

S T A T E M E N T  
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S W E D E N

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Council

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CHECK AGAINST DELIVERY

President,  
High Commissioner,  
Excellencies,  
Distinguished Delegates,

Let me start by aligning myself with the statement made by Spain on behalf of the European Union. I join previous colleagues in conveying Sweden's condolences to all those who have suffered in the national disasters over recent weeks, in Haiti, Chile and Europe.

I am pleased to have the opportunity to address the Human Rights Council today. I will focus my intervention on a single area which is of particular concern to Sweden, namely violations of the freedom of opinion and expression, a freedom which is fundamental to the enjoyment of all human rights.

Mr. President,

Freedom of opinion and expression has been an integral feature in the evolution from ancient times to the democratic and participatory societies of today. The freedom's universality can not be disputed. The freedom of expression lies at the very heart of every person's right not to be oppressed. It is the linchpin for freedom in its truest form.

There is no other human right which better symbolises the interdependence of the different human rights. Without freedom of expression, many other human rights would never have been

formulated, yet alone realised. The right to education, the right to cultural expression, the right to form trade unions and many other human rights depend on the right to opinion and expression. These freedoms are essential to development. Freedom of opinion and expression is the platform for the entire Bill of Rights.

All States are under the obligation to respect the freedom of expression and opinion. Governments belong to the people and people have a legitimate right to express their opinions about their Government's performance and also to hold their Government accountable.

A free media is crucial to that accountability. Governments may not always like what the media publish, but without public knowledge and debate regarding Government action and policy, there will be no accountability or sustainable development. Unfortunately, media continues to face undue restrictions, harassment and other violations of human rights in many countries around the world today. Sweden firmly supports the work of journalists, who provide reporting under often dangerous conditions. We deeply regret that all too many journalists lose their lives in the line of duty. According to Reporters without Borders, four journalists have already been killed so far this year, and over 200 journalists and their collaborators are in prison worldwide. My Government condemns violations of their human rights.

Sweden has a long history as a strong advocate for freedom of opinion and expression. Like others my Government sometimes faces criticism in the media of wrongdoing by our own authorities. But we always defend the right to publish. It is fundamental to our national work to ensure human rights. We will continue to work to ensure that these

universal rights also to be implemented universally. Here, this Council has an important role to play to uphold these human rights norms.

Mr President,

If someone had told me 25 years ago that I would be able to share my opinions, music and pictures with literally millions of people at the push of a button, I would not have believed them. Many have said this, but it remains an important fact: with the emergence of the new information society, the conditions for enjoyment of freedom of opinion and expression were forever changed. It will never be the same again. In this human rights body, we need to embrace the positive possibilities in this, and react against the negative trends that are becoming all the more problematic.

New technology is used for all kinds of Government communication today, from information to filing income tax returns and in some countries to electoral participation. New technologies can assist in making governments more transparent and may stimulate citizens to take a more active part in the democratic governance of their country. We need access to technology to be a catalyst for human rights. And to prevent access to technology from becoming a new human rights barrier.

New technologies have assisted in bringing the world's attention to situations in countries which before were hard to access. Mobile phones and the Internet have brought information about human rights abuses to the entire world in real time. A modern, now classic, example are the pictures and films from monks' and ordinary peoples' protests on the

streets of Yangon in 2007. A more recent example are the pictures of the violence used against people protesting in Tehran a few months ago which, despite the attempts to block all reporting, were spread around the world like a lightning pace. But the ability to document abuse extends also beyond what is taking place in public places – one example is the disturbing films posted on the Internet of several cases of police abuse taking place in Egyptian police stations. Accountability for some serious abuses of human rights in the fight against terrorism, such as those at Abu Ghraib, was triggered by images posted on the Internet.

As technology has improved and developed, so has the ability to restrict access to the Internet, as well as to monitor people's actions there. Sweden is very concerned by credible reports that many governments censor and monitor the Internet by adopting laws that in vague terms refer to “social norms”, “national unity or security”, “cultural values”, “subversive activities”, etc. Such references serve only as justification for Governments to arbitrarily restrict access to certain information and to intervene when certain unwelcome opinions are expressed on the Internet. Such practices are unacceptable.

As has been established on several occasions by human rights expert bodies of the UN, freedom of opinion and expression is fully applicable on the Internet and may only be subject to limitations in accordance with international human rights law, notably article 19 of the International Covenant on Civil and Political Rights.

Mr President,

Human rights apply on-line as well as off-line. Unfortunately, this is not the case in the world today. Again, according to Reporters without Borders there are today almost 120 “cyber-dissidents” in custody or in jail. These are people who have expressed themselves on the Internet, but in a manner which has simply not pleased the authorities. The country with the most extensive system for Internet control and with – by far – the highest number of jailed cyber-dissidents is China, followed by Vietnam and Iran. It is estimated that more than 100 of the world’s jailed cyber-dissidents are found in these three countries only.

Sweden is seriously concerned that there are a number of additional countries which apply very strict restrictions on access and use of the Internet. However, Mr. President, restrictions are not only imposed through limitations of access. Through surveillance of various kinds the habits and actions of bloggers, journalists and human rights defenders are identified and harassed, persecuted or jailed in countries such as Cuba, Burma/Myanmar, Turkmenistan and North Korea.

Sadly, Sweden notes that several countries where the freedom of opinion and expression on the Internet previously has been respected, in recent years have introduced measures that have increased restrictions with regard to the Internet. In this respect we are particularly concerned to see the trends in Belarus. In several countries the number of censored web sites has increased significantly in recent years. We are concerned that strict unacceptable restrictions on traditional print press are now being applied to the Internet as well.

These concerns are ones which the European Union has communicated through statements and dialogues. We have reacted to individual cases

of violations as well as to general developments such as potentially harmful legislation, with regard to a range of countries. We will continue to urge respect for the freedom of expression on the Internet.

Mr President,

Sweden emphasises the supremacy of international human rights law. In so doing, we acknowledge that there are limits to the freedom of opinion and expression which need to be respected, as outlined in the ICCPR. One such area is of course child pornography, where limitations given the particular vulnerability of children are justified, based on the Convention on the Rights of the Child and its Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography.

Human rights norms should also be applied in matters relating to surveillance. Legislation on surveillance should be clear as regards scope and purpose. Safeguards should be included that provide transparency and oversight as well as effective remedy in case of violations of human rights. International standards on fair trial should always be respected.

Mr President,

I have now outlined the Swedish government's rationale for raising this particular issue today. Let me now share some of our visions regarding human rights with regard to new technologies.

When realising the opportunities of new technologies, this certainly implies respecting freedom of opinion and expression. But it also

includes an obligation to protect actors under its jurisdiction from pressure to violate human rights, notably the freedom of expression but – importantly – also the right to privacy. We are convinced that many of the future challenges will relate to protection of privacy as well as to freedom of expression. In this respect, we welcome collaboration with the business community and we acknowledge the role that corporate social responsibility can have to further the respect for human rights.

Acting in the spirit of freedom of expression also means acknowledging and paying attention to the role of the civil society, in particular human rights defenders. Women, indigenous and LGBT human rights defenders often face particular challenges. States therefore need to take active measures to facilitate their work and ascertain that adequate protection mechanisms exist. This Council cannot stand by while people are sentenced to death, tortured or subjected to arbitrary detention because they have exercised their most basic rights.

Sweden strongly believes that discussions on the future of the Internet need to integrate human rights concerns. We support the Internet Governance Forum, with its multi-stakeholder approach, as the global platform for discussions on the governance of the Internet, but we believe human rights need to be more profoundly integrated in its work. One example is the discussion on Internet security. We believe that the Internet should be open, accessible and secure, but measures to increase the security of the Internet need to be taken with full respect for human rights.

Sweden welcomes discussions on making the Internet more inclusive; thereby addressing the key issues of worldwide accessibility to the

Internet, improved skills to utilise it and, finally, trust in its infrastructure. Through the focus on inclusiveness, we acknowledge the important link between freedom of expression and development and we stress the role that Internet can play in this respect.

Finally, Mr President,

It is important that the human rights community addresses the issue of violations of freedom of expression and new technologies with greater vigour than in the past. We encourage the Human Rights Council, with its capacity to deal with country situations of concern, to take a leading role. This leading role must then remain after the upcoming review of the Council.

We will all continue to be astonished at the development of new technologies in the years to come and we will continue to grapple with new situations and phenomena. It is therefore important that the Council takes on this challenge. Sweden is pleased to note that the Special Rapporteur on Freedom of Opinion and Expression has recently put more focus on the issue and we indeed support his work. We also support and encourage the High Commissioner's for Human Rights work in the field of freedom of opinion and expression, both when it comes to capacity building efforts and monitoring abuse. Finally, we look forward to cooperate with any country that wishes to increase focus on these important issues in the work of this Council.

Thank you, Mr President.