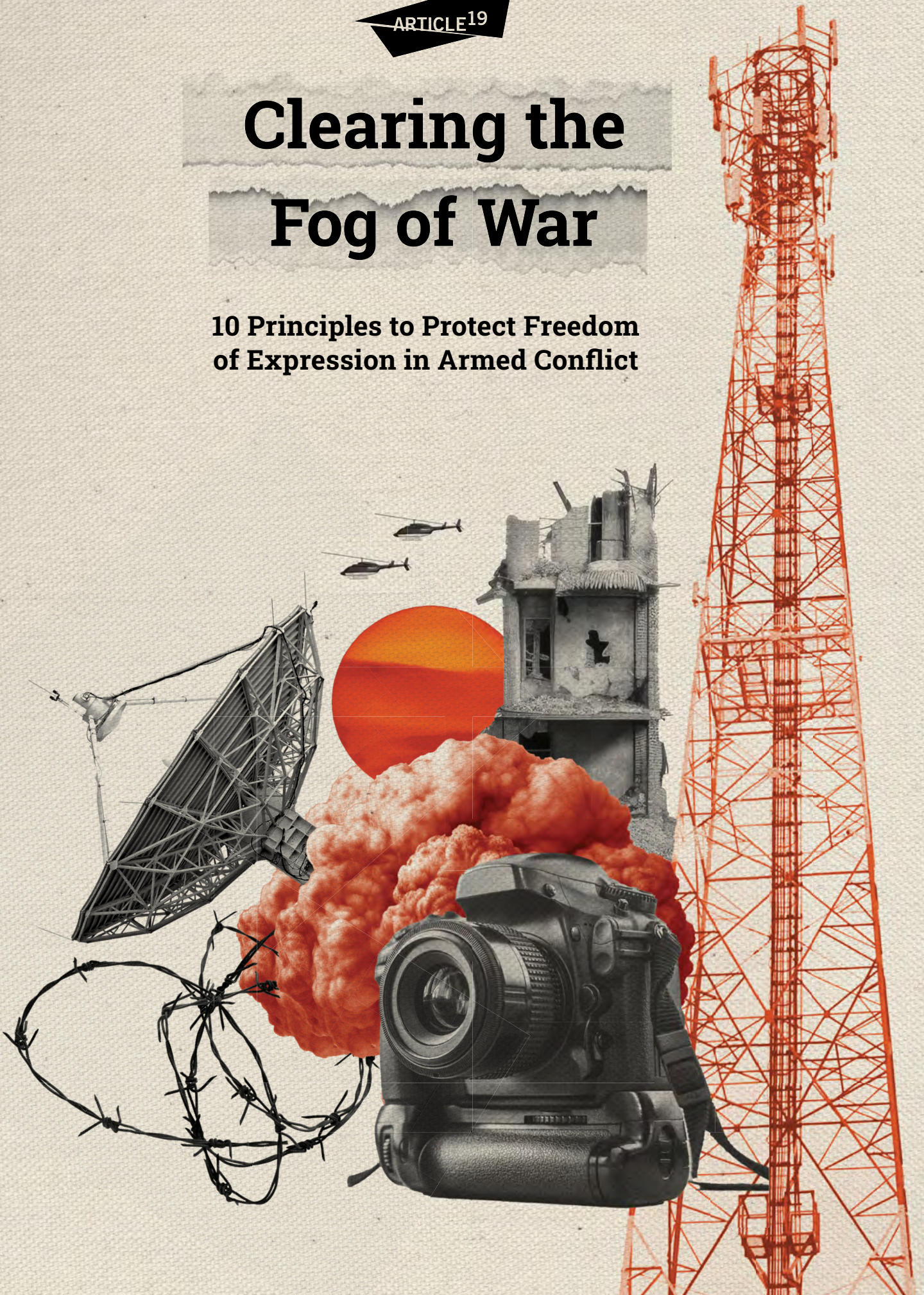


ARTICLE 19

Clearing the Fog of War

10 Principles to Protect Freedom
of Expression in Armed Conflict





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ARTICLE 19 is an international think–do organisation that propels the freedom of expression movement locally and globally to ensure all people realise the power of their voices.

Together with our partners, we develop cutting-edge research and legal and policy analysis to drive change worldwide, lead work on the frontlines of expression through our nine regional hubs across the globe, and propel change by sparking innovation in the global freedom of expression movement. We do this by working on five key themes: promoting media independence, increasing access to information, protecting journalists, expanding civic space, and placing human rights at the heart of developing digital spaces.

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Clearing the Fog of War

10 Principles to Protect Freedom of Expression in Armed Conflict

ARTICLE 19 proposes that a framework for the protection of freedom of expression during armed conflict must be based on the following ten principles:

1 Upholding freedom of expression during armed conflict protects civilians, as it enables the enjoyment of other human rights and fosters an environment conducive to respect for international humanitarian law (IHL).

2 Comprehensive protection of freedom of expression in armed conflict requires recognition of the important interplay between IHL and international human rights law (IHRL).

3 Any restriction on freedom of expression – whether it impacts individuals within or outside a state's borders – must strictly adhere to the principles of legality, legitimacy, necessity, and proportionality.

4 The protection of freedom of expression during armed conflict requires investment during pre- and post-conflict times.

5 Cyber operations must adhere to the IHL rules governing attacks if they are reasonably expected to cause – whether directly or indirectly – death, injury, physical damage, or loss of functionality.

6

Information operations must adhere to the specific limits set by IHL and IHRL. Responses to 'information manipulation' and 'hate speech' must adopt a freedom of expression-based approach.

7

Internet connectivity can be a lifeline for civilians and is protected under both IHRL and IHL.

8

Tech companies should assume their responsibilities as key actors during armed conflict. They should take specific steps to respect IHL and uphold freedom of expression and other human rights, including by taking proactive steps to protect civilians from digital threats.

9

Actors operating in armed conflict, including state and non-state actors, along with humanitarian organisations and human rights actors, should abide by international freedom of expression standards. Where applicable, they should include freedom of expression considerations in their military manuals, codes of conduct, policies, and protocols. National and international courts, tribunals, and accountability mechanisms should consider freedom of expression violations as they assess potential international crimes.

10

Work towards greater articulation and promotion of freedom of expression standards during armed conflict must continue.



Find out more in ARTICLE 19's new policy

Clearing the Fog of War

Protecting Freedom of Expression
in Armed Conflict



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