

# Freedom of Expression in the Age of Globalization



## FOE1x Reading List

### Week 1:

#### Why Freedom of Expression matters: The Search for Truth

- John Stuart Mill, *On Liberty* (1859), Chapter Two, 3 ed., (London: Longman, Green, Longman Roberts & Green, 1864), accessed 19 September 2016, Gutenberg.org, <http://www.gutenberg.org/files/34901/34901-h/34901-h.htm>
- Holmes J., *Abrams v. US (dissenting opinion)* , 250 US 616, 630-1 (1919)
- Vincent Blasi, "Free Speech and Good character: From Milton to Brandeis to the Present ," in *Eternally Vigilant: Free Speech in the Modern Era*, ed. Lee C. Bollinger and Geoffrey R. Stone (Chicago: The University of Chicago Press, 2002) pp.60-72

#### Why Freedom of Expression matters: Self-Development and Tolerance

- Lee Bollinger, "An Agenda for the General Tolerance Theory" from *The Tolerant Society: Freedom of Speech and Extremist Speech in America* (Oxford: Oxford University Press, 1986), pp.237-248. By Permission of Oxford University Press. This book may be purchased [here](#).
- Delhi High Court, *Murugan v Tamil*, CRL. REVISION PETITION NO.114/2007, May 2008, para.113-116,<http://www.outlookindia.com/website/story/there-should-be-freedom-for-the-thought-we-hate/237391>

#### Why Freedom of Expression matters: Democracy and Development

- Lee Bollinger, "Enslaved to Freedom," in *The Tolerant Society: Freedom of Speech and Extremist Speech in America* (Oxford: Oxford University Press, 1986), pp. 23-28. By Permission of Oxford University Press. This book may be purchased [here](#)
- US Supreme Court decision *Whitney v. California*, 274 U.S. 357 (1927) (sections 375-378)
- Amartya Sen, "Democracy as a Universal Value," *Journal of Democracy* 10, No.3 (1999) pp. 3-17

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## Supplementary Readings

- John Milton, *Areopagitica, A Speech of Mr. John Milton for the Liberty of Unlicenc'd Printing to the Parliament of England* (1 ed.) (London, 1644), accessed on 19 September 2016, archives.org <https://archive.org/details/areopagitica00miltuoft>
- Karl Marx, "On Freedom of the Press: Censorship", *Rheinische Zeitung*, May 15, 1842, accessed 19 September 2016, <http://marxists.catbull.com/archive/marx/works/1842/free-press/ch05.htm>
- [Alexander Meiklejohn, Free Speech and its Relation to Self-Government, 1948](#) (Harper, 1948) accessed on 19 September 2016
- Jeremy Bentham, [Liberty of the Press and Public Discussion](#) (Letters), (1843), accessed on 19 September 2016
- Lee C. Bollinger and Geoffrey R. Stone, *Eternally Vigilant: Free Speech in the Modern Era* (Chicago: University of Chicago Press, 2002)
- ECtHR [Handyside v. United Kingdom](#), Application No. 5493/72 (1976).
- South African Supreme Court of Appeal, [Hoho v. The State](#), Case No. 493/05 (2008)
- Amartya Sen, *Democracy as Freedom* (Anchor, 1999)
- Rodney Smolla, "Speech Overview" *First Amendment Center*, October 23 2002, accessed 19 September 2016 <http://www.firstamendmentcenter.org/speech-overview>
- ARTICLE 19, *A Healthy Knowledge: The Right to Information and the Right to Health* (London: ARTICLE 19, 2012) accessed on 19 September 2016 <https://www.article19.org/data/files/medialibrary/3452/12-09-12-POLICY-right-to-health-WEB.pdf>
- ARTICLE 19, *Humanitarian Disasters and information Rights* (London: ARTICLE 19 2005) accessed on 19 September 2016 <https://www.article19.org/data/files/medialibrary/318/freedom-of-information-humanitarian-disasters.pdf>

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- European Court of Human Rights, *Lingens v. Austria*, 8 July 1986, accessed on 19 September 2016: [http://hudoc.echr.coe.int/eng#{"fulltext":\["lingens"\],"documentcollectionid2":\["GRANDCHAMBER"\],"chamber":\["CHAMBER"\],"itemid":\["001-57523"\]}](http://hudoc.echr.coe.int/eng#{)
- European Court for Human Rights, *Castells v. Spain*, April 23 1992, accessed on 19 September 2016: <https://globalfreedomofexpression.columbia.edu/cases/castells-v-spain/>

## Week 2:

### Post WW2: The Universal Declaration of Human Rights and Freedom of Expression and Information

- [Universal Declaration of Human Rights](#), 1948
- [Resolution 59\(I\) on Freedom of Information](#), UN General Assembly, 1946

### Article 19 of the International Covenant on Civil and Political Rights

- [International Covenant for Civil and Political Rights](#), 1967
- Website, 50<sup>th</sup> anniversary of the Human Rights Covenants, About the Covenants, United Nations: <http://2covenants.ohchr.org>
- [International Covenant on Civil and Political Rights](#) By Christian Tomuschat, Professor emeritus at Humboldt University, Berlin, Germany

### The European Convention ad Freedom of Expression (Article 10)

- [European Convention on Human Rights](#), 1953
- Dirk Voorhoof, “The Right to Freedom of Expression and Information under the European Human Rights System: Towards a more Transparent Democratic Society” (EUI RSCAS; Centre for Media Pluralism and Media Freedom, 2014/12) accessed on 19 September 2016

### The Inter-American Convention on Human Rights and Freedom of Expression (Article 13)

- [American Convention on Human Rights](#), Organization of American States, 1969

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- Inter-American Commission, [Advisory Opinion OC-5](#), 13 November 1985, pp.1-24; accessed on 19 September 2016

## The African Convention of Human and People's Rights

- African Charter on Human and Peoples Rights, Organization of African Unity, 1979 <http://www.achpr.org/instruments/achpr/>
- African Commission on Human and People's Rights, Declaration of Principles on Freedom of Expression in Africa, October 2002, accessed on 19 September 2016 <http://hrlibrary.umn.edu/achpr/expressionfreedomdec.html>
- Agnes Callamard, "Accountability, Transparency, and Freedom of Expression in Africa," in *Social Research* Vol. 77, No.4, (Winter 2012): pp 1211-1240

## The US Frist Amendment

- Lee C. Bollinger and Geoffrey R. Stone, "[Eternally Vigilant](#)", (Chicago, University of Chicago Press, 2002) pp.1-31 (Note: a Microsoft Word version of the file can be downloaded [here](#) )

## Conclusion: Middle East and Asia-Pacific

- League of Arab States, Arab Charter on Human Rights, 2004, accessed on 19 September 2016 <https://globalfreedomofexpression.columbia.edu/law-standards-2/league-of-arab-states/>
- Association of Southeast Asian Nations, [ASEAN Declaration on Human Rights](#), 2012, accessed on 19 September 2016:

## Supplementary Readings

- Jack Donnelly, *International Human rights in Theory and Practice* (Cornell University Press, 2d edition, 2003) Chapters 2 and 8
- Steven Jensen, *The Making of International Human Rights: the 1960s, Decolonization and the Reconstruction of Global Values* (Cambridge University Press, 2016) Chapters 1 and 2
- Stephen Hopgood, *The Endtimes of Human Rights* (Cornell University press, 2013)
- Stone, Seidman, et al. *Constitutional Law*, Seventh Edition, ISBN 9781454817574, pp. 1027-1048

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- Jack Snyder and Karen Ballentine, “Nationalism and the Marketplace of Ideas,” *International Security* Vol. 21, No.2, 1996, pp.5-40, accessed on 19 September 2016 <http://www.la.utexas.edu/users/chenry/core/Course%20Materials/SnyderNat1996/0.pdf>
- Website, 50<sup>th</sup> anniversary of the Human Rights Covenants, United Nations: <http://2covenants.ohchr.org>
- Website, African Commission, Special Rapporteur on Freedom of Expression and Access to Information, <http://www.achpr.org/mechanisms/freedom-of-expression/>
- Website, Office of the Special Rapporteur on Freedom of Expression, Organisation of American States, <http://www.oas.org/en/iachr/expression/index.asp>

## Week 3:

### The Scope of Article 19 and its Regional Equivalents

- [Human Rights Committee, General Comment 34, CCPR/C/GC/34](#), (Geneva: 11-29 July 2011), Paragraphs 1-20, accessed on 19 July 2016

### The Three-Part Test: Legality

- [Human Rights Committee, General Comment 34, Par.21-27](#); [Cengiz and Others v. Turkey](#), No. 48226/10 and 14027/11

### The Three-Part Test: Valid Grounds

- [HRC General Comment 34](#), Par.28-32
- [Svetik v. Belarus, No. 927/2000](#), UN Human Rights Committee, 2004

### The Three-Part Test: Necessary

- [Human Rights Committee, General Comment 34](#), Par.33-49
- [Zeljko Bodrožić v. Serbia and Montenegro](#), No. 1180/2003, Human Rights Committee, 2003

### Incitement and Hate Speech – Part 1



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- [ARTICLE 19, Prohibiting Incitement to Discrimination, Hostility or Violence, Policy Brief](#) (London: ARTICLE 19, 2012) accessed on 19 September 2016
- [OHCHR, Rabat Plan of Action on the Prohibition of Advocacy of National, Racial or Religious Hatred that Constitutes Incitement to Discrimination, Hostility or Violence](#), A/HRC/22/17/Add.4, 11 January 2013, accessed on 19 September 2016

## Incitement and Hate Speech – Part 2

- [Mbala Mbala v. France](#), No.25239/13, ECHR, 2015
- [Ross v. Canada](#), No. 736/1997, HRC, 2000 in Selected Decisions by the Human Rights Committee, pp.54-64
- [The Case of Sheikh Ali](#), Bahrain, 2015, accessed on 19 September 2016

## Supplementary Material

- [The Dark Twin of Free Speech](#), A paper written for Columbia Global Freedom of Expression, 2016
- [Chimakure v. Attorney-General of Zimbabwe](#), CC& 247/09, Zimbabwe Constitutional Court, 2014
- [Wegrzynowski and Smolczewski v. Poland](#), 33846/07, ECHR, 2007
- [Omar Humberto Maldonado et al. v. Chile](#), 12.500, Inter-American Court, 2015
- [Shin v. Republic of Korea](#), 926/2000, Human Rights Committee, 2004
- [Snyder v. Phelps](#), 562 U.S. 443, 2011
- [Stone, Seidman, et al. Constitutional Law](#), Seventh Edition, ISBN 9781454817574, pp. 1236-1263
- Catherine MacKinnon, foreword to [Speech and Harm: Controversies over Free Speech](#), Edited by I. Maitra and M. K. McGowan, (Oxford: Oxford University Press, 2012)
- Stephanie Farrior “[Molding The Matrix: The Historical and Theoretical Foundations of International Law Concerning Hate Speech](#),” [Berkeley Journal of International Law](#) 14.1 (1996)

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- Katherine Gelber, “*Reconceptualizing Counter Speech in Hate-Speech Policy*,” in *The Context and Content of Hate Speech*, ed. By Michael Herz and Peter Molnar, (Cambridge University Press, 2012)

## Week 4:

### Political Speech

- UN HRC, General Comment 34, CCPR/C/GC/34, Par. 11, Columbia Global Freedom of Expression, Bahrain: *A Legal Analysis of the Legitimacy of the Charges Against Maytham Al Salman*, 10 February 2016, par. 33-50
- South Africa Supreme Court, *Democratic Alliance v. African National Congress*, 2015

### Speech on Public Officials

- *New York Times Co. v. Sullivan*, 376 U.S. 254, Supreme Court (1964) Podcast, (accessed on October 14, 2016)
- Decision: <https://www.law.cornell.edu/supremecourt/text/376/254> - Section III (although please feel free to review the entire decision) (Accessed on October 14, 2016)
- *Lingens v. Austria*, Application No. 9815/82, European Court for Human Rights (1986)

### Press Freedom and Media Regulation

- *Human Rights Committee, General Comment 34*, Op. cit., Paragraphs 13-17 and Paragraphs 39-45, (accessed on October 14, 2016)
- Timothy Besley and Andrea Prat, “*Handcuffs for the Grabbing Hands? Media Capture and Government Accountability*”, *American Economic Review*, 96 (3). pp. 720-736) (accessed on October 14, 2016)

### The Regulation of the Written Press

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- HRC General Comment 34, Par.13-17; ARTICLE 19, *United States: Grosjean v. American Press Co.*, accessed October 19, 2016

## The Regulation of Broadcasting

- ARTICLE 19, Access to the Airwaves: *Principles on Freedom of Expression and Broadcast Regulations*, (London, ARTICLE 19, 2002), accessed 19 September 2016
- *RCTV v. Venezuela, Inter-American Court*, (June 22, 2015)(accessed on October 14, 2016)

## Journalists: Licensing

- Compulsory Membership in an Association Prescribed by Law for the Practice of Journalism, *Advisory Opinion OC-5/85* of 13 November 1985, Series A. No. 5, available online in English
- *Rolfsen and Association of Norwegian Editors v. The Norwegian prosecution Authority*, HR-2015-2308-A, Norway Supreme Court, November 20, 2015
- *Branzburg v. Hayes*, 408 (US) 665, US Supreme Court June 29, 1972(accessed October 14, 2016)

## Access to Government-Held Information

- Coliver, Sandra, "*The Right to Information and the Expanding Scope of Bodies Covered*," in *Freedom of Speech and Censorship around the World*, edited by Peter Molnar (Central University Press, 2014)
- *Claude Reyes v. Chile*, sec C. No. 151, Inter-American Court, September 16, 2006
- *Youth Initiative for Human Rights v. Serbia*, 48316/06, ECHR, 25 June 2013
- Thomas Blanton, "*The World's Right to Know*" [2009] November, *Foreign Policy*, 50 available

## Supplementary Material

- Dirk Voorhoof, "*Freedom of Journalistic News gathering, Access to Information and Protection of Whistle-blowers under Article 10 ECHR and the Standards of the Council of Europe*," in *Journalism at Risk. Threats, challenges and perspectives*, (Council of Europe, Strasbourg, 2015), pp.105-143



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- Agnes Callamard, "[Towards a Third Generation of Right to information Activism](#) ", a presentation for UNESCO World press Freedom Day, Mozambique, 2008
- Mendel, Toby, "[Freedom of Information: A Comparative Legal Survey](#) ", 2nd Edition (UNESCO 2008)
- Peled, Roy and Rabin, Yoram, "[The Constitutional Right to Information](#) ", Columbia Human Rights Law Review, Volume 42(2)(2010)
- Maeve McDonagh, "[The Right to Information in International Human Rights Law](#) ", (2013) 13(1) HR L Rev,
- Lee Bollinger – Uninhibited, Robust, and Wide-Open: A Free Press for a New Century (2010)
- Owen Fiss, "The Censorship of Television," in Eternally Vigilant: Free Speech in the Modern Era (2002)
- Frederick Schauer, "Towards an Institutional First Amendment," Minnesota Law Review 89 (2004-2005): 1256-1279
- Dirk Voorhoof, "Freedom of Expression, Media and Journalism under the European Human Rights System: Characteristics, Developments, and Challenges", in Central European University Press, Budapest - New York, 2015, 59-104
- A Mungiu-Pippidi, "Freedom without impartiality: The Vicious Circle of Media Capture" in Media Transformations in the Post-Communist World

## Week 5:

### Freedom of Expression Online

- John P. Barlow, [A Declaration of the Independence of Cyberspace](#), 1996
- UN Special Rapporteur on Freedom of Expression, [2011 Report on Freedom of Expression, A/HRC/17/27](#), Paragraphs 19-27
- Resolution adopted by the Human Rights Council on 1 July 2016, on [The promotion, protection and enjoyment of human rights on the Internet](#)

# Freedom of Expression in the Age of Globalization



- Agnes Callamard, *“For a human rights journey into the online world”*, in *Human rights and Information and Communication technology* (Bangkok: Asia-Europe Foundation, 2013)

## Intermediary Liability

- ARTICLE 19, *Internet Intermediary: Dilemma of Liability*. (London: ARTICLE 19, 2013), pp.6-7 and p.14
- UN Special Rapporteur on Freedom of Expression, [2011 Report on Freedom of Expression, A/HRC/17/27](#), Paragraphs 38-48
- [Section 230](#), US Communication Decency Act
- [Delfi v. Estonia](#), ECHR, June 16, 2015

## Censorship by Proxy and other Implications

- Freedom House, *Freedom on the Net 2015, Major Findings*, October 2015, pp.6-7
- Ranking Digital Rights, *Corporate Accountability Index 2015, Findings*
- Derek E. Bambauer, *Censorship V3.1, Arizona Legal Studies*, Discussion Paper No. 12-28, September 2012, pp.7-13

## Are Bloggers Journalists?

- [Code of Ethics for Bloggers, Social Media and Content Creators](#)
- European Journalism Center, [“In the aftermath of the Arab Spring revolutions, journalists ask: “Who is a journalist?”](#)
- Daoud Kuttab, [“Who is a Journalist”](#), Doha Center for Media Freedom, 07/09/2015
- International Media Support, [Specialists take on journalist regulation principles, call for reform](#), 13 March 2015
- Kimberly Voss, [“Will lawmakers raise shields to protect bloggers?”](#) in *Online Journalism Review*, October 12, 2005

## The Liability of Search Engines

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- European Court of Justice, *Google Spain v. Gonzalez*, 2014
- Kent Walker, Google's global general counsel, "*A Principle that should not be forgotten*", May 19, 2016

## The Right to be Forgotten

- Agnes Callamard, "*Comity for Internet: Recent Courts Decisions on the Right to be Forgotten*", in *National Law Review*, August 12, 2015
- ARTICLE 19, "*The right to be forgotten: Remembering Freedom of Expression*", Policy Brief, (London: ARTICLE 19, 29 March 2016)

## Surveillance Within and Across Borders

- Office of the United Nations High Commissioner for Human Rights, "*The right to privacy in the digital age*", 30 June 2014, A/HRC/27/ 37, pp. 5-15
- *International Principles on the Application of Human Rights to Communications Surveillance*, May 2014
- Sandra Coliver, "*Why Snowden Won't Get the Public Interest Defense He Deserves*", Open Society Foundation, June 24, 2015

## Supplementary Material

- ARTICLE 19, [Video on the Right to Blog](#)
- ARTICLE 19, "*Internet Intermediary: Dilemma of Liability*". (London: ARTICLE 19, 2013)
- ARTICLE 19, *the Right to Blog* (London: ARTICLE 19, 2014)
- Bertrand de la Chapelle and Paul Frehlinger, *Jurisdiction on the Internet: "From Legal arms race to transnational cooperation"*, (Paris: Internet and Jurisdiction, April 2016)
- Yochai Benkler, "*The wealth of Networks: How Social Production Transforms Markets and Freedoms*", (Yale University Press, 2006)

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- Derek E. Bambauer, *Censorship V3.1*, Arizona Legal Studies, the University of Arizona, September 2012
- *Branzburg v. Hayes*, 408 U.S. 665 (19720)
- Agnes Callamard, "Are Courts re-inventing Internet Regulation?", Discussion Paper for the 24th IPSA World Congress of Political Science, Poznan, Poland, July 25, 2016
- Sandra Coliver, "[Chelsea Manning's 35 year sentence: Far beyond All Norms](#)", Open Society Foundations, May 11, 2016
- Laura De Nardis, "[Internet Points of Control as Global Governance](#)", Internet Governance Papers, Paper No. 2, August 2013
- Digital Millennium Copyright Act, Pub. L. No. 105-304, 112 Stat. 2860 (Oct. 28, 1998)
- ECHR, *Affaire Görmüş et autres c. Turquie*, Par.43, 19 April, 2016
- Freedom House, "[Freedom on the Net](#)", 2015
- Global Freedom of Expression, "*Justice for Freedom of Expression Conference 2015*", Panel on the right to be forgotten (Segment 6)
- Human Rights Watch, "[World Development report 2016 – Internet for Development](#)", (New York, August 2015)
- The International Forum for responsible Media Blog (Inform's Blog), "[The Right to Be Forgotten](#)"
- "[Joint Declaration on Freedom of Expression and the Internet](#)", 2011, The United Nations (UN) Special Rapporteur on Freedom of Opinion and Expression, the Organization for Security and Co-operation in Europe (OSCE) Representative on Freedom of the Media, the Organization of American States (OAS) Special Rapporteur on Freedom of Expression and the African Commission on Human and Peoples' Rights (ACHPR) Special Rapporteur on Freedom of Expression and Access to Information
- Lawrence Lessig, *Code. Version 2.0* New York : Basics Book, 2006
- Lyon, D., ed. 2003. "*Surveillance and Social Sorting*", London: Routledge
- [Manila Principles on Internet Intermediaries](#), Principles 1 to 3, 2015

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- Milton Mueller, *Networks and States, the Global Politics of Internet Governance*, London: MIT Press, 2011
- Eben Moglen, "[Privacy Under Attack: the NSA Files reveal New Threats to Democracy](#)", in *The Guardian*, 27 May 2014
- [Right to Remove Petition](#), US
- Jacob Silverman, *Terms of Service: Social Media and the Price of Constant Connection*, HarperCollins, 2015
- Joel Simon, *The New Censorship: Inside the Global Battle for Media Freedom*, pp.150-154 and pp.159-166 (the Assange conundrum)
- [Reno v. ACLU](#), 521 U.S. 844 (1997)
- Jacob Silverman, "[Big Data's big libertarian lie: Facebook, Google and the Silicon Valley ethical overhaul we need](#)", *Salon*, April 26 2015
- Timothy Wu, "[Cyberspace Sovereignty? The Internet and the International System](#)", in *Harvard Journal of Law and Technology* 10 (3) 647-666, 1997
- Tim Wu, "[Why You Should Care About Network Neutrality: The future of the internet depends on it!](#)", *Slate Magazine*, May 1, 2006
- Tim Wu, "[The Coming War Over Net Neutrality](#)", in *The New Yorker*, 3 May 2013

## Week 6:

### Defamation: The Basics

- Human Rights Committee, [General Comment 34](#), Geneva, 11-29 July 2011, Paragraph 38, Paragraph 47
- African Court on People's and Human Rights, [Lohé Issa Konaté v. The Republic of Burkina Faso](#), (2014), Par. 139-16

### Defamation: Digital Speech



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- ARTICLE 19, [Revised Defining Defamation Principles: Background paper](#) , 2016, pp.15-21
- ECtHR, [Magyar Tartalomszolgáltatók Egyesülete \(“MTE”\) and Index.hu Zrt v. Hungary](#), 2015, analysed by Columbia Global Freedom of Expression

## National Security and Speech: International Standards

- ["The Johannesburg Principles on National Security, Freedom of Expression and Access to Information"](#) , (London: Article 19, November 1996), Principles 1-10
- Agnes Callamard, ["National Security and freedom of Expression: Training Manual"](#) , (Columbia Global Freedom of Expression, 2015) pp. 1-6
- Human Rights Committee, ["General Comment 34"](#) , Geneva, 11-29 July 2011, Par.30

## Counter-Terrorism and Freedom of Speech

- Jack Kobrick, ["The Pentagon Papers in the Federal Courts"](#) , Federal Judicial Center Federal Judicial History Office 2014, pp.1-6 and pp.30-34
- ["ECtHR, Observer and Guardian v. the United Kingdom"](#) , Application No. 13585/88 (1991), summarized and analysed by: ARTICLE 19
- US Supreme Court, ["Holder v. Humanitarian Law Project"](#) , 2010, summarized and analysed by Columbia Global Freedom of Expression

## Violence Against Expression

- Committee to Protect Journalists, ["Syria, France most deadly countries for journalists"](#) , December 29, 2015, and [Journalists killed in 2016](#)
- ["UN Resolution on the Safety of Journalists"](#) , A/RES/70/162, adopted 17 December 2015
- ["Human Rights Council Resolution \(A/HRC/RES/33/2\) on the Safety of Journalists"](#) , (2016) UN Security Council, Resolution 2222 (2015), S/RES/2222, May 27, 2015

## Protection of Journalists and HRDs

- [CPJ, Journalist Security Guide](#) , 2016
- The United Nations Special Rapporteur on Freedom of Opinion and Expression, the OSCE Representative on Freedom of the Media, the OAS Special Rapporteur on Freedom of Expression and the African Commission on Human and Peoples' Rights

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Special Rapporteur on Freedom of Expression and Access to Information, "[Joint declaration on crimes against freedom of expression](#)", (25 June 2012)

- "[Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression](#)", A/HRC/20/17, June 4 2012, Par. 48-91
- Jineth Bedoya, "[The Sadness of May the 25th](#)", Committee to Protect Journalists
- Colombian Supreme Court, "[Classification of the kidnapping, torture and rape of Journalist Jineth Bedoya as crime against humanity](#)", September 10, 2012

## **Supplementary Videos: Privacy International**

- Privacy International Video: "[What is Privacy?](#)"
- Privacy International Video: "[Big Data](#)"

## **Supplementary Reading:**

- B. E. Altschuler, 'Is the Pentagon Papers Case Relevant in the Age of WikiLeaks?' in Political Science Quarterly, 130: 401–423, 2015
- ARTICLE 19, "[Defining Defamation: Principles on Freedom of Expression and the Protection of Reputation](#)", Article 19, London, July 2000
- African Commission of Human and People's Rights, "[Resolution on Repealing Criminal Defamation Laws in Africa](#)", 48TH ORDINARY SESSION, (2010),
- Bach Avezdjanov, "[Burkina Faso, Colombia and Russia punish killers of journalists. But it is not enough](#)", Blog, Columbia Global Freedom of Expression, August 14, 2015
- Lee Bollinger, "[The First Amendment's Original Sin](#)" (reviewing Perilous Times: Free Speech in Wartime, from the Sedition Act of 1798 to the War on Terrorism by Geoffrey R. Stone) University of Chicago Law Review 72 (1) 417-428
- Lee Bollinger, Uninhibited, Robust and Wide-Open, Free Press for a New Century, Oxford University Press, 2010

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- Stephen Breyer, *The Court and the World, American law and the New Global Realities* (Alfred Knopf, New York, 2015)
- Agnes Callamard, “Religion, Terrorism and Speech in a ‘Post-Charlie Hebdo’ world,” in *Religion and Human Rights* 10 (2015), 207-228
- David Cole, “The First Amendment’s Borders: The Place of *Holder v. Humanitarian Law Project* in First Amendment Doctrine,” in *Georgetown Public Law and Legal Theory Research Paper*, Paper 853, 2012
- Dart Center for Journalism and Trauma, "[Freelance Journalist Safety Principles](#)" , February 12, 2015
- Daniel Ellsberg, *Secrets: A memoir of Vietnam and the Pentagon Papers*, Penguin, 2003
- Martha Field, “*Holder v. Humanitarian Project*: Justice Breyer, dissenting,” in *Harvard Law Review* 128(1), 2014: pp. 434-451
- Charles J. Glasser Jr., Ed., *International Libel and Privacy Handbook*, LexisNexis, 2016
- "[Global Principles on National Security and the Right to Information](#)", (“The Tshwane Principles”) 12 June 2013
- The Inter-American Commission on Human Rights, "[Criminalization of Human Rights Defenders](#)", Dec. 31, 2015
- Matrix Chambers and A4ID, "[On-Line Defamation Training](#)", *Defamation law in the UK and Wales*, 2016
- Joel Simon, *The new Censorship: Inside the Global Battle for Media Freedom* (New York, Columbia University Press, 2015)
- Stefan Soffiaux, “*Leroy v France*: apology of terrorism and the malaise of the European Court of Human Rights' free speech jurisprudence” in *European Human Rights Law Review* 3 (2009), pp. 415-427
- Geoffrey Stone et al, *Constitutional Law*, Wolters Kluwer, 7th edition, 2013, pp.1038-1116
- "[UN, Human Rights Defenders: Protecting the Right to Defend Human Rights](#)", Fact Sheet No. 29

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## **Additional Recent Cases: Defamation Online**

- Kenya First Instance Court, *Andare v. Attorney General*, Petition No. 149 of 2015, April 19, 2016
- Zimbabwe Constitutional Court, *MISA-Zimbabwe, et al. v. Minister of Justice, et al* CCZ/07/2015, February 6, 2016,
- ECtHR, *De Carolis and France Télévisions v. France*, Application 29313/10, January 21, 2016,
- ECtHR, **Delfi v. Estonia**, Application no. 64569/09, Judgment of 16 June 2015
- Northern Ireland High Court, *Galloway v Frazer, Google Inc t/a YouTube and others*, HOR9793, January 27, 2016
- Thailand Supreme Court, *Prosecutor v. Chiranuch Premchaiporn*, Application 1967/2553, December 23, 2015
- United States First Instance Court, *Alejandra Sota Mirafuentes v. Dolia Estevez*, Application 1:15-cv-610, November 30, 2015

## **Additional Recent Cases: Violence Against Expression**

- ACtHRP, *Abdoulaye Nikiema v. Burkina Faso*, Application No. 013/2011, Decision of 24 March 2014
- Swaziland First Instance Court, *Maseko v. The Prime Minister of Swaziland*, Application 2180/2009, September 16, 2016
- Ethiopia First Instance Court, *The Case of the Muslim Arbitration Committee*, July 6 2015
- Mexico Supreme Court, *Despenalización del delito de “halconeo” en Estado de Chiapas*, AR 492/2014, May 20, 2015
- United Kingdom, Appellate Court, *R (on application of Miranda) v. Secretary of State for the Home Department*, Application [2016] EWCA Civ 6, 19 January 2016
- ECtHR, *Bayar v. Turkey*, 37569/06, November 27, 2012

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- United States First Instance Court, *Merril v. Lynch*, Application 14-CV-9763 (VM), August 28 2015