

PROPOSAL FOR A REVISED FRAMEWORK ON COMMUNICATION RIGHTS

This contains a first revision of the Framework on Communication Rights for the CRIS Global Governance Project. Below, a revised version of the Pillars are presented in a single matrix, and each Pillar given a set of attributes. This is followed by a series of questions for each attribute, which is still incomplete. It is hoped that the use of a 'question' format will assist in clarifying the kind of issues covered under each attribute.

At the back are initial notes that link the Pillars and attributes to international human rights. This will be completed soon. International resources, available from Websites and elsewhere, will also be added soon.

THE PILLARS:

Pillar A: Spaces for Democratic Participation : Communicating in the Public Sphere

This Pillar considers whether the media, from conventional newspapers through to television and radio, and onto to the Internet, are creating and sustaining spaces for open democratic debate and mobilisation among all people, and providing the information and tools needed to enable civil society to participate in political process and deliberations .

It thus includes the critical areas of freedom of expression in general, of press and media freedom; of the availability of information of relevance to the public interest from public and corporate sources, and of the conditions to secure plurality and diversity of the media.

Pillar B: Communicating Knowledge for Equity and Creativity: Enriching the Public domain

The second Pillar considers the role of media and communication in the knowledge generation and sharing process within society. At the core of this is the governance of knowledge production and dissemination in a manner that strikes a just and efficient balance between enabling widespread generation of creative knowledge, and maximising the use of such knowledge for the general social good. An important related principle is that knowledge funded by public funds should go into the public domain. In addition, it means ensuring that the information needed by specific communities is generated, and that accessing society's knowledge is possible and affordable to all.

Pillar C: Civil Rights in Communication

The third Pillar focuses on the civil rights needed to protect the integrity and security of interpersonal and group communication within society and of the uses to which personal information is put. These include the right to privacy of communication, the right to be aware of, give consent to and correct personal information and data, and the right to freedom from surveillance.

Pillar D: Cultural Rights in Communication

The fourth Pillar focuses on cultural rights, relating to communication, that contribute to preserving and renewing cultural diversity and heritage, and are a key part of the constitution and evolution of cultural identity, personally and collectively. These include the right to use one's mother tongue, the right to participate freely in the cultural life of one's community, and respect in communication within and across diverse cultures.

Each of these is examined across three axes.

First, the existence of **communication rights at home** is considered, nationally, since nation states still represent the main juridical, social, economic, cultural and political boundary.

Second, **interactions outside national boundaries** of various kinds, are examined. These include the impact of cross border media and communication on communication rights nationally; the positions taken by national governments in relation to communication rights externally; the impact of bilateral, regional and global governance institutions, treaties and agreements; and transborder interactions of civil society and others.

Third is nature and extent of **democracy and participation in governance structures**, both national and international level, in particular the opportunities for civil society to participate in these structures, including in the design, implementation, evaluation and revision of policies.

These are illustrated as a matrix below, in terms of the attributes of each Pillar and the three axes. The second and third access share the same questions across the four Pillars.

Framework on Communication Rights: Attributes and Axes.

	A. Communicating in Public Sphere	B. Communicating Knowledge	C. Civil Rights in Communication	D. Cultural rights in Communication
Communication Rights at Home	A1: Freedom of expression. A2: Freedom of the press and media, including electronic. A3: Access to, and ready availability of, public and government information. A4: Access to corporate information. A5: Diversity and plurality of media and content. A6: Universal access to relevant media.[possible]	B1: A balanced knowledge sharing regime, with practical support measures. B2: Publicly funded knowledge enters the public domain. B3: Affordable and equitable access to all media for knowledge sharing. B4: The availability of relevant knowledge for all communities. B5: Widespread skills and capacities to use media, especially ICTs.	C1: Information privacy and data protection. C2: Privacy of communication. C3: Communication surveillance in public and workplace [possible] C4: Universality of social communication networks. [possible]	D1: Communicating in one's mother tongue D2: Participation in the cultural life of one's community. D3: Protection, stimulation and sharing of culture and cultural identity [Possible]
International Dimension of Communication Rights	A7: The public sphere ...	B6: Knowledge sharing...	C5: Civil rights ...	D4: Cultural rights ...
	... and the role of non-national media and communication.			
Democracy and Participation in Communication Governance	A8:	B7:	C6:	D5:
	The role and relevance of international agreements.			
	A9:	B8:	C7:	D6:
	Effective participation by civil society in governance nationally.			
	A10:.	B9:	C8:	D7:
	Effective participation by civil society in governance transnationally.			

QUESTIONS ON EACH PILLAR AND ATTRIBUTE:

Issues covered by the attributes of the Pillar can most easily be explained as a series of questions. These contain a normative aspect, and an affirmative answer to each represents a positive contribution to communication rights.

Each of the Pillars, and their attributes, are considered in turn.

Pillar A: Creating Spaces for Democratic Deliberation: The Public Sphere

COMMUNICATION RIGHTS AT HOME

Freedom of expression includes the hold and express dissenting views and to criticise those in power. It is a fundamental human right, and an absolute requirements for democracy.

A1 Is freedom of expression available to all people, in law and in practice?

- A1.1 Is freedom of expression guaranteed in the constitution and in law, in line with international standards?
- A1.2 Are guarantees of freedom of expression reflected in government policy and enforced through effectively by government and judiciary? [I think we could drop this – how does it work, apart from corporate media – covered below – and whistle blowers – covered below]
- A1.3 Is freedom of expression protected against corporate and business or other private interference?
- A1.4 Is freedom of expression through leaflets, posters and other public means overly restricted?
- A1.5 Are measures taken to ensure freedom from fear and an atmosphere of openness?

A2: Is there freedom of the press and media, including the electronic media?

- A2.1 Is freedom of the press and media guaranteed constitutionally and in law, in line with international standards regarding the public's right or reply, right to privacy etc.?
- A2.2 Are press and media, in practice, free from government interference, from overt censorship to indirect financial or other pressures?
- A2.3 Are press and media, in practice, free from commercial interference, from their owners, shareholders, advertisers or others, direct or indirect?
- A2.4 Are press and media, in practice, free from non-media commercial interference or censorship, such as from common carriers, cable operators, ISPs, search engines and wholesale bandwidth suppliers?
- A2.5 Are there measures, including industry self-regulation, obliging media, publishing and dissemination (ISPs, search engines, bandwidth retailers etc.) to act as 'common carriers' in relation to all material that is legal under internationally accepted legal norms, including that critical of government, industry or other parties?
- A2.6 Are human and civil rights of journalists adequately protected to enable them to carry out their work, especially in areas of conflict?
- A2.7 Do journalists have editorial and material freedom to carry out their work, including reasonable job security, trade union membership, moral rights as authors, absence of employer coercion etc.?
- A2.8 Is a right of reply available to the public, to protect against defamation, and other related issues as present in international standards? [should this not be in civil rights: Pillar C?]

A3: Is there access to and ready available of public and government information.

- A3.1 Is there robust freedom of information legislation, with minimum retention for government and public bodies and maximum access by the public at large?

- A3.2 Does the freedom of information legislation ensure that information is available in a timely and affordable manner to all?
- A3.3 Does the public sector and government actively promote openness and transparency, through such means as: structures or offices to compile and release information in appropriate forms; publication of goals and plans for policies and public services; protection for public employees who disclose information in the public interest; broadcasting of deliberations of elected representatives and public bodies; transparency of decision-making on matters of public interest?

A4: Is there access to corporate information, where relevant to issues of public interest?

- A4.1 Are there effective legal requirements for corporate disclosure legislation/regulation, beyond basic financial information, of all information available to corporations that may have a bearing on public policy and on the public interest?
- A4.2 Is there access to corporate information in practice, including voluntary action?

A5: Is there diversity of content in the media, and plurality of media sources?

- A5.1 Are there effective means to regulate in the public interest by preventing concentration of media ownership, including concentration of ownership of a particular medium, cross-ownership between media, and cross-ownership of production, content dissemination, and/or infrastructure?
- A5.2 Does the legislative framework support in practice the emergence of a plurality of media types at national and, as appropriate, regional and local levels: public service, commercial and community/independent media, including the transparent and equitable allocation of radio spectrum and other public goods?
- A5.3 Does public service media have adequate resources available to them, especially in relation to news and current affairs?
- A5.4 Are public service media fully independent of government, and free of arbitrary interference and unnecessarily cumbersome regulation?
- A5.5 Do community and non-profit media have adequate resources, including public resources such as spectrum, especially for the media of disadvantaged and marginalised communities?
- A5.6 Are community and non-profit media free from arbitrary interference from government and others?
- A5.7 Are community and non-profit media transparent, democratic and participative?
- A5.8 Are there enforceable regulatory obligations on commercial media including broadcasters, as appropriate, to ensure they fulfil public service requirements?
- A5.9 Is there gross misrepresentation, stereotyping or other distortion within media content of women, ethnic groups, poorer and marginalised groups, and are mechanisms in place to deal with this?
- A5.10 Are different social groups are fairly represented among media employees, at every level, and are mechanisms in place to ensure that they are?
- A5.11 Are there measures to prevent advertising from exerting undue influence on the public sphere, such as ensuring it is readily identifiable as advertising, limiting the volume of advertising, and regulation of content in the public interest.

A6: Universal access to relevant media by all communities

- A6.1 Are there effective measures to ensure affordability and accessibility of media content (including newspapers and television) relevant to political discussion, especially among poorer and marginalised groups, such as preferential tax regimes, free-to-air broadcasting or transport subsidy.? Should this be integrated in 5.5, or in Pillar B?]

MEDIA AND COMMUNICATION INTERACTIONS EXTERNALLY

- A7: Is the role of non-national media and communication a positive one for the public sphere?
- A7.1 Are there effective measures nationally to ensure the foreign ownership of national media does not negatively affect the extent and quality of coverage of local issues, the quality of general media coverage, and the media environment generally?
 - A7.2 Are there effective measures nationally to ensure that cross-border media flows, such as direct broadcast satellite, do not negatively affect the extent and quality of coverage of local issues, the quality of general media coverage, and the media environment generally as it relates to the public sphere?
 - A7.3: [anything on Internet?]
- A8: Do international agreements and developments, and government positions in relation to them, support and enhance the role of media and communication in the public sphere?
- A8.1: Do international agreements and multi-lateral institutions inside and outside the UN, in practice, support media and communication in relation to the public sphere, for instance through the protection of, and support for, media nationally, and the right to discriminate in favour of local media and to regulate content originating outside?
 - A8.2 Does the government advocate and support measures in relevant agreements and institutions that would support the role of media and communication in the public sphere?
 - A8.3 Is there consistency between government positions in relation to media and communication abroad and at home?
 - A8.4 Does the government maintain an independent position in relation to the actions of powerful governments, preventing undue external influence in relation to these issues?

Something about the emergence of a transnational element of the public sphere?

DEMOCRACY AND PARTICIPATION IN COMMUNICATION GOVERNANCE

- A9: Nationally, is there effective civil society participation in media and communication governance, as it relates to the public sphere?
- A9.1 Are there adequate public consultations on, and opportunities to participation in, government media and communication national strategy and policy development?
 - A9.2 Are there effective ongoing means for public concerns and complaints to be heard and acted upon with regard to media policy and practice, including remedial actions?
 - A9.3 Are there adequate mechanisms for independent direct public participation in ongoing policy review and implementation, in a decentralised manner as appropriate?
 - A9.4 Has civil society and other actors, developed and deployed governance mechanisms and instruments that support the role of media in the public sphere, recognised or not by government?
- A10: Internationally, is there effective civil society participation in media and communication governance, as it relates to the public sphere?
- A10.1 Are there mechanisms to ensure openness and transparency of government in international negotiations and institutions relating to media and the public sphere?
 - A10.2 Does the government actively facilitate and support the participation of civil society in international governance arenas, including national to local level consultation to ensure that civil society views into account when developing position?

- A10.3 Are there adequate opportunities for civil society to participate in international governance structures and environments in relation to the role of media and communication in the public sphere, including in a national context?
- A10.4 Are civil society entities, such as NGOs and research centres, aware of transnational governance issues, nationally, regionally or internationally, and do they to participate to an significant extent at these levels?

Pillar B: Knowledge Creation and Sharing for Equity and Creativeness: Enriching the public domain

COMMUNICATION RIGHTS AT HOME

- B1: Do the governance and practice of knowledge generation, ownership and sharing strike an equitable and efficient balance between supporting widespread creativity and enabling widespread use of knowledge?
- B1.1 Is there a national strategic and policy orientation to knowledge creation, dissemination and use (especially copyright and including published and broadcast educational materials and software) with the explicit goal of enriching the public domain, satisfying the various needs for knowledge, and encouraging creativity from all sectors of society?
- B1.2 Are there public policies and actions to encourage and enable widespread generation and communication of knowledge, that might include: support for 'fair use' of copyrighted material; constraints on digital rights management; recognition and protection for the 'moral rights' of authors; or efforts to tailor IPRs to national conditions?
- B1.3 Do government and public bodies actively interpret and implement national and international laws and agreements in copyright and relevant patents in favour of balanced knowledge sharing, such as: promoting new business and legal models reinforcing knowledge sharing; incentives for necessary research and knowledge creation; facilitating dissemination via the media; support for open source and free software, and for 'development and community-friendly' approaches to knowledge sharing, or efforts to protect folklore from exploitation?
- B. 2 Do knowledge and works supported by public funds automatically enter the public domain?
- B2.1 Is it public policy, supported by practical measures, that all knowledge generated through public funds immediately becomes part of the public domain?
- B2.2 Is knowledge and information held by public bodies made available into the public domain?
- B2.3 Does public service media, and other output funded by public funds, place their archives in the public domain?
- B3: Do all groups in society have affordable and equitable access to media, conventional and ICTs, for knowledge sharing,?
- B3.1 Do different social groups (including gender, ethnic, linguistic, income) and geographical areas have equitable access to media, mass media and ICTs, in terms of availability, affordability and access?
- B3.2 Is there affordably access to scientific and educational knowledge, disseminated by publishers by conventional and digital means?
- B3.3 Are there effective measures to ensure affordability and accessibility of knowledge sharing media, especially among poorer and marginalised groups, such as preferential tax regimes, free-to-air broadcasting, must-carry obligations on cable operators etc.

- B3.4 Does the political and regulatory framework actively favour the extension of universal service/access as the priority for the media sector, including in ICTs, broadcast services and others?
 - B3.5 Are policy measures pursued in ICTs, conventional and innovative, that go beyond the market and corporate-driven approach to include for instance community-owned networks, effective cross-subsidy for universal services, and so forth?
 - B3.6 Is their active support for local industry development across ICT sectors, such as specific incentives, transition periods to build up local companies etc.?
- B4: Do all social groups have reasonable opportunities to produce and disseminate knowledge via media and communication?
- B4.1 Are there measures to ensure that all social groups have at least a minimum of society's knowledge available to them in appropriate form, via media and communication, including illiterate people?
 - B4.2 Are there measures to support knowledge production among all social groups, for dissemination via media?
- B5: Are there widespread skills and capacities to enable people and communities to utilise media and communication to achieve individual and collective goals?
- B5.1 Are opportunities for ICT skills and capacity development available to all communities, such as training, exchange programmes or formal curriculum modules provided in public and educational establishments such as schools, libraries, community centres etc.?
 - B5.2 Are opportunities for media and communication training available to all communities, including formal, informal and community based?
 - B5.3 Is media education a standard part of the educational curriculum?

MEDIA AND COMMUNICATION INTERACTIONS EXTERNALLY

- B6: Is the role of non-national media and communication a positive one for knowledge sharing?
- B6.1 Are there effective measures nationally to ensure that foreign ownership of national publishing companies, telecommunication and media, do not impact negatively on national knowledge generation and dissemination?
 - B6.2 Are there effective measures to counteract any negative effect of cross-border media-related knowledge flows, such as foreign owned scientific and educational publishers, including in digital form?
 - B6.3: [anything on Internet?]
- B7: Do international agreements, and government positions in relation to them, support and enhance the role of media and communication in knowledge generation and sharing?
- B7.1 Do international agreements, Treaties and conventions, and multi-lateral institutions inside and outside the UN, in practice, support media and communication in knowledge generation and sharing, for instance through ensuring a fair copyright regime, and the protection of 'fair use' in the move to electronic publishing?
 - B7.2 Does the government advocate and support measures in these agreements and institutions in support of a balanced knowledge generation and dissemination regime?
 - B7.3 Is there consistency between government positions in these matters abroad and at home?
 - B7.4 Does the government maintain an independent position in relation to the actions of powerful governments, preventing undue external influence in relation to these issues?

B8: Nationally, is there effective civil society participation in media and communication governance, as it relates to knowledge generation and sharing?

- B8.1 Are there adequate public consultations on, and opportunities to participation in, government knowledge production and dissemination of national strategy and policy development, including in copyright and knowledge ownership, telecommunication infrastructure (fixed, wireless) and services (telephony, mobile, data and internet), and content?
- B8.2 Are there effective ongoing means for public concerns and complaints to be heard and acted upon with regard to policy and practice, including remedial actions?
- B8.3 Are there adequate mechanisms for independent direct public participation in ongoing policy review and implementation, in a decentralised manner as appropriate?
- A8.4 Has civil society and other actors, developed and deployed governance mechanisms and instruments in relation to knowledge generation and sharing, recognised or not by government?

B9: Internationally, is there effective civil society participation in the governance of knowledge generation, ownership and sharing?

- B9.1 Are there mechanisms to ensure openness and transparency of government in international negotiations and institutions relating to knowledge generation, ownership and sharing?
- B9.2 Does the government actively facilitate and support the participation of civil society in international governance arenas, including national to local level consultation to ensure that civil society views into account when developing position?
- B9.3 Are there adequate opportunities for civil society to participate in international governance structures and environments in relation to knowledge generation, ownership and sharing, including in a national context?
- B9.4 Are civil society entities, such as NGOs and research centres, aware of transnational governance issues, nationally, regionally or internationally, and do they to participate to an significant extent at these levels?

Pillar C: Civil and Cultural Communication Rights

C1: Is there a right to information privacy and data protection?

- C1.1 Is there legislation to ensure that personal data are held for the minimum necessary period and used only for purposes authorised by the person to whom the data refers?
- C1.2 Are such laws actively enforced, and can the public exercise this right in an affordable, transparent and proactive manner, including remedial action?
- C1.3 Is there a strong culture of self-regulation and codes of practice in privacy and data protection, among civil society, government and private sector actors?

C2: Is there a right to privacy of communication?

- C2.1 Are there laws and regulations to ensure a right to privacy of communication, by internet, telephony, postal or other means, with exceptions only in clearly-defined and extreme circumstances, and covering access in private, public and commercial environments?
- C2.2 Are such laws enforced in a transparent, non-partisan and proactive manner, including against government violations, with a right to redress where rights have been violated?
- C2.3 Are there effective measures to control Spam (unsolicited commercial e-mail), on order to prevent it hindering the general capacity for internet interaction?

C2.4 Are there measures to protect against excessive video surveillance and the 'chilling effect' it may have on freedom of association and movement? [does this need a separate category? Is surveillance different to intrusions in privacy?: See C4:]

C3: Are social communication systems universal and affordable? [possible: See B3]

C3.1 Are the postal and telephony systems universal and affordable for personal communication?

C4: Communication surveillance in public and workplace [possible see C2.4]

C4.1 Are there measures to protect against excessive video surveillance and the 'chilling effect' it may have on freedom of association and movement?

MEDIA AND COMMUNICATION INTERACTIONS EXTERNALLY

C5: Do non-national media and communication promote civil rights?

C5.1 Is there protection against external surveillance and interference in national internet use?

C6: Do international agreements, and government positions in relation to them, support and enhance the role of media and communication in civil and cultural rights?

C6.1: Do international agreements (regional, global) and multi-lateral institutions inside and outside the UN, in practice, support civil rights in media and communication?

C6.2 Does the government advocate and support measures in these agreements and institutions in support of civil rights in communication?

C6.3 Is there consistency between government positions in these matters abroad and at home?

C6.4 Does the government maintain an independent position in relation to the actions of powerful governments, preventing undue external influence in relation to these issues?

DEMOCRACY AND PARTICIPATION IN COMMUNICATION GOVERNANCE

C7: Nationally, is there effective civil society participation in media and communication governance, as it relates to civil rights and cultural production?

C7.1 Are there adequate public consultations on, and opportunities to participate in, government approach to civil rights in relation to communication?

C7.2 Are there effective ongoing means for public concerns and complaints to be heard and acted upon with regard to policy and practice, including remedial actions?

C7.3 Are there adequate mechanisms for independent direct public participation in ongoing policy review and implementation, in a decentralised manner as appropriate?

C7.4 Has civil society and other actors, developed and deployed governance mechanisms and instruments in relation to securing civil rights, recognised or not by government?

C8: Internationally, is there effective civil society participation in the governance of civil rights?

C8.1 Are there mechanisms to ensure openness and transparency of government in international negotiations and institutions relating to civil rights relevant to communication?

C8.2 Does the government actively facilitate and support the participation of civil society in international governance arenas, including national to local level consultation to ensure that civil society views are taken into account when developing positions?

- C8.3 Are there adequate opportunities for civil society to participate in international governance structures and environments in relation to communication-related civil rights, including in a national context?

Pillar D: Cultural Rights relating to Communication

- D1: Are the rights of all linguistic communities in relation to the use of their language recognised and enforced?
- D1.1 Are all linguistic groups treated equally, in terms of the right to use one's language in public and private communication?
 - D1.2 Are there adequate measures to enable the use of minority and endangered languages, including sign language, in media and communication production and dissemination?
 - D1.4 Are there measures to ensure that all linguistic communities have access to a minimum of society's knowledge available to them in appropriate language and form?
 - D1.5 Are there effective measures to ensure that minority linguistic groups can intervene and participate in media fora relevant to general political and social discussion?
 - D1.6 In relation to ICTs, are minority linguistic groups supported in accessing and using software and hardware?
- D2: Is everyone enabled to freely participate in cultural life and practices of their communities, relating to media and communication?
- D2.1 Is there specific recognition in public policy that cultural production is distinct from market-driven production of commodities?
 - D2.2 Are all cultural traditions adequately recognised in public funding and regulation of cultural practice in relation to the media?
 - D2.3 Are adequate measures in place to ensure that all cultures have affordable access to media-related cultural products and activities of their cultures, such as film and television, including their production as well as consumption?
 - D2.4 Are media related cultural artefacts available in the public domain for public use?
 - D2.5 Are media related cultural artefacts given sufficient long-term protection, in terms for instance of suitable archiving?
- D3: Are there measures to enable the protection, animation and sharing, through media and communication, of all cultures?
- D.3.1... [this needs specification]

MEDIA AND COMMUNICATION INTERACTIONS EXTERNALLY

- D4: Does the influence of non-national media and communication promote cultural rights?
- D4.1 Are there effective measures nationally to ensure the foreign ownership and participation in cultural production and dissemination does not negatively impact on national and local cultural rights?
 - D5.2 Are there effective measures to counteract any negative effects of cross-border media-related cultural flows, such as foreign owned/produced television, film, music and other cultural endeavours, especially where they are commercial motivated, whilst at the same time enhancing authentic cultural diversity and sharing?
- D5: Do international agreements, and government positions in relation to them, support and enhance the role of media and communication in cultural rights?

- D5.1: Do international agreements (regional, global) and multi-lateral institutions inside and outside the UN, in practice, strengthen cultural rights in media and communication, for instance through recognition of the special nature of cultural products and support for cultural diversity?
- D5.2 Does the government and public bodies advocate and support measures in these agreements and institutions in support of cultural rights in communication?
- D5.3 Is there consistency between government positions in these matters abroad and at home?
- D5.4 Does the government maintain an independent position in relation to the actions of powerful governments, preventing undue external influence in relation to these issues?

DEMOCRACY AND PARTICIPATION IN COMMUNICATION GOVERNANCE

D6: Nationally, is there effective civil society participation in media and communication governance, as it relates to civil rights and cultural production?

- D6.1 Are there adequate public consultations on, and opportunities for participation in, government cultural and linguistic strategy and policy development?
- D6.2 Are there effective ongoing means for public concerns and complaints to be heard and acted upon with regard to policy and practice, including remedial actions?
- D6.3 Are there adequate mechanisms for independent direct public participation in ongoing policy review and implementation, in a decentralised manner as appropriate?
- D6.4 Has civil society and other actors, developed and deployed governance mechanisms and instruments in relation to civil and cultural rights, recognised or not by government?
- D6.5 Are civil society entities, such as NGOs and research centres, aware of transnational governance issues, nationally, regionally or internationally, and do they to participate to an significant extent at these levels?

D7: Internationally, is there effective civil society participation in the governance of civil and cultural rights?

- D7.1 Are there mechanisms to ensure openness and transparency of government in international negotiations and institutions relating to cultural rights relevant to communication?
- D7.2 Does the government actively facilitate and support the participation of civil society in international governance arenas, including national to local level consultation to ensure that civil society views are taken into account when developing positions?
- D7.3 Are there adequate opportunities for civil society to participate in international governance structures and environments in relation to communication-related cultural rights, including in a national context?
- D7.4 Are civil society entities, such as NGOs and research centres, aware of transnational governance issues, nationally, regionally or internationally, and do they to participate to an significant extent at these levels?

CORRESPONDING BASIC COMMUNICATIONS RIGHTS:

There are several ways to categorise human rights in relation to communication. The following are merely initial notes derived from the work of Cees Hamelink.

A right to freedom of expression (A1, A2)

A right to information of relevance to decision making (A3, A4)

A right to diversity and plurality of media structures and content (A5, B3, B4)

A right to participate in government and policy development that affects you. (A8-9, B8-9, C7-8)

A right to material and moral reward for one's creative activity (B1, B3, B5)

A right to share in the fruits of society's creativity (B1, B2, B3)

A right to privacy (C1, C2)

A right to participate in cultural life of the community and use one's mother tongue (D1, D2, D3)

Freedom of Expression:

Universal Declaration of Human Rights (1948), Article 19

International Covenant on Civil and Political Rights (1966), Article 19

Protection of privacy:

Universal Declaration of Human Rights (1948), Article 12

International Covenant on Civil and Political Rights (1966), Article 17

Principle of inclusiveness:

Universal Declaration of Human Rights (1948), Articles 19, 21, 28.

International Covenant on Economic, Social and Cultural Rights (1966), Articles 13, 15.

Declaration of the Principles of International Cultural Co-operation (1966), Article IV (4).

Principle of diversity:

International Covenant on Civil and Political Rights (1966), Articles 1 (1), 27 .

Universal Declaration on Cultural Diversity (1995), Article 5.

Principle of participation:

Universal Declaration of Human Rights (1948), Articles 21, 27.

International Covenant on Civil and Political Rights (1966), Article 25.

Cultural Rights

Universal Declaration of Human Rights:

Article 27.

- (1) Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.
- (2) Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author

Convention on Economic, Social and Cultural Rights.

Article 15:

1. The States Parties to the present Covenant recognize the right of everyone:

- (a) To take part in cultural life;
- (b) To enjoy the benefits of scientific progress and its applications;
- (c) To benefit from the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.