

**SOME DEVELOPMENTS
REGARDING FREEDOM OF THE
PRESS**

- 1735:** An editor of *Weekly Journal* is acquitted from a libel charge.
- 1789:** “Declaration of the Rights of Man” from the French Revolution includes freedom of speech.
- 1791:** Freedom of speech, press and fair trial is entered into the U.S. Bill of Rights.
- 1941:** FDR gives Four Freedoms speech including the freedom of speech.
- 1984:** Reagan outlaws public high school bans on student assembly for political and religious purposes outside of school hours.
- 1989:** Tiananmen Square occurs due to student demonstrations calling for democracy.
- 1993:** 3rd of May is declared World Press Freedom day.
- 2004:** Theo Van Gogh is assassinated following the production of his film concerning violence against women in Islamic societies.
- 2005:** Protests are banned within a kilometer of the British Parliament for security reasons.
- 2006:** Safety of Journalists and Impunity is World Press Freedom Day’s topic.

Political Rights in the 21st Century

Freedom of Expression and Speech

By: Megan Niemczyk, UNC-CH

“Goebbels was in favour of free speech for views he liked. So was Stalin. If you're in favour of free speech, then you're in favour of freedom of speech precisely for views you despise.”- Noam Chomsky

WORLD PRESS FREEDOM DAY

In 1993, UNESCO declared 3 May World Press Freedom Day through the UN General Assembly. Celebrating free press, this day commemorates those that have died in the field of journalism, encouraged broader press freedoms and fought to maintain threatened press freedoms. This day is two-fold, not only acknowledging past/current journalists but also educating citizens of the world about what true press freedom entails.

UNESCO offers a list of press freedom violations such as censorship, fines, suspension and/or closing of publications as well as harassment, arrests and violence towards those who work for such publications.

World Press Freedom Day serves to support the media. Every May 3 offers a chance to open up dialogue on issues such as ethics and current obstacles for press freedom.

FREE PRESS ETHICS

American Society of Newspaper Editors

1. Responsibility: The press serves the people in disseminating information and making well informed decisions.
2. Freedom of the Press: Journalists remain alert and help maintain the freedom of press and prevention of exploitation of the press.
3. Independence: Conflict of interests threaten the integrity of the journalist as well as the free press.
4. Truth and Accuracy: The press works to ensure that all information printed is accurate. When an error is found corrections are promptly provided.
5. Impartiality: Opinion and facts must be easy to differentiate.
6. Fair Play: All individuals involved in a story should be offered an opportunity to give their story or respond to other statements made against them.

For further information: www.asne.org

“Freedom of the press belongs to the people”- ASNE

Political Rights in the 21st Century

Voting Rights and Elections

In 2005, Kofi Anan established the United Nations Democracy Fund (UNDEF). Membership of UNDEF is voluntary and no specific model of democracy is promoted.

“Good governance, democracy and popular participation are increasingly viewed as key agents in the quest for economic and social development”-UNDP

UNDEF works in conjunction with other UN bodies to promote democracy around the world. Attempts are made in preventing bureaucratic overlap. No nation is forced into a UNDEF programme.

A LOOK AT TWO STATES IN THE 2000 U.S. FEDERAL ELECTION;

In Missouri, a number of voters showed up at the polls to find they were placed on inactive lists without notice and no action was taken to reactivate their status and ability to vote that day. This violated the Motor Voter Act.

In Florida, voters were turned away from the polls claiming they were not on the list, or did not have photo identification. In Florida, if a voter forgets his/her id, there is the option of an affidavit ballot. A number of minority voters stated they were not offered such ballots.

HOW DOES AN ORGANIZATION PROPERLY OBSERVE AN ELECTION?

Organizations such as the Carter Center, National Democratic Institute, International Republican Institute and the European Union encourage fair elections through election observations. Tasks performed by observers include: aiding in the implementation of election guidelines, assuring campaign information is not suppressed, counting votes, and declaring whether polling sites were legitimate. Observers can stay on site anywhere from six or seven days during the week of the election up to six weeks prior. The Carter Center has held sixty-seven observances, NDI with forty-five observances, IRI currently promotes democracy in seventy countries and the EU has aided in fifty-three elections.

1860-1871

1860: Abraham Lincoln does not show up as the Republican candidate in numerous state ballots including the state of North Carolina.

1867: Congressional Reconstruction Acts

1870-1871: Enforcement Acts are passed by U.S. congress to limit KKK activities in order to protect civil and political rights of others.

1872-1953

1875: Civil Rights Act passed by Congress concerning political rights such as access to jury duty.

1893: Australia is the first nation to legalize women's suffrage. The first federal vote held in Australia occurred in 1902.

1920: The U.S. 19th amendment ratified. Women earn right to vote.

1953: Convention of Political Rights of Women.

1925-1964

1957: U.S. Congress declares all people have the right to vote. A bipartisan Commission on Civil Rights is formed in to investigate in voter intimidation.

1960: U.S. Congress declares voter intimidation and prevention comes with penalties.

1962: In Australia, Aborigines are granted the right to vote in federal elections.

1965-Present

1964: The U.S. 24th amendment: abolition of the poll tax.
1965: Examiners are appointed to observe polling sites with history of voter intimidation and prevention.

2000: US Federal election faces difficulty in controversial ballots and voter intimidation.

FORMATION AND DEVELOPMENTS IN GUANTANAMO BAY

- 1898:** The first Americans arrived in Cuba while fighting the Spanish-American War
- 1903:** Leasing of Guantanamo Bay begins. To this day, Castro refuses to cash the lease check.
- 1961:** Cuba and the US break formal ties.
- 1984:** Convention Against Torture and Other Cruel, Inhumane or Degrading Treatment of [UN] Punishment is adopted.
- 1989:** The Second Optional Protocol to the International Covenant on Civil and Political Rights discusses the abolition of the death penalty [UN]
- 2002:** Detention begins in Guantanamo Bay with 20 prisoners on 11 January. On 27 February nearly 2/3rds of the detainees successfully

**Political Rights in the 21st Century
The Rights of Prisoners and Detainees**

**STATISTICS ON THE DEATH PENALTY
From Amnesty International**

88 countries have abolished the death penalty. Although death penalty sits in their code of law, 29 countries are abolitionist meaning they have not held an execution in at least ten years. 11 countries allow the death penalty only for war crimes. Of those remaining, 69 states still maintain the death penalty although rarely do all practice every year.

Amnesty International states that in 2005, 22 nations executed at least 2,148 people. That very same year, 94% of those were executed in China, Iran, Saudi Arabia, and the USA with 60 executions. An estimated 19000-24000 may be awaiting execution around the world.

The USA and Iran are the leading states in executions of individuals who were under the age of 18 at the crime with 19 executions each since 1990. 6 other countries practice the death penalty on child accusers including China, Democratic Republic of Congo, Nigeria, Pakistan, Saudi Arabia and Yemen.

In 1989, 60 states have ratified the Second Optional Protocol to the International Covenant on Civil and Political Rights calling for the abolition of the death penalty. The U.S. is not a signatory.

Reported Guantanamo Abuses

On 3 January 2007, the Washington Post reported on the recently released FBI report regarding Koran mistreatment as well as other abuse of authority in Guantanamo. There have been reports on detainees being interrupted in prayer, wrapped in Israeli flags, and duct taped for quoting the Koran to name just a few. For access to this article as well as others on Guantanamo: <http://www.washingtonpost.com/wp-dyn/content/linkset/2006/03/15/LI2006031501365.html>

(2002 Continued)

go on hunger strike for right to wear turbans. 27 October the first three detainees are released.

2003: 11 March U.S. Federal Courts state that detainees have no legal rights in the U.S.

2005: Investigations of allegations of abuse in Guantanamo begin by the U.S.

2006: 29 June, U.S. Supreme Court announces that Bush's military tribunal for detainees violates U.S. law and the Geneva Conventions. On 6 September the Bush administration acknowledges "Secret CIA Jails."

2007: 18 January a manual is released about the process to be taken with trying detainees in Guantanamo

For more information:
http://www.cbsnews.com/elements/2004/08/24/in_depth_us/timelines/2004/08/24/in_depth_us/timelines/e638036_0_main.shtml

Political Rights in the 21st Century

Links for Further Information

Cheryl Bishop

Ms. Bishop is a PhD candidate in the School of Journalism and Mass Communication at UNC-CH.

David Pottie, PhD

Mr. Pottie is an Associate Director for the Democracy Program at the Carter Center.

Julia Tarver Mason, JD

Ms. Mason is a Partner in the Paul Weiss Law Firm and currently acting as a pro bono lawyer for detainees in Guantanamo.

The role of the UN Special Rapporteur on the freedom of expression:

<http://www.ohchr.org/english/issues/opinion/index.htm>

The projects and accomplishments of UNESCO for freedom of expression:

http://portal.unesco.org/ci/en/ev.php-URL_ID=2493&URL_DO=DO_TOPIC&URL_SECTION=201.html

World Press Freedom Day:

<http://www.un.org/depts/dhl/press/>

CBS detailed timeline of American events occurring in Guantanamo Bay dating back to 30 April 1494:

http://www.cbsnews.com/elements/2004/08/24/in_depth_us/timeline638036_0_main.shtml

For annual Amnesty International Reports on Human Rights:

<http://www.amnesty.org/ailib/aireport/index.html>

EU Election Assistance & Observation:

http://ec.europa.eu/comm/external_relations/human_rights/eu_election_ass_observ/index.htm

The International Covenant on Civil and Political Rights:

http://www.unhchr.ch/html/menu3/b/a_ccpr.htm

The Windhoek Declaration:

http://www.unesco.org/webworld/fed/temp/communication_democracy/windhoek.htm

The Geneva Convention relative to the Treatment of Prisoners of War:

<http://www.unhchr.ch/html/menu3/b/91.htm>

KEY DOCUMENTS AND CONVENTIONS

- 1789:** “Declaration of the Rights of Man”
- 1791:** U.S. Bill of Rights.
- 1815:** The Congress of Vienna.
- 1919:** Treaty of Versailles
- 1948:** Universal Declaration of Human Rights is adopted.
- 1953:** Convention of Political Rights of Women..
- 1966:** UN accepts the International Covenant on Civil and Political Rights. Covenant enters into force in 1976.
- 1984:** Convention Against Torture and Other Cruel, Inhumane or Degrading Treatment of Punishment is adopted.
- 1989:** The Second Optional Protocol to the International Covenant on Civil and Political Rights discusses the abolition of the death penalty
- 1991:** Declaration of Windhoek outlines fundamental ideas of independent press, freedom of expression and protection of journalists from violence while working in the field.
- 2001:** Patriot Act