ARTICLE 10 OF THE EUROPEAN CONVENTION ON HUMAN RIGHTS

FREEDOM OF EXPRESSION

WHAT DOES THE RIGHT SAY?

"Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This Article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises. The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

WHERE DOES IT COME FROM?

- 1689 English Bill of Rights granted freedom of speech in Parliament.
- Free speech was central to the French Declaration of the Rights of Man and the United States Constitution.
- In 1948, the Universal Declaration of Human Rights guaranteed freedom of expression.

WHAT DOES IT MEAN IN PLAIN ENGLISH?

- We have the right to hold opinions and to express our views to others.
- We can do this on our own or as part of a group.
- This applies even if our views are unpopular or may upset or offend others.
- Our right to say whatever we want can be limited in some circumstances, for example to prevent crime.

THREE KEY THINGS THAT IT DOES FOR US

Landmark court cases:

1976 **Even offensive speech is protected** – Handyside v UK, Europe
A book teaching school children about sex and drugs was banned. The court said that free expression applies to ideas which are shocking or disturbing.

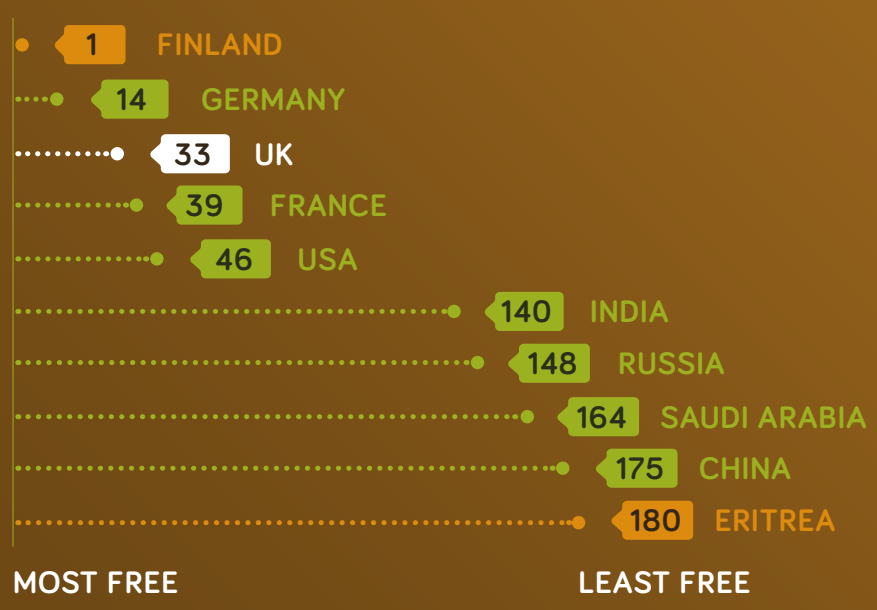
1989 **The press can report freely on public interest issues** – Sunday Times, Europe
A court stopped a newspaper from publishing articles in support of victims of the Thalidomide disaster. This violated their free speech rights.

1996 **Protects journalists from being forced to reveal their sources** – Goodwin, Europe
A journalist was convicted of contempt of court for refusing to reveal a whistle-blowing source. This violated his freedom of speech.

WHY IS IT NEEDED NOW?

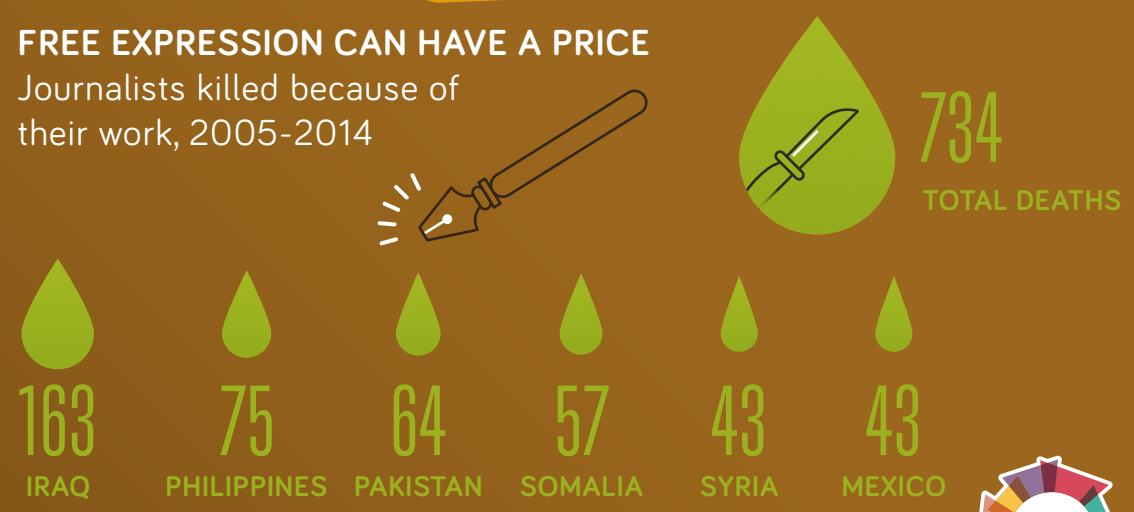
THE PRESS IS NOT ALWAYS FREE

Reporters Without Borders Press Freedom Index, country rank, 2014



FREE EXPRESSION CAN HAVE A PRICE

Journalists killed because of their work, 2005-2014



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