

Public Advocacy and the Role of the Media

Dr Judy McGregor, EEO Commissioner,
New Zealand Human Rights Commission
Tenth Annual Meeting of the Asia Pacific Forum of National Human
Rights Institutions, Ulaanbataar, Mongolia
24 – 26 August, 2005

Advocacy= speaking in favour of..... (Oxford Reference Dictionary).

I would like to address the question of: How can national human rights institutions work with the media to promote human rights?

1. Freedom of expression is a fundamental and an elite human right. Without it other human rights are imperilled. Freedom of expression has a two-fold aspect in the Universal Declaration of Human Rights- the right to hold opinions without interference and the right to receive any information. Freedom of expression is carried forward in the International Covenant on Civil and Political Rights (ICCPR) which also talks about responsibilities. Other major conventions such as the UN Convention on the Rights of the Child (CRC), Convention on the Elimination of All Forms of Racial Discrimination (CERD), and CEDAW either directly or indirectly mention the power of the news media in the promotion of human rights (see Appendix 1).

It follows, then, that NHRIs must make a demonstrated commitment to the right to freedom of expression as part of their explicit relationship with the media. This involves:

- advocacy for a free press,
 - working on state censorship or government interference in the press
 - the promotion of access to all media, including information technology and alternative media.
2. The news media can expose abuses of human rights. Many people never directly experience war or terrorism, or abuses of the state. For example, the brutality at Abu Ghraib prison has profoundly influenced public opinion about the morality of torture and possible violations of international law by United States soldiers. But it only came to light through the media. The Third Geneva Convention forbids subjecting POWs to “cruel treatment and torture, outrages upon personal dignity and humiliating treatment.” The photographs were covertly taken but instantly and globally published prompting international condemnation. In modern times wars are not necessarily won or lost by the horrors in Iraq or Sarajevo but by what happens as a consequence of the global media.
 3. The power and pervasiveness of the media means that we “see” human rights abuses through photographs and video images. These are increasingly available worldwide from cellphone photos (for example, the

London underground terrorism), digital photography, the internet and satellite television and the more conventional print media. The younger you are the more rapidly you will pick up on available technology. The use of photography and video footage in human rights education as classroom exercises aimed at arousing conscience and prompting action can help children and others learn about human rights abuses and their rights and responsibilities.

4. The news media mobilise public opinion about human rights, particularly poverty and hunger through the “oxygen of publicity.” Campaigns such as BandAid, the G8 protests, Make Poverty History etc are in fact media campaigns. If they are not publicised by the media the world will not know about them, if the world does not know about them it will not act- it will not say “stop this, intervene, take action.” Take these media internet sites. All of them use hauntingly sad photographs of starving children as evocative visual images to shock us into a moral response.
5. The media can hold accountable those who should be promoting and protecting human rights. The media have unique access to information, to political and national leaders and their specific mandate is inquiry, discovery and printing and broadcasting the best possible and available version of the “truth” (however flawed that might be). There are countless examples of human rights abuses that are made visible to national and international audiences by the media and those responsible held accountable as a consequence of media publicity. The media are the conduit of disclosure and this has both risks and opportunities for NHRIs.
6. The media are not perfect and NHRI advocacy is necessary to ensure they report fairly, accurately and do not reinforce prejudice by omission (not covering women, ethnic minorities and indigenous people) or by commission (allowing majority elites to dominate public debate without balance). NHRIs can only perform this function, though, if they are media literate and are confident in both praising and criticising the media. This may involve:
 - working with academics and researchers who monitor news coverage through media watch groups (eg. The Global Media Monitoring Campaign for women, every 5 years)
 - specific auditing of how issues such as indigenous rights are covered (Appendix 2)
 - tackling the press about non-coverage of women and ethnic minorities and negative and inaccurate reporting
 - inviting the press to run human rights campaigns in partnership with NHRIs
 - using the media proactively to promote positive human rights progress
 - providing positive feedback to the media where appropriate.

Question for discussion

What are the barriers faced by your NHRI in using the media to further public knowledge and understanding about human rights?

Appendix 1

Freedom of expression and the International Conventions

The Universal Declaration of Human Rights

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media regardless of frontiers.

Article 18

The UN Convention of the Rights of the Child

1. The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice.

2. The exercise of this right may be subject to certain restrictions, but these shall only be such as are provided by law and are necessary: (a) For the respect of the rights and reputations of others; or (b) For the protection of national security or of public order (ordre public), or of public health or morals.

Article 13

The UN Convention of the Rights of the Child

State Parties recognise the important function performed by the mass media and shall ensure that the child has access to information and material from a diversity of national and international sources, especially those aimed at the promotion of his or her social, spiritual and moral well-being physical and mental health. To this end, States Parties shall:

- (a) Encourage the mass media to disseminate information and material of social and cultural benefit to the child and in accordance with the spirit of article 29;*
- (b) Encourage international cooperation in the production, exchange and dissemination of such information and material from a diversity of cultural, national and international sources;*
- (c) Encourage the production and dissemination of children's books;*
- (d) Encourage the mass media to have particular regard to the linguistic needs of the child who belongs to a minority group or who is indigenous;*

(e) Encourage the development of appropriate guidelines for the protection of the child from information and material injurious to his or her well-being, bearing in mind the provisions of articles 13 and 18.

Article 17

Convention on the Elimination of All Forms of Racial Discrimination (CERD)

Article 4 relates to propaganda and the promotion and incitement of racial discrimination.

Article 5 refers explicitly to the right of freedom and expression.

Article 7 refers to the adoption of immediate and effective measures particularly in the fields of teaching, education, culture, and information with a view to combating prejudices which lead to racial discrimination.

Actions in the Durban Declaration

Refer to the media, including the print and electronic media, including the internet and advertising and taking into account their independence, developing policies and practices aimed at:

- a) combating racism and racial discrimination;
- b) promoting the fair, balanced and equitable representation of the diversity of their societies;
- c) Combating the proliferation of ideas of racial superiority, justification of racial hatred and discrimination in any form;
- d) Promoting respect, tolerance and understanding among all individuals, peoples, nations and civilisations;
- e) Avoiding stereotyping in all its forms, and particularly the promotion of false images of migrants, including migrant workers, and refugees.

CEDAW. The Platform for Action and the Beijing Declaration 1995

The Strategic Objectives refer explicitly to women and the media and cover:

- Increasing the participation and access of women to expression and decision making in and through the media and new technologies of communication.
- Promoting a balanced and non-stereotyped portrayal of women in the media.

The Actions apply to Governments and international organisations to the extent consistent with freedom of expression; to the mass media and

advertising organisations; to non-governmental organisations and the private sector, in collaboration, as appropriate, with national machineries for the advancement of women.

The actions cover issues such as:

- a directory of women media experts
- the development of media and advertising codes of conduct
- women's information networks
- the integration of a gender perspective
- national media incentives for dissemination of information about indigenous peoples, women's greater use of communication technology
- media training
- the balanced portrayal of women and girls
- encouraging the media to refrain from portrayal of women as sexual objects, legislation against pornography and against the projection of violence against women and children in the media.

Appendix 2
A Quick Guide to Monitoring the news

1. How many stories are there?
2. How many photos are there?
3. Number of men and women as subjects of the news in each story?
4. Looking at each story who is quoted?

Story No.	Male	Female
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		

5. Subjects of front page news by topic:

Story (topic)	Male	Female
Story 1:		
Story 2:		
Story 3:		
Story 4:		
Story 5:		
Story 6:		
Story 7:		
Story 8:		
Story 9:		
Story 10:		

6. Note how many stories feature:

	Number
Indigenous people	
Women	
Other ethnic minorities	

7. Overall who features in the news?

8. What does this say about “participation” and “empowerment”?

9. What should we be doing about it?