



2015-2016
Implementation Report

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Letter from the President



Three years ago, when I asked Dr. Agnès Callamard, a U.N. Special Rapporteur and distinguished human rights advocate, to come to Columbia to lead Global Freedom of Expression, the threats of gravest concern in this arena included censorship and suppression, prevalent anti-blasphemy laws and attacks on speech in the name of religion, nationalistic fervor antagonistic to foreign ideas, sur-

veillance of online communication, and steps taken to weaken or close independent media outlets.

This array of dangers persists in 2017. Now, though, advocates committed to the preservation of freedom of expression must also contend with the rise of concerted efforts to disseminate false information as a means of discrediting established news media, in ways that often bolster those seeking political power.

During this period of escalating challenges, Columbia Global Freedom of Expression has been steadily expanding its capacity and moving ever-closer to fulfilling the promise described at its inception. The online Global Database of Freedom of Expression Case Law, launched in June 2015 with analysis and background information on 220 legal decisions from 63 countries, has grown in a short time to include approximately 800 cases from 113 countries. It is an invaluable clearinghouse of infor-

mation for scholars and advocates, providing unfettered public access to legal developments around the world concerning freedom of speech and the press.

In addition, Columbia Global Freedom of Expression has become a centralized resource for published research and analysis on issues of governance and culture that intersect with freedom of expression, from obscenity and religious practice to national security and cyber-crime. Each of these programmatic accomplishments have been made possible by the initiative's collaboration with an expanding network of leading thinkers from around the world—partnerships for which we are grateful and which we value immensely.

For the past two years, Dr. Callamard and Global Freedom of Expression have hosted at Columbia the Justice for Free Expression Annual Conference, a sizable gathering of international experts on these issues

that stretches over two days and culminates in the recognition and celebration of the most outstanding legal decisions and advocacy in the field. The prize for best legal brief was awarded last year to Turkish lawyers who secured a ruling from the European Court of Human Rights taking the Turkish government to task for its censorship of YouTube.

Columbia Global Freedom of Expression is making significant strides toward improving public understanding of the many threats to this core human right and is helping to unite journalists, lawyers, academics and activists committed to repelling such attacks.

With your continued support, Columbia Global Freedom of Expression can continue to advance its urgent mission, one that grows more important with each passing year.

Sincerely,
Lee C. Bollinger

Letter from the Director



Some three years after its founding, the mission of Columbia Global Freedom of Expression is more relevant than ever. In fact, every year for the last three has brought the further deterioration of the indicators related to freedom of expression, of information and of other rights, leading many commentators to speak of a global assault on freedoms. Columbia Global

Freedom of Expression has played and continues to play a unique role in interpreting and responding to these threats.

Through its focus on global jurisprudence and the role of the courts, Columbia Global Freedom of Expression provides a distinctive view of freedom of expression, connecting case law around the world and providing evidence of the creation of an integrated global judicial system. The jurisprudence database, the annual “Justice for Free Expression” conference, and the Prize for most significant legal rulings, altogether with other activities have demonstrated the importance of focusing on what binds jurisdictions and jurisprudence together, and on the strength of the commitment to international standards.

Drawing on the manifold academic resources and expertise of its home base, Columbia University, the Initiative has also placed students at

the heart of its strategies of change. The Massive Online Course on Global Freedom of Expression, a first of its kind, is educating a broad audience of 4,000 human rights and legal professionals, civil society activists, and other students from across the globe. Through the MOOC, a new focus has emerged: supporting professors and educators around the world seeking to pass a global perspective and knowledge onto students of freedom of expression and information, media and the law.

Since its inception, Columbia Global Freedom of Expression has also offered optimism at a time when it is in such dire deficit, and opportunities for responses and actions when these are troublingly scarce. The expert analyses of jurisprudence from around the world, thanks to the contributions of the some 100 international legal experts, have testified to the strength and resilience of the legal sector and actors in protecting

free speech and resisting the global assault on freedom.

Looking ahead, in collaboration with those on the front lines of this global movement, Columbia Global Freedom of Expression will keep countering the nationalist, populist and nativist reflexes and policies shrinking our world, researching and strengthening bridges when others create walls, and identifying and supporting the future generation protecting and advancing the global free flow of information.

Sincerely,
Dr. Agnès Callamard



TAKE
the
POWER
BACK

Y CANT SEE WHY

Listen

FREE

Y CANT

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Executive Summary

Columbia Global Freedom of Expression seeks to advance understanding of the international and national norms and institutions that best protect the free flow of information in an interconnected global community with major common challenges to address.

To achieve its objective, Columbia Global Freedom of Expression engages with a range of stakeholders, including academic experts, legal practitioners, judges, activists and students. It undertakes and commissions research and policy projects, organizes events and conferences, and participates and contributes to global debates on the protection of freedom of expression and information in the 21st century. Its flagship project is the Global Freedom of Expression Case Law Database, an online platform that provides summaries and analyses of hundreds of judicial decisions relating to freedom of expression.

Columbia Global Freedom of Expression was launched in January 2014 by Columbia University President Lee C. Bollinger as part of his vision to make Columbia a global university for the 21st century. It is directed by Dr. Agnès Callamard, a distinguished human rights and freedom of expression expert.

In Brief - 2015-2016



A unique public web platform providing **over 800 analyses** of court decisions on freedom of expression from 113 countries

Plus, a **Spanish version** of the platform with **185 case analyses** of significant freedom of expression cases



100 legal experts, academics and activists from 30 countries, and **15 legal researchers** speaking 12 languages engaged with the initiative



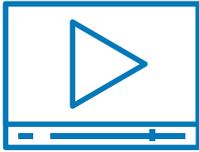
55 publications covering global trends and legal developments on freedom of expression



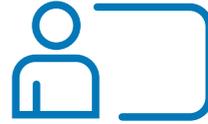
Five expert meetings in Vienna, New York, San Jose and Amman



Participation in **28 conferences**



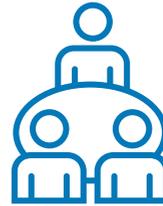
A **Massive Open Online Course** on global freedom of expression, including a **12 guest videos** by international experts



Trainings of judges in **Tunisia** and **Costa Rica** and of media regulators from Morocco, Tunisia and Ivory Coast



Two annual awards recognizing a significant legal ruling and legal services that have advanced international standards on freedom of expression and information



An **annual conference** focusing on freedom of expression jurisprudence, with **130 legal experts** from **30 countries**



Five donors: an Anonymous Gift to Columbia University, Open Society Foundation, Royal Norwegian Ministry of Foreign Affairs, the Ford Foundation, and the President's Global Innovation Fund



New partnerships with UNESCO, the UN Office of the Special Adviser on the Prevention of Genocide, OHCHR, ARTICLE 19, Right2Info.org, Dejusticia, Universidad Externado de Colombia, FLIP (Fundacion para la Libertad de Prensa)

“The case law database on freedom of expression is a unique resource that I believe will help move us closer to a global public forum where information can be freely exchanged and journalists can work without the kinds of intimidation, censorship and threats of legal prosecution that are all too pervasive around the world. The platform has been designed by and for those working on the front line of freedom of expression, including lawyers, judges, scholars and policy-makers. We are grateful for the insights offered by legal experts, researchers and activists around the world who have contributed to creating this valuable new tool that establishes the international legal norms for free press and speech”

- Lee C. Bollinger, President, Columbia University



The Global Freedom of Expression Case Law Database

The Global Freedom of Expression Case Law Database was launched in June 2015, with 220 decisions from 63 countries, following several months focusing on the design of a complex web interplay. The database has now quadrupled in size, with over 800 cases from 113 countries. The database remains ever-growing with 20 to 30 new analyses added every month.

The platform also offers blogs, publications and reviews of legal developments on freedom of expression and information around the world. It is designed to be a **key resource for a broad audience of stakeholders** working on freedom of expression, including lawyers, judges, activists, academics and students.

Cases are selected by a community of experts through continuous monitoring of news and legal developments. In an effort to establish a baseline of standards, Columbia Global Freedom of Expression seeks to include seminal cases and then add precedent-setting, influential, as well as controversial cases in order to **plot trends and identify potential emerging norms.**

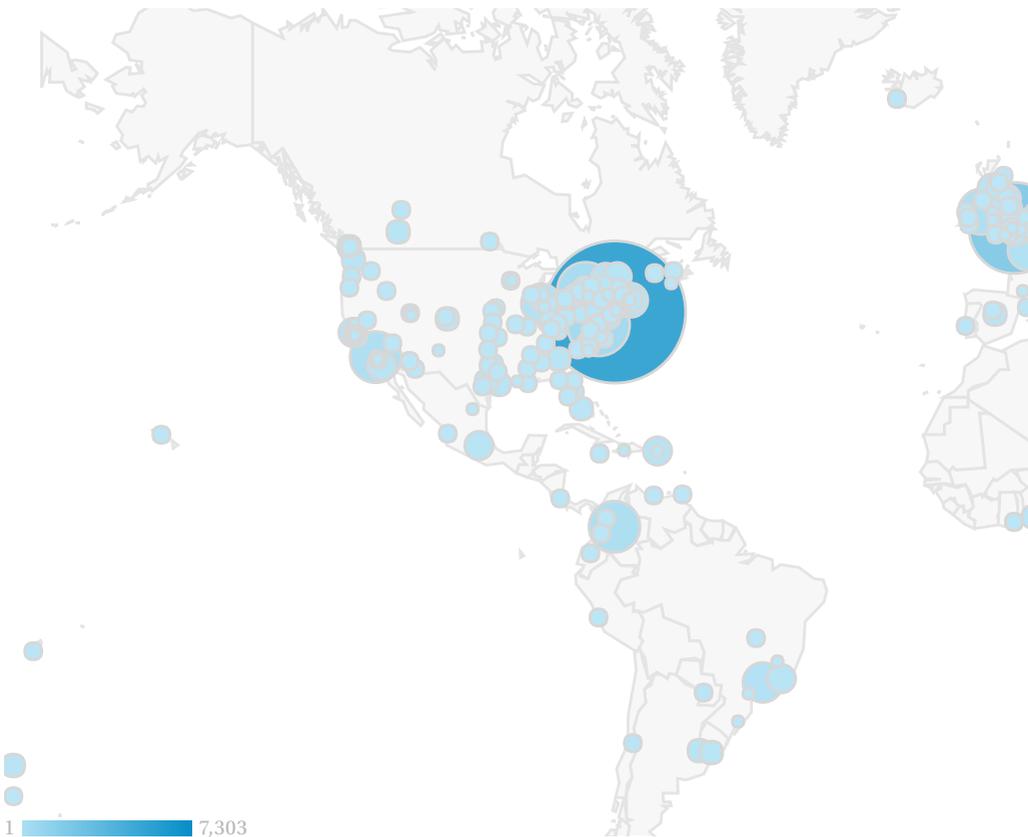
The case briefs are written and reviewed by a team of legal researchers, experts, and practitioners in international freedom of expression and human rights law. Each brief summarizes the facts, explains the legal reasoning and the importance of the decision, and analyzes its wider impact. It also lists international standards and jurisprudence, decisions from other jurisdictions, and legal doctrine cited by the judgments. Additionally, the case

briefs determine whether the decisions expand, contract, or have a mixed impact on freedom of expression.

The Database's Global Audience

The database's audience and reach is continuously growing. In just two weeks following the June 2015 launch, 853 users visited the platform. In November 2015, the database attracted 3,000 users. By the end of 2016, the database was attracting over 8,000 monthly users. As of February 2017, **almost 100,000 persons visited the database.**

The database's **audience is truly global.** Its users represent all but

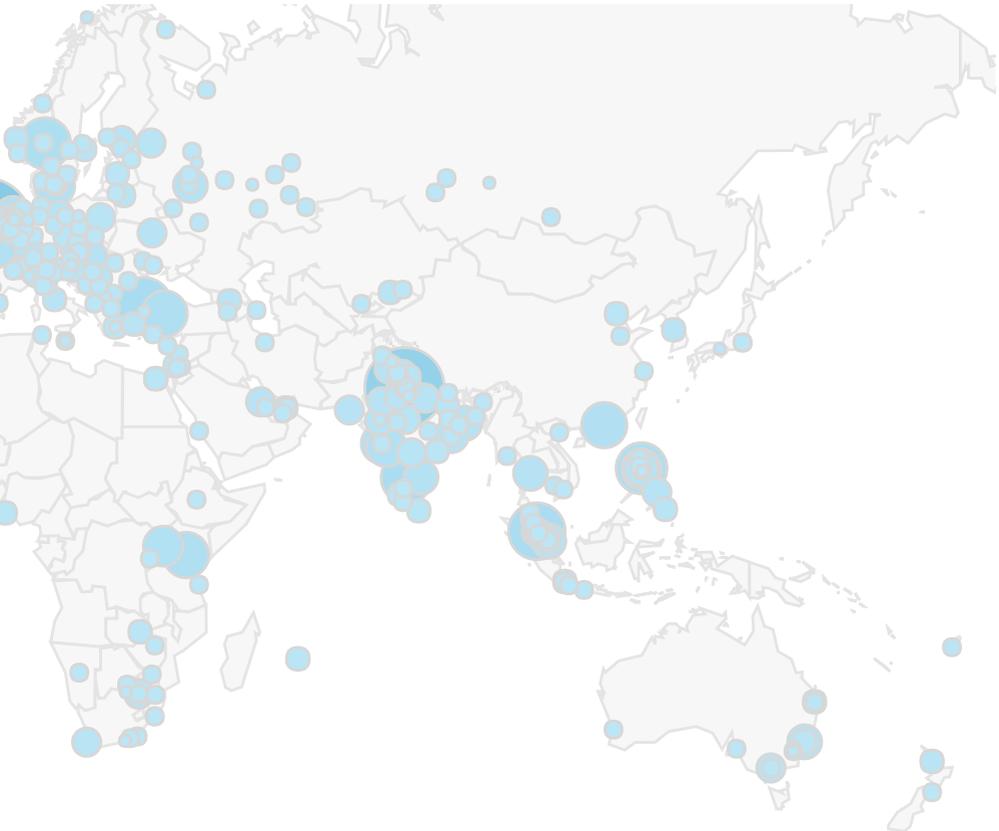


nine countries of the world. The top ten countries of users' origin are the United States, the United Kingdom, India, Canada, Turkey, the Netherlands, Malaysia, the Philippines, France and Russia.

Spanish Language Version of the Database

On October 6, 2016, Columbia Global Freedom of Expression launched a Spanish language version of the Global Case Law Database with case analyses of 65 significant decisions related to freedom of expression from Latin and Central American countries and 20 decisions from other regions of the world.

Database's users around the World



The Spanish language database was developed in partnership with UNESCO, Dejusticia, FLIP (Fundación para la Libertad de Prensa), and Universidad Externado de Colombia. Additionally, as part of a UNESCO's program to strengthen the legal protection of freedom of expression in the continent, judges from Latin America offered advice on the types of cases that the database should include. The advisory process culminated in the **Ibero-American Summit of Judges** held in Paraguay in April 2016, when twenty-three Chief Justices from Latin America **welcomed the Spanish court database** and committed to contribute decisions to foster an exchange of knowledge and jurisprudence across the region on issues of freedom of expression, transparency, and access to public information.

A team of Colombian researchers supervised by Catalina Botero Marino, an international human rights lawyer, and a former Special Rapporteur for Freedom of Expression of the Inter-American Commission on Human Rights of the Organization of American States, analyzed the cases.

Since the launch, the Spanish language database almost tripled in size and currently includes 185 significant cases, not only from Central and Latin America, but also from the European Court of Human Rights, France, Germany, and the United States.



“The protection of the right to freedom of expression is one of the conditions enabling a genuine democracy and judges are the last barrier to protect this freedom. The database presents a splendid opportunity to learn how judges in different states, are facing issues related to the exercise of freedom of expression. Thanks to this tool it is possible to identify existing national and regional trends. This tool also allows the learning of lessons that emerge from the best practices, and turns on alerts where there is a deficit in judicial protection. Finally, it is a valuable resource to encourage dialogue between the various judiciaries and public understanding about the important work of judges in the important task of defending freedom”

- Catalina Botero Marino, the Dean of the Faculty of Law of Universidad de Los Andes in Bogotá, Colombia, & a former Special Rapporteur for Freedom of Expression of the Inter-American Commission on Human Rights of the Organization of American States

Looking Ahead

- **Partnership and Database Expansion**

Over 2017, the English language database will benefit from a large number of additional cases thanks to two new partnerships:

Right2Info.org, which hosts a database focusing on the right to access publicly held information and managed by the Open Society Justice Initiative. Columbia Global Freedom of Expression has begun the process of adapting and transferring **149 courts decisions on access to information**, along with comparative resources on access to information legislation, including model laws. So far, 19 cases have been transferred to the Global Freedom of Expression Database.

ARTICLE 19, which hosts a database of seminal cases on freedom of expression from around the world, **built over the last 20 years**. We started the transfer of some 500 courts decisions to the Columbia Global Freedom of Expression database.

- **Supporting academic research**

Columbia Global Freedom of Expression will provide support to academics and experts engaged in analyses of freedom of expression trends and comparative jurisprudence and who need access to the database.

- **Outreach and audience survey**

Columbia Global Freedom of Expression will promote its various judicial resources to a larger audience, with a preliminary focus on law students and academics from around the world, and survey its existing audience to ensure that the database meets their needs.

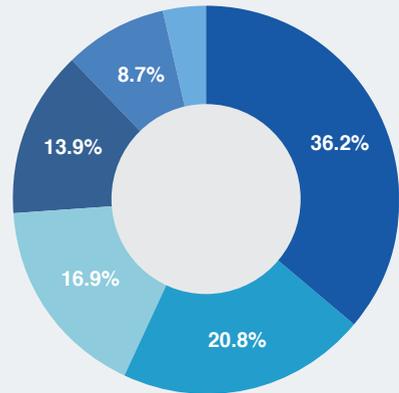
L'INFORMATION
VEUT ÊTRE
LIBRE *

**slogan non copyrighté*

The Database in Pictures

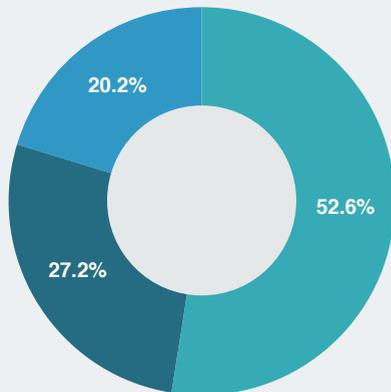
Percentage of cases per region

Some regions in the database are more represented than others. This is due to ease of access to written decisions, language and research biases. With the recruitment of new legal researchers, and the continuous addition of 20 to 30 new analyses every month, a more equal regional distribution will be achieved over the next 12 months.



REGION

- Europe and Central Asia
- North America
- Asia and Asia Pacific
- Latin-America and Caribbean
- Africa
- Middle East and North Africa



DECISION DIRECTION

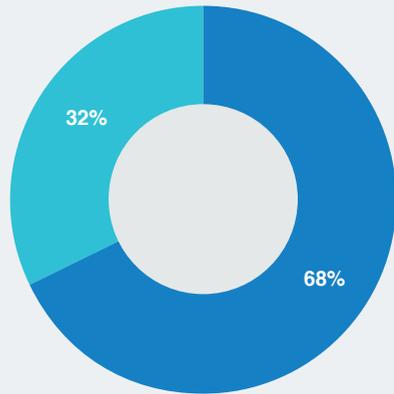
- Expands Expression
- Contracts Expression
- Mixed Outcome

Protection of Freedom of expression

The majority of the decisions analyzed protects or expands freedom of expression, highlighting growing global integration of progressive norms, the independence of the judiciary and the resilience of this sector in spite of the overall human rights deterioration and setbacks.

International Perspective

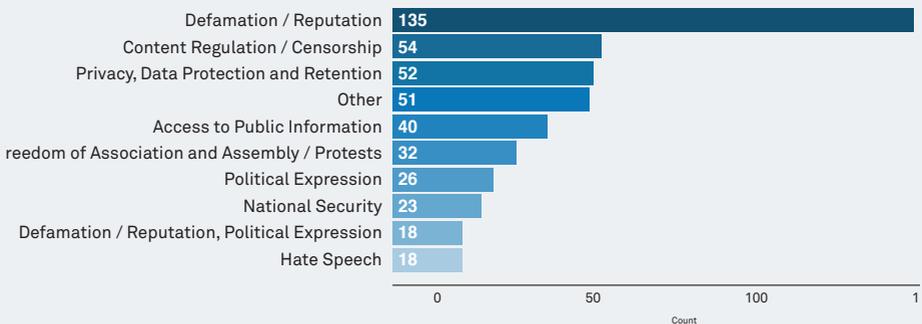
About one third of the decisions in the Court Database relied on international or regional jurisprudence, laws, or norms, contributing to the development of common global norms.



CASE PERSPECTIVE

- National Law or Case
- International and/or Regional Law or Case

Top legal themes analyzed in the Database



The Database includes court decisions from 113 countries.

In June 2015 the Database launched with decisions from 63 countries. Its scope has now grown to 113 countries.



Justice for Free Expression Annual Conference



Bertrand de La Chapelle, Director, Internet & Jurisdiction Project, presents at the 2016 Justice for Free Expression Annual Conference

On April 4 and 5, 2016, Columbia Global Freedom of Expression hosted its third annual Justice for Free Expression conference. The yearly conference provides a forum to review and compare seminal court decisions reached over the previous year, highlight important upcoming cases, identify trends, and discuss the best possible legal strategies for enhanced protection of freedom of expression.

The first conference was held in February 2014, and since then, it has become an important annual event where experts and stakeholders concerned with freedom of expression from across disciplines and professional sectors can come together to share knowledge and perspectives, debate issues and find opportunities to collaborate. The conference remains the only event focusing on comparative jurisprudence globally.

“[I]t is so rare for us to have an opportunity to learn more about what is happening in FOE around the globe especially focused on the legal side of things. The participants were extremely interesting and we made some great connections. I also subscribed to the newsletter and will definitely be keeping an eye on the work you are doing and seeing where we can collaborate.”

- Rachael Kay, Deputy Executive Director, IFEX, Canada

“I was honored to participate, and learned a tremendous amount not only from my fellow panelists, but from the other presentations I was fortunate enough to get to observe. Needless to say, it’s a vitally important series of conversations, and it’s a thrill for me to be able to take part in them.”

*- Steve Vladeck, Professor of Law,
American University Washington College of Law, USA*

“After returning to Norway I have sorted documents and papers from the conference, and also my impressions. It is important for me to express the opinion that this conference is of extreme importance for facilitation of the formation and dissemination of global norms on freedom of expression. I have participated in many national and regional conferences, but have never returned with such an overview and with so many ideas and contacts as this time. As your guest, I must also say that the organization of the event was impressive”

- Vidar Strømme, Chairman, Schjødt law firm, Norway



The 2016 event brought together some 130 experts from 30 countries, drawn from the legal profession, the NGO and technology sectors, journalism and academia. It included five regional sessions and three thematic sessions, focusing on religion and national security, judicial developments in the digital sector and global norms production.

In addition to reviewing and comparing the 2015 jurisprudence across the world, the 2016 conference initiated a dialogue on **the development of global norms** on freedom of expression, and the role played by tribunals and jurisprudence in **fostering new norms** or strengthening existing ones. This topic is largely a new area of analysis and research, pioneered by Columbia Global Freedom of Expression, at a time of intense norms competition on freedom of expression. By bringing together leading international scholars and practitioners, Columbia Global Freedom of Expression seeks to further understand how progressive norms may be fostered globally.

The presentations, videos and reports shared and produced for the conference are available to the public on the Columbia Global Freedom of Expression website. This year included presentations and discussion on the difficulties and opportunities for the judicial protection of freedom of expression in Bahrain, Uganda, the Philippines, Egypt and Tunisia and other countries that may not be often discussed in law schools or in comparative jurisprudence conferences.

Additionally, Columbia Global Freedom of Expression presented a review of the 2015 jurisprudential trends on freedom of expression, extracted from the court cases on the database, highlighting the unique opportunities and resources that the database constitutes.

“Judges and lawyers around the world routinely display great courage by standing firm in their commitment to free expression and the open sharing of information, often under harsh attacks against their independence. These individuals are creating a new set of global legal standards essential for safeguarding speech and the press in our modern society. The fact that they do so without fanfare, using the unremarkable tools of legal opinions and briefs, makes their work no less deserving of our admiration and our recognition.”

-Lee. C. Bollinger, President, Columbia University



Global Freedom of Expression Prizes



Kerem Altıparmak, Director of Human Rights Centre, Faculty of Political Sciences, Ankara University, Yaman Akdeniz, Professor of Law, Istanbul Bilgi University. Photo Credit: Eileen Barroso / Columbia University

In 2015, Columbia University President Lee C. Bollinger established the first prizes recognizing judicial decisions and legal services around the world that strengthen freedom of expression by promoting international legal norms.

The 2016 Legal Service prize went to **Professor Yaman Akdeniz**, **Assistant Professor Kerem Altıparmak**, and Attorney at Law Serkan Cengiz. In the case of *Cengiz and Others v. Turkey*, the three Turkish lawyers persuaded the European Court of Human Rights that the ban on access to **YouTube** amounted to censorship in contravention of the European Convention on Human Rights, thus establishing broad user rights for further legal challenges. The award recipients successfully argued that victims of this kind

of censorship include individuals who can legitimately claim that their right to receive and impart information and ideas has been violated, even if they have not been directly targeted.

The 2016 Columbia Global Freedom of Expression Prizes received broad media attention from over 25 online news platforms and blogs in English, Turkish and Norwegian, including the popular ZamanAmerica, MSN and NRK news services.

The Legal Ruling prize went to *Rolfesen and Association of Norwegian Editors v. the Norwegian Prosecution Authority*, a decision from the Supreme Court of Norway. The decision recognized broad **protection of journalistic sources** even in the context of a government **anti-terror investigation**. The Norwegian Supreme Court intelligently balanced national security and freedom of expression, offering a well-argued, well-reasoned, and legally sound defense of freedom of expression and freedom of the media against illegitimate and unnecessary encroachments by security agencies. The decision stands in marked contrast with judicial trends in Europe and elsewhere around the world that legitimize the curtailment of the right to freedom of expression in the name of national security and **counter-terrorism**.

The 2016 Global Freedom of Expression Prizes Award Ceremony was held at Columbia University as part of the annual Justice for Free Expression conference on April 4 and attracted some 140 participants. President Lee C. Bollinger opened the award ceremony with a speech in which he urged protection of academic freedom and the important role that freedom of information plays in resolving a range of global issues.



Dr. Agnes Callamard, Dr. Catalina Botero and Lydia Cacho at the 2015 Global Freedom of Expression Prizes

Massive Open Online Course: Freedom of Expression in the Age of Globalization

On October 12, 2016, Columbia Global Freedom of Expression launched a Massive Open Online Course (MOOC), Freedom of Expression in the Age of Globalization, on edX. A first of its kind, the six-week course was made available free of charge to a broad audience of human rights and legal professionals, civil society activists, and other students from across the globe.

“I want to thank you for this course. It was very useful and comprehensive. As a judge in Bulgaria I will try to apply these international standards and to make the change.”

- a Bulgarian Judge

The MOOC examined the norms, institutions and actors that altogether have founded a global system of protection for freedom of expression and information. It also presented the international human rights norms that define free speech and the global jurisprudence that has developed to safeguard this freedom. Furthermore, the course reviewed issues related to political expression, press freedom and cyber rights, and discussed the most pressing challenges and violations globally that freedom of expression has faced in the past and is plagued by in the present.

“This was a very good course to understand the basics and the nuances of freedom of expression and information. I hope you will continue developing the course to even better. Thank you!”

– a Finnish Journalist and Media Trainer

The MOOC was taught by Dr. Callamard, the Director of Columbia Global Freedom of Expression, with guest videos from over a dozen journalists, human rights defenders and press freedom activists from around the world. To ensure that students remained engaged over the whole six-weeks, Columbia Global Freedom of Expression staff developed interactive assignments and participated in open forum discussions with the students.

President Lee Bollinger, Dr. Agnes Callamard, Dr. Hawley Johnson and the Center for Teaching and Learning after a MOOC shoot



Outputs and Outcomes

4,321 students enrolled

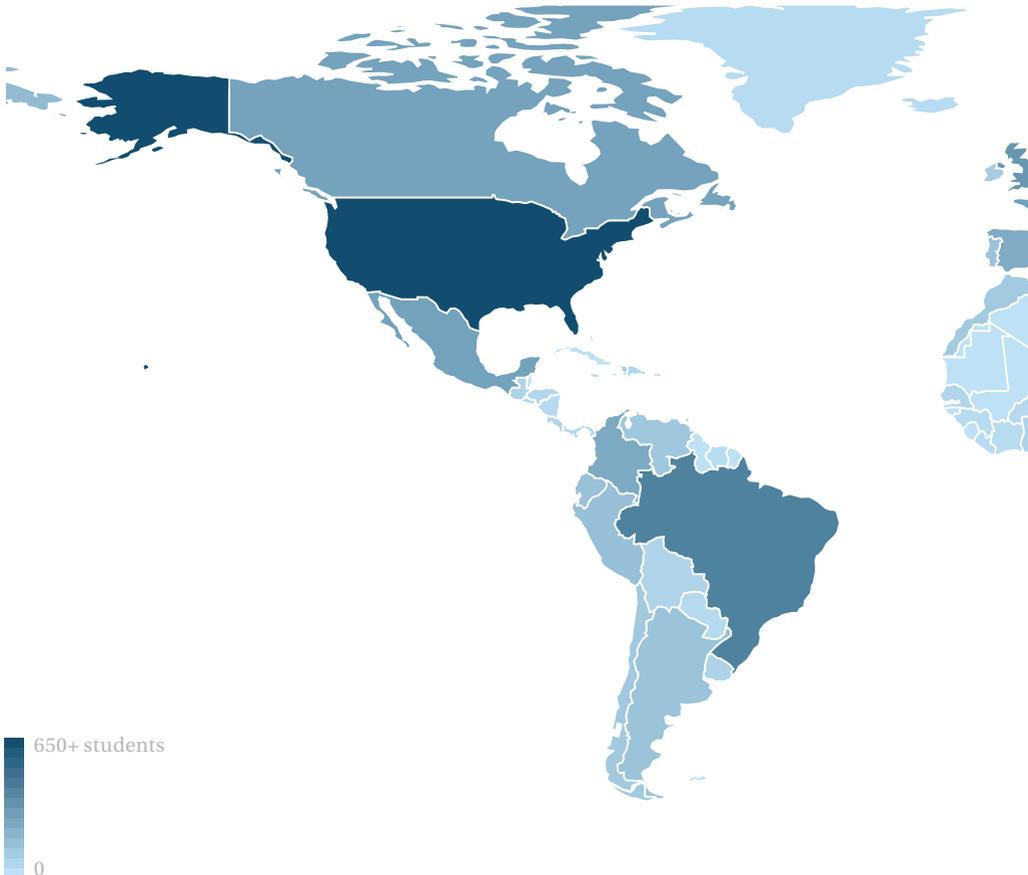
112 students pursued a verified certificate

98.7% of the students who completed the course felt that it met their expectations

148 countries were represented and a third of the students came from 58 countries in the Global South

More than half of the enrolled students (**56.8%**) **were female**

All course materials were **archived on EdX** and remain **accessible**

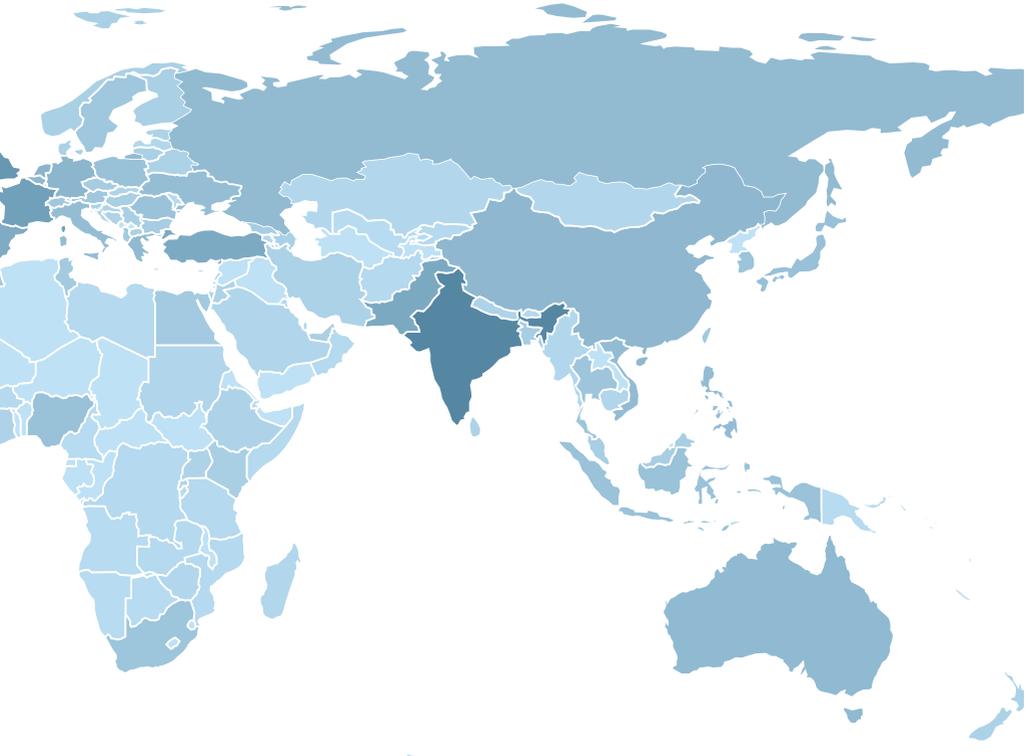


16 hours of video lectures, including guest lectures from President Lee C. Bollinger, Catalina Botero, Dr. Dirk Voorhoof, Peter Noorlander, Mishi Choudhary, Tais Gasparian, Sandra Coliver, Dinah PoKempner, and Nani Jansen

An extensive **23 page course plan** with a **17 page reading list**, including supplementary materials

Video lectures have been released on YouTube under a **Creative Commons license for public viewing**

Students from 149 countries registered for the MOOC.



Trainings

Judges Trainings in Tunisia

In January 2016, Columbia Global Freedom of Expression, in partnership with civil society organizations (Observatoire Tunisien de l'Indépendance de la Magistrature and ARTICLE 19 Tunisia), a national agency (Centre d'Etudes Juridiques et Judiciaires), and the United Nations Office of the High Commissioner for Human Rights, held a training on freedom of expression for some **40 Tunisian judges** working in courts of first instance (*premiere instance*) or at the appellate level (*en appel et cour de cassation*).

The program included a mixture of substantive presentations and practical exercises, as well as some sessions on trainings approaches. Particularly, the introductory training focused on:

- legitimate restrictions to freedom of expression, and the three part test;
- international standards and jurisprudence on national security and freedom of expression;
- international standards and jurisprudence on online freedom of expression; and
- the Tunisian decrees related to freedom of expression and their implementation.

The training highlighted the judges' keen interest in strengthening their knowledge of international jurisprudence particularly of difficult or emerging issues, a sign that **a race to the bottom** when it comes to freedom of expression and human rights protection **in the region could be resisted**.



Participants of the two-day training in Tunis, Tunisia

Training of Media Regulators from Tunisia, Morocco and Ivory Coast

In May 2016, Columbia Global Freedom of Expression held a two-day training in Tunis, Tunisia, for some **30 media regulators** from Tunisia, Morocco and Ivory Coast, in partnership with the UN High Commissioner for Human Rights Tunisia Office and the *Organisation internationale de la Francophonie*. The training focused on developing an agreed framework for defining and identifying content inciting to violence that met the threshold under Article 20 of the International Covenant on Civil and Political Rights, with the view of implementing the Rabat Plan of Action on the prohibition of **advocacy of national, racial or religious hatred** that constitutes incitement to discrimination, hostility or violence.

Focus Group Discussions with Latin American Judges

In September 2015, Columbia Global Freedom of Expression participated in a UNESCO workshop for judges and representatives of **judges' schools** from Central and Latin America, including Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, El Salvador, Honduras, Mexico, Nicaragua, the Dominican Republic and Uruguay. The meeting helped better determine **the expectations and needs of judges** and their professional schools with regard to continuing training and capacity building on freedom of expression.

In October 2015, Columbia Global Freedom of Expression, in coordination with UNESCO, held a focus group discussion in San Jose, Costa Rica, to identify the legal issues and questions, as well as the approaches and methodologies that trainings for judges should cover. The focus group discussion was attended by prominent legal experts, judges and freedom of expression advocates, including the **Special Rapporteur for Freedom of Expression of the Inter-American Commission on Human Rights**, the vice rector of the Nicaraguan Training Institute for Judges (Organo Rector de la Capacitación Judicial), a representative of the São Paulo judges school, an attorney of the United Nations International Criminal Tribunal in Rwanda, and representatives of UNESCO.

On the basis of these discussions, Columbia Global Freedom of Expression developed several training modules focusing on international standards and comparative jurisprudence on freedom of expression, with the support of its international experts.

The issues addressed include:

- The international and regional system of protection for freedom of expression,
- National security,
- Freedom of expression online,
- Incitement and hate speech,
- Defamation,
- Media regulation,
- Violence against journalists.

Experts Meetings

Press Freedom in Africa

On November 4, 2016, Columbia Global Freedom of Expression in cooperation with the Foley Hoag UN Practice Group, the American Society of International Law, the New York Bar Association, and the Human Rights Institute at Columbia Law School held an expert meeting on Press Freedom in Africa.

A panel of experts focused on answering how Member States of the African Union navigate regional press freedom norms and ensure they are compliant with their obligations under the African Charter on Human and Peoples' Rights. The panelists also touched on **the tensions resulting from the interaction between cybersecurity and the exercise of the right to free expression** online across Africa.

Conference on Privacy, Personality and Flows of Information

In July 2016, Columbia Global Freedom of Expression co-organized a conference on Privacy, personality and flows of information with Joe Cannataci, **the UN Special Rapporteur on Privacy**; the Brennan Center for Justice; Human Rights Watch; University of Malta; University of Groningen; and the Managing Alternatives for Privacy, Property and Internet Governance Project. The two-day conference was the first public event co-organized by Joe Cannataci aimed at improving the understanding of privacy. The event was attended by over 70 professionals from civil society, academic and government sectors.

“What I found most useful were the lessons on the government practice with regard to interpretation and application of various terms in different jurisdictions. The debate on delegating the legislative and enforcement function to Internet intermediaries which is a common practice in Kenya was quite informative.... The experience was great. I must commend Columbia University representatives for being great hosts and putting together a great team drawn from different jurisdictions for the event.”

-Esther Kamande, Researcher, Kenya ICT Action Network

During the first day, experts in the fields of privacy, freedom of expression and human rights offered their views and comments on international, regional, and national policies in respect to the rights to privacy and personality. Over the second day, the conference participants offered their recommendations on ways and means to improve privacy protection in relation to security, health, and other thematic areas.

Regional Meetings on the Role of Religious Leaders in Preventing Incitement that Could Lead to Atrocity Crimes

Throughout 2015 and 2016, Columbia Global Freedom of Expression participated in a number of regional workshops and experts meetings organized **by the United Nations Office of the Special Adviser on the Prevention of Genocide** and partnered with them and the Columbia Global Center | Amman to co-organise a meeting on the role of religious leaders from the Middle East and North Africa region on preventing incitement.

In Washington DC, Amman, Treviso and Fez, religious leaders from different faiths, along with experts on freedom of expression, freedom of religion and related topics engaged in heated and constructive discussions over incidents of hate and incitement speech, on- and off-line, and the effectiveness of the responses by religious actors and others. They discussed trigger factors and speech that may lead to violence, and **the political manipulation of religion**. They assessed the existing tools, mechanisms and programs that have been used to counter incitement and hatred, identified gaps and proposed a set of activities to respond more ef-



Participants of the MENA Meeting on the Role of Religious Leaders in Preventing Incitement That Could Lead to Atrocity Crimes

fectively to incitement to violence in a context where conflicts and armed violence remain too often the modus operandi. In Jordan, one of the event’s highlights was testimony from two mothers whose sons had radicalized and joined ISIS in Syria, one of whom had died.

Lastly, the regional meetings have produced action plans and concrete steps to address risks, or incidents of hatred.

Prevention, Deradicalization, Rehabilitation and Reintegration of Children and Youth Affected by Violent Extremism

In August 2015, in partnership with the Embassy of the State of Qatar, Columbia Global Freedom of Expression organized a brainstorming session on Prevention, Deradicalization, Rehabilitation and Reintegration of Children and Youth Affected by Violent Extremism. The event was attended by experts from the **United Nations Policy and Coordination Unit of the Counter-Terrorism Implementation Task Force**, the Office of the High Commissioner for Human Rights, the United States Department of State, the United Nations Alliance of Civilizations, as well as academics and experts working on countering hate speech and “extremism.”

Open Journalism Event at the Organization for Security and Co-operation in Europe

On December 9, 2015, Columbia Global Freedom of Expression organized a side event to review **intermediary liability jurisprudence in the Global South**. The side event was part of a larger meeting on open journalism organized by the Organization for Security and Co-operation in Europe (OSCE).

Columbia Global Freedom of Expression invited seven experts, all women, from Brazil, India, Kosovo, Kenya, Serbia and South Africa to lead the side event. The event allowed Columbia Global Freedom of Expression to establish relationship with experts from



Presenters of the Columbia Global Freedom of Expression side-event on intermediary liability at the OSCE Open Journalism Conference

countries that had not been well covered to date by the initiative. Everyone involved found that the side event provided a fresh and unique perspective on intermediary liability from non-OSCE member states, which highlighted:

- key differences across the jurisprudence in terms of intermediary liability regimes;
- possible **global or supra-national trends** in court decisions on intermediary liability;
- impact of the recent jurisprudence on open journalism; and
- judicial imposition of new definitions of journalism, media, publishers, editorial responsibilities, etc.

Other Projects

Teaching Global Freedom of Expression in Law School

Initiated in 2015, the project seeks to assess the state of affairs as far as University focus on global freedom of expression, the adequacy of teaching materials and curriculum, and the obstacles and opportunities for University teaching on global perspectives and approaches to freedom of expression. In October 2015, Columbia Global Freedom of Expression organized an expert meeting of Law Professors from around the world, engaged in delivering courses and lectures on global freedom of expression, or comparative media law. In 2016, further follow up meetings and discussions were held which contributed to the development of a preliminary curriculum for the MOOC and an action-plan to be implemented in 2017. This may include the production of a **Teaching Handbook on Global Freedom of Expression** and **summer schools on global freedom of expression**, which we are now seeking to implement, including through the MOOC on global freedom of expression.

Treaty Body Reform Project

Columbia Global Freedom of Expression is partnering with Columbia Law School's Human Rights Institute, Columbia University School of International and Public Affairs, Columbia University Institute for the Study of Human Rights, and the Arnold A. Saltzman Institute of War and Peace Studies to contribute to the implementation of the **United Nations General Assembly Resolu-**

tion 68/268 on strengthening the UN treaty body system. The current strengthening process will culminate in 2020, with a final review by the UN General Assembly of measures taken pursuant to Resolution 68/268.

Columbia Global Freedom of Expression Director Dr. Callamard initiated a series of discussions and meetings in 2015-2016 with the Office of the High Commissioner for Human Rights in Geneva, the Geneva Academy for Humanitarian Law and Human Rights and various potential partners at Columbia University which cumulated in the development of a project proposal successfully submitted to the President's Global Innovation Fund.

Over the next year, Columbia University partners will convene a **series of regional consultations** in collaboration with Columbia Global Centers in Jordan, Turkey and Latin America. The purpose of these consultations is to engage experts from around the globe to identify opportunities and generate innovative ideas to improve the functioning and **deepen the impact of the UN human rights treaty bodies.** The focus will include strengthening relationships, communication and coordination among the treaty bodies, as well as identifying opportunities for building relationships and leveraging synergies between the treaty bodies, other UN human rights mechanisms and the regional human rights systems to enhance global human rights protection.

Internet and Jurisdiction

The Internet and Jurisdiction Project is a global multi-stakeholder policy network seeking to address the tension between cross-border Internet and national jurisdictions. It facilitates a global policy process to enable transnational cooperation and **preserve the**

global character of the Internet. Since 2012, Internet & Jurisdiction has engaged more than 100 key entities from different stakeholder groups around the world: states, Internet platforms, technical operators, civil society, academia and international organizations. Columbia Global Freedom of Expression Director Dr. Callamard has been invited to join the international team of experts that supports the project in detecting the latest trends around the globe and provides expert input into the ongoing multi-stakeholder dialogue process.

List of Publications From the Last 12 Months

Legal Support

In February 2016, Columbia Global Freedom of Expression drafted a legal statement on the **Illegitimacy of the charges brought against Sheikh Maytham Al Salman**, one of the initiative's contributing experts and an interreligious scholar. The extensive legal statement thoroughly analyzed international, regional and national norms pertinent to political speech, contempt of court, incitement to violence, defamation and insult of the State. The statement, supported by over 20 internationally renowned human rights and freedom of expression lawyers and advocates, highlighted **model legal arguments** to defend not only Sheikh Maytham Al Salman, but also others whose voices that are calling for democracy are threatened into silence by various governments.

Research and Policy Outputs

Dr. Agnès Callamard, *Are Courts Reinventing Internet Regulation?*, a paper written for the 24th World Congress of Political Science, Poznań, Poland, July 23-28, 2016

Dr. Agnès Callamard, *Analysis of Global Trends in 2015*, a paper written for the Columbia Global Freedom of Expression's "Justice for Free Expression" conference, Columbia University, New York, April 4-5, 2016

Dr. Agnès Callamard and Bach Avezdjanov, Bahrain: *An Analysis of the Legitimacy of Charges Against Sheikh Maytham Al Salman*, February 11, 2016

Dr. Agnès Callamard, *National Security and Freedom of Expression – Training Manual*, a presentation prepared for the 2016 Columbia Global Freedom of Expression's Justice for Free Expression conference, Colum-

bia University, New York, January 15, 2016

Dr. Agnès Callamard, *Comity for Internet? Recent Court Decisions on the Right to be De-indexed*, The National Law Review, August 12, 2015

Dr. Agnès Callamard, *Religion, Terrorism and Speech in a 'Post-Charlie Hebdo' World*, *Religion & Human Rights*, Volume 10, Issue 3, 2015

Papers and Presentations Produced for the 2016 Justice for Free Expression Conference

Issaaf Ben Khalifa, *Litigations Developments in Tunisia 2015*, June 15, 2016

Agnès Callamard and Bach Avezdjanov, *Globalization of Norms*, May 25, 2016

Henry O. Maina, *Litigation Developments in Eastern Africa*, April 22, 2016

Catherine Anite, *Free Speech in Uganda, Progressive or Retrogressive?*, April 21, 2016

Jacob Mchangama, *Freedom of Expression, National Security and*

Religion in Europe, April 21, 2016

David Post, *Constitutional Protection for Anonymous Speech*, New York, April 21, 2016

Catalina Botero, *The Inter-American Human Rights Protection System*, April 21, 2016

H.R. Dipendra, *Trends in Freedom of Expression in 2015 in Malaysia and Singapore*, April 21, 2016

Romel Bagares, *Brief Background to Contemporary Practice on Free Expression in the Philippines*, April 21, 2016

Frédéric Gras, *Judicial Developments in Media Case Law in France in 2015 – About Apology and Incitement to Discrimination*, April 20, 2016

Paul Schabas, *Canadian Freedom of Expression in 2015-2016 – Some Highlights*, April 20, 2016

Esha Bhandari, *Developments in U.S. Law – Government Speech Doctrine*, April 20, 2016

Vidar Stromme, *Freedom of Expression and Information in Norway*, April 14, 2016

Can Yeginsu, *Additional Protections*

for Freedom of Expression, April 14, 2016

K.S. Park, *Freedom of Expression Cases in Korea 2015*, April 12, 2016

Sheikh Maytham Al Salman, *Freedom of Expression in Bahrain*, video presentation, April 6, 2016

Thai Lawyers for Human Rights, *The 10 Most Highlighted Military Court Cases of Year 2015*, New York, April 6, 2016

Dirk Voorhoof, *Significant Legal Ruling 2015*, New York, April 6, 2016

Dirk Voorhoof, *Freedom of Expression in 2015 and the European Court of Human Rights*, New York, April 6, 2016

Sindre Bangsta, *Hate Speech: The Dark Twin of Free Speech*, March 16, 2016

Additional Publications and Blog Posts

Sara Whyatt, *An interview with Agnès Callamard: The way forward*, IFEX, Columbia Global Freedom of Expression, November 14, 2016

Sahar Aziz, *Military Electoral Authoritarianism in Egypt*, Elections Law Journal, Columbia Global Freedom of

Expression, July 18, 2016

Marco A. Sabino, *Academics Restraint in Brazil: Facts, Opinions, or Beliefs?*, Columbia Global Freedom of Expression, May 10, 2016

Professor Cherif Bassiouini, *Smug v Lively: Expert Opinion, an amicus brief* drafted in support of Sexual Minorities Uganda in the pending case of SMUG v. Lively, April 29, 2016

Ashley Geary, *Civil Defamation Reform Bill in Greece to Eliminate “Press Killer” Laws*, Columbia Global Freedom of Expression, April 12, 2016

Dr. Agnès Callamard and Bach Avezdjanov, *Three Columbia Global Freedom of Expression Experts Face Unjustifiable Limitations to Freedom of Expression*, Columbia Global Freedom of Expression, March 23, 2016

Sheikh Maytham Al Salman, *Blasphemy Laws in Bahrain*, video presentation, Columbia Global Freedom of Expression, March 22, 2016

Marco A. Sabino, *The Censorship of Taxi Drivers in São Paulo, Brazil*, Columbia Global Freedom of Expression, March 7, 2016

Rob Eilbacher, *Fighting Through Car-*

toons, Columbia Global Freedom of Expression, March 3, 2016

Jacob Mchangama, *Something's Rotten: How Denmark Is Criminalizing Blasphemy Through Hate Speech Law*, Columbia Global Freedom of Expression, February 29, 2016

Tais Gasparian Borja and Mônica Filgueiras Galvão, *Brazil: New Law on the Right of Reply Puts News Entities at Risk*, Folha de S.Paulo, November 24, 2015

Dr. Agnes Callamard, *Unity, honesty, dialogue, and compassion can overcome violent extremism*, Columbia Global Freedom of Expression, November 17, 2015

Bach Avezdjanov, *In Conversation with Bakhtiyor Avezdjanov*, Global Freedom of Expression & Information, Bar and Bench, October 26, 2015

Dr. Agnès Callamard, *Countering Violent Extremism, a presentation for the event on a "A comprehensive approach to preventing radicalization, violent extremism and atrocity crimes: activating voices from actors in the field"* organized by the UN Office on Genocide Prevention and the Responsibility to Protect, October 1, 2015

Hawley Johnson, *Rights Groups in Pakistan File Petition for Public Hearing on the Prevention of Electronic Crimes Bill 2015*, Columbia Global Freedom of Expression, August 25, 2015

Djordje Krivokapic, Bojan Perkovic and Nevena Krivokapic, *Ensuring Independent Regulation for Online/Citizen Media*, Columbia Global Freedom of Expression, August 20, 2015

Bach Avezdjanov, *Burkina Faso, Colombia and Russia punish killers of journalists. But it is not enough*, Columbia Global Freedom of Expression, August 14, 2015

Bach Avezdjanov, *Russia's Recent Problem with Reddit*, Columbia Global Freedom of Expression, August 12, 2015

Dr. Agnès Callamard and Bach Avezdjanov, *Arrest of Inter-Faith Activist and Columbia Global Freedom of Expression Expert Maytham Al Salman*, Columbia Global Freedom of Expression, August 10, 2015

Eric Jardine, *Global Cyberspace Is Safer Than You Think: Real Trends in Cyberspace*, Columbia Global Freedom of Expression, August 06, 2015

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