



STATEMENT BY THE ASSOCIATION FOR PROGRESSIVE COMMUNICATIONS, HUMAN RIGHTS COUNCIL 17TH SESSION, GENEVA, 30 MAY 2011

Agenda item 3: The Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises

APC welcomes the High Commissioner's opening statement to the Council and takes this opportunity to thank her and her office for their work in preparing for this session. In particular APC welcomes the High Commissioner's reference to recent events in the North Africa and the Middle East and the calls for dignity, equity and justice which " spread from village to village, country to country, and across the globe by email and text message and social media, in one of the most powerful examples of the exercise of the right to free expression that we have seen in decades."¹

These comments are especially relevant to the work of the Special Representative of the Secretary General on transnational corporations and other businesses. APC commends the Special Representative for his work in relation to the development of Guiding Principles on Business and Human Rights.

APC urges States to take practical action to implement the Guiding Principles particularly in relation to the internet and internet intermediaries. Internet intermediaries include internet service providers, internet cafes, blog hosts, mobile telecommunications operators, social networking platform providers and others. These intermediaries play critical roles in supporting online communication and upholding freedom of expression and freedom of association by providing access to networks, and enabling online participation. In doing so, they also enable the facilitation of a wider range of human rights and democratic participation by civil society.

The Special Rapporteur on Freedom of Expression and Opinion, in his report under Agenda item 3, concludes that State activities which interfere with these businesses are increasing and are resulting in interference with and limitations on freedom of expression and other human rights. APC calls on States to uphold human rights and the rule of law and to cease interference with internet intermediaries whether transnational corporations or other businesses, to ensure the free flow of information and access to the internet.

The Guiding Principles provide a means for transnational internet corporations and other internet businesses to work with States to uphold international human rights standards. APC underscores the need for strong follow up mechanisms to monitor the behaviour of corporations and supports the work done by international, regional and national human rights institutions

Yet, while adherence to human rights principles by businesses has become essential to ensure online freedom of expression, it cannot be a substitute for the responsibility of States to uphold human rights and the rule of law in all internet and telecommunications policy and regulation.

¹ . 17th Session of the Human Rights Council, Opening Statement by Ms. Navanethem Pillay, United Nations High Commissioner for Human Rights Geneva, 30 May 2011.

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