeply held, such as individual freedoms and freedom of expression. For others, insecurity exploded out of outrage over the perceived lack of respect for religious beliefs. The background to this event was (and is) one of global insecurity: “terrorism” and the war on terror, the war in Iraq, the Israel-Palestine conflict, and images of Western soldiers on Iraqi soil, Israeli tanks in Palestinian cities, escalation of intolerance and discrimination, etc.

Another striking feature of these events has been the remarkable absence of sensible dialogue. Instead, there have been a series of accusations and counter-accusations, variously defending the absolute right to free speech and calling for apologies and censorship in the name of religion. In particular, a number of voices were heard across the world calling for additional legislation or enforcement of existing legislation regarding blasphemy, as required in a multi-cultural environment.

ARTICLE 19’s position is that offensive or blasphemous statements do not constitute the appropriate benchmark for restrictions to freedom of expression.

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<sup>5</sup> ARTICLE 19, Newsletter, Winter 2005/2006

Fundamental to the protection of human rights are the principles which recognize the inherent dignity and equality of all human beings, and the obligation of all Member States of the United Nations to take measures to promote “universal respect for, and observance of, human rights and fundamental freedoms for all, without distinction as to race, sex, language or religion.”<sup>6</sup> There is no denying that certain forms of expression can threaten the dignity of targeted individuals and create an environment in which the enjoyment of equality is not possible. For ARTICLE 19, such a risk may be provoked by expression that is **hateful** – although not by those that are blasphemous or offensive.

ARTICLE 19 recognizes that reasonable restrictions on freedom of expression may be necessary or legitimate to protect the right to equality, the right to mental and physical integrity, the right to be free from discrimination, and ultimately the right to life, as hate speeches have too often been associated with ethnic cleansing, wars, and genocide.

From this standpoint, hate speech regulations may constitute a legitimate and potentially necessary restriction to freedom of expression. Yet, they cannot constitute the sole or indeed central response to prejudice, racism, and discrimination. The appropriate answer to hate speech is not just more speech – but also policies and action which tackle the causes of inequality in all its forms.

### **Recommendations<sup>7</sup>:**

ARTICLE 19 believes that an effective response to expression that vilifies others requires a sustained commitment on the part of governments to promote equality of opportunity, to protect and promote linguistic, ethnic, cultural and religious rights, and to implement public education programmes about tolerance and pluralism.

In addition:

#### **Media self-regulation**

- Media self-regulation constitutes the best possible approach to ensure respect for freedom of expression, and balanced and impartial reporting.
- Independent media organisations, media enterprises and media workers have a moral and social obligation to make a positive contribution to the fight against racism, discrimination, xenophobia and intolerance, to combat intolerance and to ensure open public debate about matters of public concern. As far as Public Service Broadcasting is concerned, ARTICLE 19 is of the view that they have a legal obligation to play such a function.
- There are many ways in which media can make a contribution to the fight against intolerance, including by:
  - designing and delivering media training programmes which promote a better understanding of issues relating to racism and discrimination, and which foster a sense of the moral and social obligations of the media to promote tolerance and knowledge of the practical means by which this may be done;

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<sup>6</sup> Article 55(c) of the Charter of the United Nations. See also Article 55 of the Charter.

<sup>7</sup> Based on Agnes Callamard, “Freedom of speech and offence: why blasphemy laws are not the appropriate response”, in **Equal Voices**, the magazine of the European Monitoring Centre on Racism and Xenophobia (EUMC), Issue 18, June 2006

- ensuring that effective ethical and self-regulatory codes of conduct prohibit the use of prejudicial or derogatory stereotypes, and unnecessary references to race, religion and related attributes;
- taking measures to ensure that their workforce is diverse and reasonably representative of society as a whole;
- taking care to report factually and in a sensitive manner on acts of racism or discrimination, while at the same time ensuring that they are brought to the attention of the public;
- ensuring that reporting in relation to specific communities promotes a better understanding of difference and at the same time reflects the perspectives of those communities and gives members of those communities a chance to be heard;
- ensuring that a number of voices within communities are heard rather than representing communities as a monolithic bloc – communities themselves may practice censorship;
- promoting a culture of tolerance and a better understanding of the evils of racism and discrimination.<sup>8</sup>

#### **Carefully designed hate speech regulations**

- Any so-called hate speech restriction on freedom of expression should be carefully designed to promote equality and protect against discrimination and, as with all such restrictions, should meet the three-part test set out in Article 19 of the ICCPR, according to which an interference with freedom of expression is only legitimate if:
  - it is provided by law;
  - it pursues a legitimate aim; and
  - it is “necessary in a democratic society”.
- Specifically, any restriction should conform to the following:
  - it should be clearly and narrowly defined;
  - it should be applied by a body which is independent of political, commercial or other unwarranted influences, and in a manner which is neither arbitrary nor discriminatory, and which is subject to adequate safeguards against abuse, including the right of access to an independent court or tribunal;
  - no one should be penalised for statements which are true;
  - no one should be criminally penalised for the dissemination of hate speech unless it has been shown that they did so with the intention of inciting discrimination, hostility or violence;
  - the right of journalists to decide how best to communicate information and ideas to the public should be respected, particularly when they are reporting on racism and intolerance;
  - care should therefore be taken to apply the least intrusive and restrictive measures, in recognition of the fact that there are various available measures some of which exert less of a chilling effect on freedom of expression than others; and

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<sup>8</sup> This list is based on the 2001 Joint Statement on Racism and Media by the UN Special Rapporteur on Freedom of Opinion and Expression, the OSCE Representative on Freedom of the Media and the OAS Special Rapporteur on Freedom of Expression.

- any imposition of sanctions should be in strict conformity with the principle of proportionality and criminal sanctions, in particular imprisonment, should be applied only as a last resort.<sup>9</sup>
- Restrictions must be formulated in a way that makes clear that its sole purpose is to protect individuals holding specific beliefs or opinions, whether of a religious nature or not,<sup>10</sup> from hostility, discrimination or violence, rather than to protect belief systems, religions, or institutions as such from criticism. The right to freedom of expression implies that it should be possible to scrutinise, openly debate, and criticise, even harshly and unreasonably,<sup>11</sup> belief systems, opinions, and institutions, including religious ones,<sup>12</sup> as long as this does not advocate hatred which incites to hostility, discrimination or violence against an individual.

### **Conclusion: Freedom of expression – an essential component to democracy and human security**

The restrictive provisions that have mushroomed over the last year have a ‘chilling effect’ on independent voices and the media, which adversely restricts the free flow of information and the public’s right to know.

This trend threatens to negate decades of demonstrations and arguments by free speech advocates and hard-won court judgments affirming:

- That freedom of expression is both a fundamental right in its own regard as well as a crucial safeguard for the exercise of all other rights and a critical underpinning of democracy.
- That public officials should tolerate a *higher degree* of criticism than ordinary citizens, and that defamation laws that grant public figures special protection are “liable to hamper the press in performing its task as purveyor of information and public watchdog”. (European Court of Human Rights)
- That the media should be able to report on matters in the public interest including the exposure of wrongdoing by the authorities because this enhances the accountability of public officials through greater scrutiny and information on their actions.
- That the pluralism, tolerance and broadmindedness without which there is no ‘democratic society’ demands precisely the protection of controversial, offensive, shocking or disturbing statements.

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<sup>9</sup> This list draws on the 2001 Joint Statement of the specialised mandates on freedom of expression, note.

<sup>10</sup> Religion as used here is to be understood broadly and does not depend on formal State recognition.

<sup>11</sup> The right to freedom of expression includes the right to make statements that ‘offend, shock or disturb’. See *Handyside v. United Kingdom*, 7 December 1976, Application No. 5493/72, 1 EHRR 737, para. 49 (European Court of Human Rights).

<sup>12</sup> ARTICLE 19 believes that blasphemy as a criminal offence should be abolished. Tolerance, understanding, acceptance and respect for the diversity of faiths and beliefs cannot be secured by the threat of criminal prosecution and punishment. This is becoming ever more relevant as our societies become more and more diverse.



- That this protection is particularly important, crucial even, in current times when our society is at war with itself.

The restriction of freedom of expression or access to information in the name of national security is an extremely short-sighted view. In fact, denial of information is far more likely to result in social tensions and conflicts.

Most of the traditional arguments in favor of freedom of expression and openness apply with at least equal force where national security is concerned. These include<sup>13</sup>:

**(i) Freedom of Expression (FoE) strengthens the democratic framework**

While FoE, including freedom of information, is not a sufficient condition for democratic reform, it is arguably a necessary one. It forms a central pillar of the democratic framework through which all rights are promoted and protected, and the exercise of full citizenship is guaranteed. A robust democratic framework helps create the stability necessary for society to develop in a peaceful and relatively prosperous manner. The United Nations has argued that by promoting the relevance of politics as the sphere within which key decisions affecting society are taken, citizens would be persuaded that solutions to existing problems must be sought within and not outside democratic institutions.

Intelligence and security bodies play an important role in society and they must, like all public bodies, be subject to democratic accountability. In some cases, they appear not to be accountable even to elected officials. In other cases, elected officials take advantage of the secrecy surrounding these bodies to abuse their powers for political purposes. A ruling power might reasonably be expected to take measures against actions hostile to its existence but it should tolerate the expression of hostile opinions, e.g. sedition should be restricted to those who advocate the overthrow of the political order and the State.

**(ii) FoE and especially freedom of information laws contribute to a reduction in corruption**

FoE and access to information laws are critical tools in the fight against corruption, which allows inefficiency to thrive and distorts the potential for growth. Corruption discourages foreign investment and eats away at the budgets allocated to public procurements which enable basic infrastructure such as roads, schools and hospitals to be built. High levels of corruption both reduce the effectiveness of aid-funded projects and weaken public support for assistance in donor countries. If unbridled corruption continues to infect a society or political system, it may eventually lead to social unrest due to the division it creates between those who have easy access to goods and services and those who remain disadvantaged. If a public administration must publish regular accounts, including the particulars of specific deals that have been negotiated, if companies are forced to set out their side of the arrangement, and business is agreed with the expectation that the details will one day come to light, the margin for corrupt activity is dramatically reduced. Sunshine is the best disinfectant.

Defense industries absorb enormous amounts of public money and, in many countries, spend more discretionary funds through contractual procedures than most, if not all, other public

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<sup>13</sup> Based on Bethan Grillo, *Why should governments pass freedom of information legislation*, London: ARTICLE 19, forthcoming; and Toby Mendel, *op. cit.*, 2003

sectors. This is a natural breeding ground for corruption and it is only through open public oversight that this can be contained. Public oversight is also crucial to ensure sensible policy- and decision-making, generally, but also specifically including in relation to national security: “The problem with the ‘national security state’ is not so much that it violates ... rights, although it sometimes does just that, but that it can lead to the repetition of irrational decisions<sup>14</sup>.”

### **(iii) FoE helps form a robust, stable government with broad public support**

An open information regime contributes to an arena in which politics can unfold in an unfettered and constructive manner. Without freedom of information, secretive governments foster secretive societies in which rumours multiply and conspiracy theories abound. Where there is an information vacuum, the media and public often fill the space with sensationalist stories and discussions of the worst case scenario. Secrecy can give rise to conflict as people become frustrated with their leaders or act upon hearsay. By releasing information into the public realm and inviting public scrutiny of its actions, government is actually making an investment in its political support base. This can pay dividends at election time. But most importantly, it can support peaceful processes and democratic development.

### **(iv) Freedom of the press: an essential component of human security**

The key concept and aspiration that should be driving national and global leadership in the face of global insecurity must be that of human security – it encapsulates national security but does not limit itself to it. The UNDP’s 1994 Human Development Report is considered a milestone publication in the field of Human Security. It states that human security consists of two basic pillars: the *freedom from want* and the *freedom from fear*. This means the absence of hunger and illness as well as of violence and war. The concept of human security marries the traditionally separate fields of development studies and national security and links the traditionally opposing principles of human rights and sovereignty<sup>15</sup>. A large number of governmental and non-governmental actors had thrown their weight behind this formulation, as highlighted by the appointment in 2001 of a panel of high-level experts, mandated by the international community to focus on a number of distinct but interrelated issues concerning conflict and poverty: protecting people in conflict and post-conflict situations, shielding people forced to move, overcoming economic insecurities, guaranteeing essential health care, and ensuring universal education. The Commission's conclusions and report, launched in 2003, proposed a new security framework that centers directly and specifically on people.

In its final report, the Commission presented the following approach which could constitute a far better and sounder basis for tackling the challenges that have continued or developed since 2003.

*“Human security means protecting vital freedoms. It means protecting people from critical and pervasive threats and situations, building on their strengths and aspirations. It also means creating systems that give people the building blocks of survival, dignity and livelihood. Human security connects different types of freedoms - freedom from want, freedom from fear and freedom to take action on one’s own behalf. To do this, it offers two general strategies: protection and empowerment. Protection shields people from dangers. It requires concerted effort to develop norms, processes and institutions that systematically address insecurities. Empowerment*

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<sup>14</sup> Paul Chevigny, “Information, the Executive and the Politics of Information” in Shetreet, Simon, ed., *Free Speech and National Security* (Dordrecht: Martinus Nijhoff, 1990).

<sup>15</sup> Wikipedia, the free encyclopedia

*enables people to develop their potential and become full participants in decision-making. Protection and empowerment are mutually reinforcing, and both are required in most situations.*

*Human security complements state security, furthers human development and enhances human rights. It complements state security by being people-centered and addressing insecurities that have not been considered as state security threats. By looking at "downside risks", it broadens the human development focus beyond "growth with equity". Respecting human rights are at the core of protecting human security.*

*Promoting democratic principles is a step toward attaining human security and development. It enables people to participate in governance and make their voices heard. This requires building strong institutions, establishing the rule of law and empowering people<sup>16</sup>”*

One of the Human Security Commission Recommendations focused on “Knowledge, skills and values - for human security”. It especially urged the international community to recognize the role played by the Media in providing in life skills and public issue, giving people voice in public debates, and enabling them to actively exercise their rights and fulfill their responsibility<sup>17</sup>.

Unduly restricting cherished rights is precisely the wrong response to terrorism. It is to abdicate rather than defend universal values in the face of an attack. It is adding another scar to our common humanity.

History is replete with examples of government efforts to suppress human rights and speech on the grounds that to do so is necessary for society’s survival. In retrospect, these efforts almost always appear panicky, disingenuous or dangerous. Let us not sink deeper into that trap.

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<sup>16</sup> Commission on Human Security, Report, Geneva: 2003 [www.humansecurity-chs.org/finalreport/Outlines/outline.pdf](http://www.humansecurity-chs.org/finalreport/Outlines/outline.pdf)

<sup>17</sup> Ibid