

Communication, Business and Human Rights: The Current Challenges to Freedom of Expression

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ABSTRACT: Freedom of expression is a well-established basic right in the context of communication rights, as specified in Article 19 of the Universal Declaration of Human Rights (UDHR), which states that “everyone has the right to freedom of thought and expression.” Despite the fact that communication has advanced to unprecedented levels throughout the globe, there are still instances in which prohibitions on speech influence communication rights in many nations. This article analyzes reports of international organizations evaluating how freedom of expression is restricted, highlighting how limitations may arise from different kinds of abuses, such as government control over the media, limiting the freedom of information, or imposing laws that criminalize defamation. It also explores how attempts to protect religious and philosophical beliefs, schools of thought, and certain ideologies affect the freedom of expression of the population, certain groups of people, or businesses. It is also important to note how certain kinds of speech restrictions, such as those prohibiting obscenity, fraud, speech that violates intellectual property rights, speeches that encourage imminent lawless action, and others, can help to create a social environment that fosters dignity, respect for the law, and the application of essential moral values in a society.

KEY WORDS: freedom of speech, business, communication, human rights

Current Considerations on the Right to Free Expression

Freedom of speech has long been recognized as a basic human right essential to the operation of a free civil society since it is both inherently useful to

people and necessary for a free community to operate. In the context of public engagement and discussion, accountability, sustainable development, human development and the promotion of other human rights, freedom of speech is seen as a necessary component. It is well recognized that freedom to express values and beliefs is a critical element when it comes to the implementation of multicultural principles, religious variety, and ethnic plurality, among other things.

On a wide scale, freedom of speech is interconnected and interdependent with other human rights, such as freedom of the press, association, assembly, thinking, conscience, belief, and religion, all of which are interconnected and interdependent with one another. This right to speech may impact other rights, such as the right to justice, education, equality, human dignity, and many other rights of vulnerable groups. Even though many steps have been taken to further enhance the notion of the right to express one's viewpoint, unfortunately, the complete implementation of the right to freedom of speech is becoming more difficult to achieve. There are still legal and political systems that restrict people's ability to express themselves freely, and there are growing disparities between rich and poor countries and between urban and rural areas in terms of access to technological tools, internet, and educational development.

Government's Role in Freedom of Expression

Broadly speaking, the government is seen as the most important decision-maker for the welfare of its population, making judgments in a competent manner to avoid fraud, discrimination, and harmful working conditions. In order to guarantee human rights, the government must ensure the preservation of natural rights, maintain public order, provide public services, protect national security, and provide economic support. In order for a nation to flourish and ensure the safety of its population, the government must set laws for society and react to crises.

Under specific situations, such as national security, public order, or public health, the regulations of this state may impose restrictions on freedom of speech. Even though the state may implement new regulations to restrict freedom of expression in crucial situations, according to certain reports from international organizations, some governments have been abusing the rights

of some groups during the past ten years. Numerous countries use political influence and media control as tools to limit freedom of speech, whether through print media, the Internet, or government control over radio and television licenses.

There are laws against the dissemination of false information, as well as defamation, insulting, and slander. Misuse of the laws about hate speech prevents disadvantaged groups from communicating. The case of Ilgar Mammadov could be an example of how the ECHR acts in cases that affect the right to freedom of expression, guaranteed by the European Convention on Human Rights (Corlataean 2021).

Even though restrictions on freedom of expression were justified in the name of national security, they were abused to impose excessively wide restrictions. Overreaching monitoring technologies cause a threat to freedom of speech by discouraging individuals from speaking freely or from addressing significant concerns to certain social or religious groups.

Global health crises in 2020 and 2021 have proven the critical need for accurate, trustworthy, and timely information. Some governments continued to use COVID-19 to justify limiting criticism and banning negative news. New laws or regulations govern how platforms treat content on the internet in at least 24 countries. Some problematic policies, particularly those affecting vulnerable populations, may increase censorship of political dissent, investigative reporting, and manifestations of ethnicity, gender identity, religion, or beliefs (Freedom House 2021).

Mass Media and Freedom of Speech

The right to freedom of speech encompasses seeking, receiving, and expressing information and ideas (UN General Assembly 1948). It has only lately been universally acknowledged that the right to information is a basic human right.

Despite the fact that numerous laws safeguarding the right to information have been enacted, there are still significant obstacles to ensuring that this right is protected. Freedom of expression may be limited due to lack of access to education or online restrictions on topics such as religion, politics, or other ideologies that do not line up with government policies. The 2021 World Press Freedom Index, published by Reporters Without Borders

(2021), evaluates how people have freedom of expression in 180 countries and territories. According to the report, 73 countries and territories restrict journalism completely or severely, while 59 others do so to a lesser extent. Journalists writing on social and political topics, such as organized crime and corruption, expressing their dissatisfaction with the administration, and reporting human rights abuses, have sometimes been targeted for intimidation. Although many nations' constitutions state that freedom of speech should be respected, the government continues to arrest individuals who expose their opinions in public. As of December 2, 2021, according to Statista Research (2021), 293 journalists were imprisoned.

The Internet and Freedom of Speech

In contemporary society, the Internet has developed as an important channel through which social groups connect with one another in order to exchange perspectives, seek opinions, and become more knowledgeable about one another's views. As a result of the Internet, communication capacities have significantly improved. New services such as digital newspapers and video streaming websites, online music, e-mail, Internet telephone, and Internet television have risen to new levels. In terms of political, religious, and lifestyle information, the Internet continues to be one of the most popular sources of information. Although the Internet has enabled unprecedented access to information and communication tools for more than 3.8 billion people throughout the globe, the vast majority of the world's population continues to either never have access to the Internet or has very restricted access to the Internet. Internet limitations restrict many people's ability to express themselves, access information, and create content to communicate their ideas.

People from marginalized communities, such as those who live in rural areas, those who are old, or those who do not have access to education, do not have the same rights to information as other people in the same situation. Worldwide, limitations on freedom of speech have never been more severe than they are now. According to Freedom House (2021), at least 55 nations have investigated, jailed, or convicted individuals based on their social media postings, the vast majority of which were connected to political, social, and religious issues, according to the organization. Since 2020, 48

nations have pursued laws to regulate technology corporations, intending to improve online environments' protection against harassment, extremism, and other criminal activities, among other objectives. Some new laws and regulations may have a negative impact on human rights, such as restricting free expression on the Internet and reducing transparency and accountability.

Business, Communication and Human Rights

Business communication is an essential process in the conduct of a business's operations, beginning with the formation of a business concept and the elaboration of plans and proposals and progressing through the dissemination of decisions. Some businesses' work is limited to a specific geographical area, whereas others are multinational corporations that require more advanced communication due to the need to communicate across multiple time zones using a variety of communication methods and taking into account a variety of laws and rules governing communication. By using effective communication strategies, greater trust and understanding can be allowed and community development can take place. Applying this on a larger scale, we can consider that freedom of expression can allow people to realize other human rights, such as the right to work, education, property, religious freedom, and social security, etc. (UN General Assembly 1948).

However, although effective corporate communication is critical to a company's performance, the requirement of the right to communication rights raises more concerns than only the issue of how to coordinate organizational operations.

Businesses have the potential to play a significant role in the protection of human rights when establishing the appropriate environment, providing different communication platforms that facilitate the wider dissemination of ideas and interactivity.

The activity of commercial companies may have a good or negative impact on people's enjoyment of their human rights. According to international human rights law (OHCHR 2021), businesses are expected to respect human rights; this means that they should avoid violating the human rights of others and should correct any detrimental human rights impacts that they are responsible for creating or producing.

Conclusion

In today's free societies, it is almost impossible to imagine what the world might be like without the freedom of expressing or with multiple restrictions on seeking, receiving, and sharing information. Freedom of expression must remain a fundamental right as stipulated in many international human rights instruments and treaties.

Although this perspective is achievable and noteworthy, the current realities show that freedom of expression is constantly under attack, whether because of government control, a lack of freedom of information, or through laws criminalizing defamation or hate speech.

Freedom of expression is an essential right, which needs to be maintained and protected to enable people to live decently and freely in a pluralistic society where different religions can coexist and where stigma, racism, xenophobia, and hatred should be avoided, and human dignity can be honored and valued.

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