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[Note on UNESCO’s Guidelines for Regulating Digital Platforms](#)

Last week, the Centre for Law and Democracy (CLD) submitted a Note on UNESCO’s Guidelines for Regulating Digital Platforms Draft 2.0 to UNESCO as part of the process of review of those Guidelines. The Note includes a number of general comments on the Guidelines along with more specific suggestions on amending individual paragraphs.

“These UNESCO Guidelines will potentially impact the development of national regulatory systems for platforms and support pushback by human rights defenders against national rules that fail to respect international standards,” said Toby Mendel, Executive Director of CLD. *“Our Note is designed to help ensure that they are as clear and precise as possible and, of course, align fully with international human rights standards.”*

A number of CLD’s comments seek to integrate international standards on freedom of expression more clearly into the text of the Guidelines. For example, some of the language appears to juxtapose respecting freedom of expression and dealing with illegal content. While this is sometimes fair, in other cases illegal or otherwise problematical content, while representing an exercise of freedom of expression is also an attack on freedom of expression, for example when harassment of women online drives out their voices. It is important for the Guidelines to articulate this human rights nuance.

We also make the point that even where international law precludes imposing liability on individuals for certain types of content, this does not automatically mean that it would be illegitimate to require platforms to take (appropriate and graduated) measures against the proliferation of those types of content on their platforms. For example, individual statements of disinformation during elections may be protected speech but it may still be appropriate to require platforms to put in place structural measures to address such statements where necessary to protect the integrity of the elections. This idea is somehow implicit in the Guidelines but it would be helpful to make it more explicit.

These are just two examples of many comments in the Note, which is available [here](#).

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