

Political Committee: Topic 2

The protection of free speech on social media

Background:

Freedom of speech, that is the right to express opinions without government restraint, is a fundamental guiding principle most nations around the world adopt; in the U.S. it comes in the form of the *First Amendment*. While it is the general rule in the U.S. and in the European Union, there are nevertheless exceptions to this freedom. Some of these national exceptions aim at preventing hate speech, defamation, threats, or terrorism. Meanwhile others aim at preventing speech which would be considered in other countries as the mere expression of an opinion. There are countless ongoing debates today as to where governments should draw the line and interfere in order to grant national security and to limit harm and violence while protecting freedom.

Social media sites are main propagators of all types of speech online and directly impact the spreading of these messages around the world. This can lead to the rise of mass social movements and can bring people to stir into action. For instance, social media played an important role in the Arab Spring, the London riots, and is currently playing a vital role in the ongoing 2019–20 Hong Kong protests against the Chinese government.

While the web links us all, each country nevertheless retains its own legal framework and often has maximum authority in regards to what information should or should not be legal. The current globalized world in which we live has weaved an intricate web, which strictly interconnects all human beings and institutions around the world. This can become problematic when looking at specific national cultures and policies. Something that might be considered offensive or that goes against the constitution of a particular nation might not be seen as a problem in another; what some might consider to encourage terrorism others might consider mere manifestations of opinion; and so on. Striking a balance between undeterred free speech and censorship to protect values considered worthy of protection is indeed a difficult exercise. Censorship of social media speech may not outweigh the benefit of forbidding a particular speech, but allowing complete free speech on social media may also have negative impacts, such as fostering cyber bullying or hate speech, or disseminating dangerous information.

There are many different types of speech, some of these being classified as harassment, obscenity, misinformation, and violence. Different social media platforms have [different stances](#) on each one of these different categories. Twitter, for instance, is more prone to overlook and allow the spread of pornographic content and for its own purposes, which often include political debate, hate speech is often not condemned. Other platforms such as Instagram, on the other hand, are really strict on nudity and on hate speech, but may quickly ban users for going against Community Guidelines. Who is right? Twitter or Facebook, the United States or China? This is the ultimate question which the fate of free speech in social media depends on.



Current Situation:

Free speech on social media, and free speech in general, are being advocated for worldwide. Countries, as well as social media platforms, are facing the accusations of millions and millions of citizens who demand their voices and their ideas to be heard, regardless of specific national policies. On the flipside, free speech can lead to false, unfounded information being spread, which consequently has a direct impact on the way people think and act. Since February, for instance, YouTube has identified over 200,000 “dangerous or misleading” videos on covid-19, which could bring people to unintentionally harm society as a whole.

Apps and browsers free of any institutional or national jurisdiction are being developed, with a new entry being *Parlor*. *Parlor* is an app similar to Twitter, but which does not abide by the typical ‘Community Guidelines’ set out by social media behemoths. The app has recently gained more notoriety mainly thanks to the 2020 U.S. election, by reaching peaks of nearly 1 million downloads since election day. Conservative angst over President Trump’s loss has resulted in a surge of downloads for *Parler*, as the President’s twitter account in recent weeks has been subject to numerous “misinformation” notices set out by the app itself. *Parler* has been a central hub for much conservative protests against recent election results, including the ongoing “Stop the Steal” campaign. It has also become a haven for the kind of right-leaning conspiracy theories that are discouraged on the larger networks, particularly regarding the recent election.

A recent attack on free speech is the killing of Samuel Paty, a French teacher who in a class on free speech showed his students a caricature of the Prophet Muhammad, and got beheaded for doing so. The French government response has drawn a mix of praise and ire in social media abroad.

Important bloc positions:

- United States
 - In favor of free speech on social media.
 - “Free speech is the bedrock of American democracy... In a country that has long cherished the freedom of expression, we cannot allow a limited number of online platforms to hand pick the speech that Americans may access and convey on the internet. This practice is fundamentally un-American and anti-democratic. When large, powerful social media companies censor opinions with which they disagree, they exercise a dangerous power. They cease functioning as passive bulletin boards, and ought to be viewed and treated as content creators.”¹

¹ “Executive Order on Preventing Online Censorship.” The White House. Accessed November 15, 2020. <https://www.whitehouse.gov/presidential-actions/executive-order-preventing-online-censorship/>.

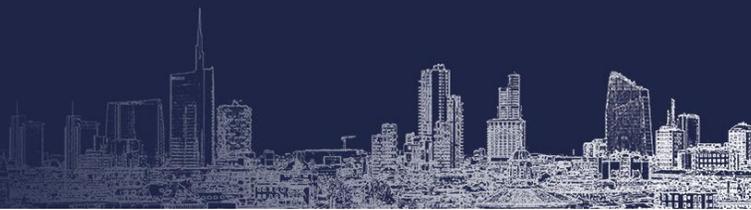


- China
 - The Chinese Government is known internationally to censor and filter out any social media content that does not conform with its policies and the information it chooses to share with the Chinese people.
- North Korea
 - North Korea is a dictatorship and the government has full control over mass and social media.
- European Union
 - In favor of free speech on social media, with some regional variation. For example, while France defends speech and belief with its laïcité laws, Germany does not allow certain topics to be discussed.
- Middle East
 - For censorship in certain countries.

Possible solutions:

1. Right to Information
 - The UN calls on states to “take all necessary efforts to ensure easy, prompt, effective and practical access to government information of public interest, including online, and encouraging the proactive disclosure of information held by public entities in the broadest possible terms, including on grave violations and abuses of human rights.”²
2. Internet Shutdowns
 - Governments should not use internet shutdowns to limit the circulation of free speech.
3. Counter-terrorism and violent extremism
 - All measures taken to counter threats related to terrorism and violence are in full compliance with international human rights obligations.
4. Encryption and anonymity
 - Empower human rights defenders, journalists, academics, artists and other civil society actors to receive and share information without interference, particularly in hostile environments.

² "HRC44: UN Resolution on Freedom of Opinion and Expression." ARTICLE 19. July 24, 2020. Accessed November 15, 2020. <https://www.article19.org/resources/hrc44-un-resolution-on-freedom-of-expression/>.



Further reading:

- <https://www.article19.org/resources/hrc44-un-resolution-on-freedom-of-expression/>
- <https://www.economist.com/leaders/2020/10/22/how-to-deal-with-free-speech-on-social-media>
- <https://www.economist.com/briefing/2020/10/22/social-medias-struggle-with-self-censorship>
- <https://www.forbes.com/sites/johnkoetsier/2020/10/25/social-censorship-should-social-medias-policy-be-free-speech/?sh=6181c6cc489a>
- [Types of speech with rankings for different social media outlets](#)

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- "How to deal with free speech on social media | Leaders - The" Accessed November 12, 2020. <https://www.economist.com/leaders/2020/10/22/how-to-deal-with-free-speech-on-social-media>.
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- "Parler, a conservative Twitter clone, has seen ... - The Verge." Accessed November 12, 2020. <https://www.theverge.com/2020/11/9/21557219/parler-conservative-app-download-new-users-moderation-bias>.
- "Regulating Freedom of Speech on Social Media: Comparing" Accessed November 12, 2020. <https://law.stanford.edu/projects/regulating-freedom-of-speech-on-social-media-comparing-the-eu-and-the-u-s-approach/>.
- "Voltaire's heirs - France is right to defend free speech | Leaders." Accessed November 12, 2020. <https://www.economist.com/leaders/2020/11/05/france-is-right-to-defend-free-speech>.