

*Social, Cultural, & Humanitarian
Committee (SOCHUM)*

*Discussing the Right of
Freedom of Speech and
the Balance Between
Individual Liberties and
Societal Responsibilities*



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I. INTRODUCTION

The United Nations Social, Cultural & Humanitarian Committee (SOCHUM), is the Third Committee of the General Assembly dedicated to agenda items relating to a range of social, humanitarian affairs, and human rights issues that impact people all over the world (General Assembly of the United Nations, n.d.). SOCHUM revolves around a variety of questions highlighting the advancement of women, promotion and protection of children's rights, indigenous issues, the promotion of elimination of racial discrimination, the treatment of refugees, and the right to self-determination (*THIRD COMMITTEE (SOCIAL [...])*, n.d.). Moreover, it addresses global issues such as “youth, family, aging, persons with disabilities, crime prevention, criminal justice, and international drug control” (UN, nd.).

The Social, Cultural & Humanitarian Committee was first founded in 1945 at the end of WWII as a reaction to the Establishment of the Universal Declaration of Human Rights (NHSMUN, n.d.). It is based in the United Nations Headquarters New York City, United States. It is composed of 193 member states of the international community. This committee works with other committees such as the United Nations International Children's Emergency Fund (UNICEF) and The United Nations Office on Drugs and Crime (UNODC), and also with specialized reporters (Zhu, 2022). SOCHUM has no power to force the international community to keep actions or promises, but can set on international agreements (Zhu, 2022).

Notable committee decisions in previous years include advocating for the rights of women and children, addressing global refugee crisis, and promoting cultural diversity, and heritage preservation. “In 1990, SOCHUM sent the General Assembly a proposal detailing the treatment of prisoners. In 2000, the GA wrote a resolution on gender equality and women's rights based on reports from the Third Committee” (Zhu, 2022). SOCHUM has played a crucial role in drafting and adopting several international human rights conventions.

Discussing the right of freedom of speech and the balance between individual liberties and societal responsibilities, where freedom of speech embodies the fundamental human right to express opinions, ideas, and beliefs without a fear of censorship or

repercussions. Individuals with influence and power possess the capacity to shape public opinion, create narratives and dictate policy agendas. Whether they are political leaders, corporate forces or mediatic figures, their words and actions resonate across societies, resulting in a disproportionate impact on the lives of citizens. Consequently, the need for these figures to exercise their influence consciously and responsibly becomes apparent. In the current years, it is easier to share information on the mainstream which can lead up to misinformation, and that ends up affecting civilians. The time frame passes from the emergence of society to the present day, as the internet makes media more available to society and information can be easily modified. Freedom of speech represents a global concern, as it is depriving human rights including the right to liberty, information and expression among others. International cooperation is needed to take action upon this issue and come together as an international community to a resolution.

II. HISTORY OF THE PROBLEM

Freedom of speech is defined as “the right to speak, write and share ideas and opinions without facing punishment from the government” (Cornell Law School, 2021). The concept of freedom of speech emerged from the Enlightenment, as philosophers shaped the idea of having the right to express their beliefs and opinions without interference and censorship from the government. This belief was based on the principle that open discourse fosters exchange of ideas, which is the root of a functioning democratic society. Since Greek philosophers to the the 17th century, censorship has been a dominant practice on states and governments, shaping different ideologies and values. “Autocrats generally forbade any questioning of their policies, their behavior, or their right to rule. Such public questioning led to the gallows or worse. In mid-fifteenth century Europe, Johannes Gutenberg's introduction of the printing press using movable type allowed for the mass production of books and prompted rulers to impose further controls on publishing” (Democracy Web, n.d.).

The Catholic Church’s Congregation of the Index (1559), was a long list of banned books; any books that challenged the church’s beliefs, credibility and authority were prohibited, and the authors suffered punishments. The penalties imposed on authors whose

works were prohibited included: imprisonment, excommunication, censorship, public penances, or even execution.

As different nations started advocating for freedom of speech and individual liberties, the rising totalitarian regimes of the 20th century had an opposite dynamic which was focused on eradicating all freedom of speech. Such regimes took the media they had available and controlled it to use it as an instrument to convey state ideology. Totalitarian propaganda is based on the notion of the “Big Lie”, meaning that if a lie is repeated enough times, people will eventually come to believe it, and the truth becomes the biggest enemy of the state. Strict censorship rules were imposed in the earliest days of the Russian Revolution in 1917, as the government wrecked the presses of rival political groups which led them to destroy private libraries of opponents (Podrabinek, 2014). Leaders started controlling society through propaganda indoctrination and institutionalized censorship that censors all publications (Democracy Web, n.d.).

Following the line of totalitarian regimes, Hitler started imposing a regime of strong censorship in all areas of expression (broadcast and printed media, culture, etc). A month after Nazi leader Adolf Hitler was named Chancellor of Germany in 1933, Berlin's Parliament was set on fire under controversial circumstances on February 27th (Anne Frank House, n.d). On May 10, 1933, approximately 25,000 books were burned in Berlin and various other cities across Germany as part of a campaign to eradicate literature deemed "un-German." This act was orchestrated by Nazi student groups and was emblematic of the regime's broader efforts to control cultural and intellectual life in the country. In the 19th century, German poet Heinrich Heine wrote prophetically, “Where books are burned, human beings are destined to be burned too” (Democracy Web, n.d). Free thinking was severely punished in varied regimes, such as the Soviet Union and Nazi Germany.

In Nazi Germany, civil rights were abolished and democracy was destroyed, outlawing criticism of the regime. The Ministry of Propaganda led by Joseph Goebbels, systematically conducted a campaign to control public opinion, silence opposition and consolidate their hold on power, which involved censorship, propaganda, and an increased hero worship for Adolph Hitler. The Nazis set up strict laws against criticism especially directed towards the government policies. Books that did not go along with Nazi ideology

were forbidden and publicly burned; authors, journalists and intellectuals who resisted the authorities were persecuted, imprisoned or killed (Holocaust Encyclopedia, 2021). The regime's application of propaganda films, rallies, and mass media, perpetuated hate speeches and reified certain groups, especially, Jews, Roma, LGBTQ+ people, and political opponents. In 1935, Nuremberg Laws were enacted, institutionalizing anti-Semitism, helping further establish how far this regime would go to suppress freedom of speech while promoting discriminatory ideologies. As Hitler believed that religion was a threat, the Catholic Youth League was broken up and priests arrested, religious teaching was banned, a Protestant Reich Church with Nazi bishops was established, and protestant pastors were sent to concentration camps (BBC, n.d.).

The communist regime under Joseph Stalin in the Soviet Union, limited free speech and expression severely as part of their larger control of public discourse. Public opinion was controlled through censorship, propaganda and state-owned media. All non-Bolshevik newspaper was banned, the radio was controlled by the Commission for Posts and Telegraph, the Communist Party had its newspaper Pravda, there was also the newspaper of the Soviet government Izvestiya, and the government also controlled what was published using the Censorship Office Glavlit managed by the secret police (GCSE History, n.d.). The government-endorsed art style known as socialist realism was employed to promote its ideology, simultaneously stifling dissenting perspectives in literature, the arts, and culture. Writers, artists or intellectuals who went against what the government dictated were persecuted, imprisoned or even executed; punishments mainly include internal exile in the USSR, or being sent to a Gulag; The Gulag (Russian: "Chief Administration of Corrective Labour Camps") was a system of Soviet labor camps, along with detention, transit camps, and prisons, that housed political prisoners and criminals in the Soviet Union from the 1920s until the mid-1950s (*Gulag | Definition, History, [...]*, 2024). Propaganda and censorship by this regime affected international efforts to restrict freedom of speech beyond the frontiers of the USSR. This was evidence that indicated how dominant the Soviet Union was in attempting to introduce human rights obligations that would limit freedom of speech in countries across the globe, pointing out its commitment to controlling information both internal and external.

“Freedom of expression is a fundamental human right, enshrined in Article 19 of the Universal Declaration of Human Rights” (United Nations, n.d.). The inclusion of

freedom of expression in the Universal Declaration of Human Rights in 1948, marked a significant milestone in the international human rights framework. This recognized the universal applicability of the right of freedom of expression and highlighted its fundamental role in promoting open societies and democratic governance across the world. There have been Amendments to various country's constitutions acknowledging freedom of speech as a fundamental human right, showing a growing commitment to upholding individual liberties.

Yet, this journey has not been easy, as there are governments and power wielders who find ways to obstruct it. They impose high taxes on newsprint, independent radio, and TV stations that criticize government policies are forced off the air, journalists are intimidated or harmed, and the use of the internet and new media is restricted by censors active in cyberspace (United Nations, n.d.). Even where freedom of expression is formally conceded by delegations, there is always room for interpretation and application, which creates debate and legal arguments. The need to strike a balance between allowing people to express their opinions and beliefs through speeches while avoiding harm towards individuals or groups, has remained a relevant and intensely debated issue.

III. CURRENT SITUATION

Throughout the 21st century, freedom of speech has been a global issue that needs to be addressed. Social media is one of the main advancements to freedom of speech although governments control the media and there is a lot of misinformation that is being silenced. "Social media sites allow the rapid spread of all speech, whether protected or not, and such messages spread around the world, and sometimes stir people into action" (Stanford Law School, n.d). Not having regulations on social media can cause a negative side; nowadays society believes what they read on social media, leading to a main source of misinformation due to the unreliable and misleading information that is being posted. The rise of social media and digital communication has facilitated the dissemination of information and opinions, both positive and disruptive.

"In common language, "hate speech" refers to offensive discourse targeting a group or an individual based on inherent characteristics (such as race, religion or gender) and that may threaten social peace" (United Nation, n.d). Due to the mainstream, offensive

discourse has aroused in platforms like “X” owned by Mark Zuckerberg, a person that has a lot of influence with his sayings. The platform “X” has something particular, there is no restriction on what the users say or express. Accounts from this platform that had been blocked, are mainly due to the owner Mark Zuckerberg being offended by a publication, so influencers are not doing something about this unless their person is directly involved. Since June 2023, Venezuela’s leader Nicolas Maduro and Elon Musk have been in controversy. ““Elon Musk is the owner of X and has violated all the rules of the social network itself,” Maduro said in a speech on Thursday night, an extract of which was posted on his X account. “He has violated the rules by inciting hatred, fascism, civil war, death, confrontation between Venezuelans, and has violated all Venezuelan laws”” (Financial Times, 2024). Their resolution was to have a fight, leaders propagating violence as an influence to society and normalizing violence.

August 2024, Telegram Russian CEO Pavel Durov, was arrested due to the complexity and diffusement of illegal propaganda in a platform as big as Telegram. “He was charged on Wednesday with complicity in managing an online platform to enable illegal transactions by an organized group, which could lead to a sentence of up to 10 years in prison. He was also charged with complicity in crimes such as enabling the distribution of child sexual abuse material, drug trafficking and fraud, and refusing to cooperate with law enforcement” (The New York Times, 2024). The presented statement reinforces that big businessmen permit criminal activity on their platforms. Telegram is a platform that has been disputed in the last years, all around the world. Allowing this activity in the media is just “normalizing” sexual content, substances, and fraud. If an influential person empowers this, society will believe that it is fine.

There is another side to this: jobs are in danger because of freedom of speech and their safety and their life hood are at risk, such as the news reporters and journalists. These jobs are primordial in the world, without them there would not be exclusives and information that only these people get, but at what cost? The United Nations has stated that journalism is one of the most dangerous professions. On average, a journalist is killed every 4 days. (THE WHY, 2023). There is a term called freedom of press, where every magazine, newspaper, website, can publish anything without the government having control over it. Journalists and reporters who are victims of violent attacks for just doing their job, publishing about politics, crime, health, problematics and anything that can be

going on, can cost a human life. 73% of women journalists surveyed said they had been threatened, intimidated and insulted online in connection with their work (UNESCO, 2024). Clearly, there is an alarming number of these figures, seeing that people cannot speak or say something that corresponds to their work or an opinion. The threats and damages are not only physical, but also in the online media, where people become more vulnerable as they are exposed to infinite things. This issue should be addressed in order to protect the life of journalist and reporters.

In the last few years protests all around the world have been a big move in order for civilians to fight for their rights to raise their voice and be heard, and this can be considered as an act of freedom of speech. There are an infinite number of reasons for these protests, government. gender based violence, war, refugees. And all of them are being silenced and oppressed by the government. Their ways of silencing are violence directed by the police which are the ones that are supposedly there to help and protect, throwing them tear gas. And while the purpose of this protest is the opposite of the reaction of the government they still do it, it is very noticeable that freedom of speech is something that still needs to be worked .

IV. UN ACTIONS

The United Nations has long recognized the critical importance of speech as a fundamental human right, and has provided several strategies and efforts to solve the issue and balancing individual liberties with societal responsibilities. The first action made by the UN was just three years after its creation, with the Declaration of Human Rights in 1948. Freedom of Expression was included as a fundamental human right in article 19 of this declaration. The article states that “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 and regardless of frontiers” (United Nations, n.d.). This document acted as a landmark for subsequent international agreements and resolutions focused on this topic, setting a global standard for individual liberties.

Although the United Nations addressed the topic, they further elaborated on it in 1966. In this year, the International Covenant on Civil and Political Rights (ICCPR) was

adopted by the UN General Assembly. Article 19 of the covenant preserved the rights of the past declaration of 1948, while recognizing some restrictions may be necessary for it to work. It states that restrictions are needed in order to respect the rights or reputations of others, and to protect national security or of public order, or of public health or morals (OHCHR, n.d.). The document also highlights that freedom of expression carries special duties and responsibilities. This treaty has profoundly contributed in providing a legal framework to evaluate the balance between individual liberties and societal responsibilities, emphasizing the need for contextual analysis in different landscapes. After these restrictions, people started growing different concerns, which caused a new response from the United Nations. The UN Human Rights Council adopted Resolution 16/4 in 2011, which originated from a proposal by Brazil. This proposal focused on the need to address the impact of new technologies on freedom of expression, which includes the need to protect journalists, media workers and individuals who use the internet as a platform of free expression, recognizing all the risks they face. This serves as a reference point for future proposals focused on protecting human rights in the digital age.

Another instrumental landmark for the fight for freedom of speech was the Rabat Plan of Action, adopted in October 2012. “The Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence provides key guidance on the distinction between freedom of expression and the incitement to discrimination, hostility and violence” (United Nations, n.d.). The Rabat Plan of Action highlights the importance of fostering open and vigorous discussions, particularly by amplifying the voices of minority and marginalized communities that face hate. This focus makes it a significant addition to Council Resolution 16/18 (Istanbul Process, n.d.).

On June 18 of 2019, Secretary-General António Guterres, launched the United Nations Strategy and Plan of Action on Hate Speech. The plan was launched in response to the alarming trend of rising hate speech around the world. The strategy is the outcome of “close collaboration between 16 entities under the UN Working Group on Hate Speech and is coordinated by the United Nations Special Adviser on the Prevention of Genocide” (United Nations, n.d.). This initiative aims to identify, prevent and confront hate speech, while safeguarding freedom of expression, using 13 commitments. It calls for an all-inclusive kind of approach that brings in education, advocacy, and legislation, with a

major emphasis on political and media personalities in shaping the narratives. The Strategy and Plan of Action has two main objectives: enhance UN efforts to address root causes of hate speech, with a focus on education to prevent it, and focusing on the United Nations response to the impact of hate speeches in societies. The UN addresses the root causes of hate speech to establish an environment of tolerance and understanding from one community to another.

The last action from the United Nations to advocate for freedom of speech is about the previous Rabat Plan of Action. The Rabat Plan of Action suggests a high threshold for defining restrictions on freedom of expression, incitement to hatred, and for the application of article 20 of the ICCPR. It outlines a six-part threshold test taking into account: the social and political context; status of the speaker; intent to incite the audience against a target group; content and form of the speech; extent of its dissemination; likelihood of harm, including imminence (OHCHR, n.d.). Based on this plan of action, other strategies have been applied, such as: *UN Strategy and Plan of Action on Hate Speech*, “the High Commissioner addressed the Security Council in an Arria-formula meeting on advancing the safety and security of persons belonging to religious minorities in armed conflicts” (OHCHR, n.d.), in August 2019, *Access Now* of October 2021, *Freedom of Religion or Belief and Security*, the *UN Special Rapporteur on freedom of expression* recommended companies to adopt content policies that tie their hate speech rules directly to international human rights law, in 2024, the High Commissioner highlighted the Rabat Plan of Action as detailed guidance in distinguishing between permissible speech and speech that incites discrimination, hostility and violence, the creation of the *Faith for Rights* framework, etc. In summary, the Rabat Plan of Action serves as a foundational framework for promoting freedom of speech while effectively addressing the dangers of hate speech, guiding various UN initiatives and recommendations aimed at protecting vulnerable groups and fostering a more inclusive discourse globally.

V. POSSIBLE SOLUTIONS

Freedom of speech is at the heart of democratic life, guaranteeing individuals their liberties and enabling the free flow of ideas. This right, however, again has to be looked at in terms of social responsibilities, which ensure that liberties of expression do not result in an infringement into the rights and security of others. This calls for the implementation of

practical solutions to navigate the balance that allows for good discourse, without violating the interests of society. The following solutions are vital in setting up frameworks that can be replicated globally, allowing delegations to preserve the spirit of free speech while reining in its challenges.

I. Develop international guidelines for Hate Speech

- a. Establish a universally accepted definition of the term “hate speech” that considers cultural and societal contexts, ensuring it aligns with international human rights standards.
- b. Implement a framework for countries to adopt the agreed guidelines, encouraging collaboration with varied international organizations.
- c. Establish a system of reporting on hate speech incidents and tracking for analysis to identify trends that will inform policy adjustments.
- d. Ensure regular reviews of the guidelines to adapt to evolving societal norms and legal interpretations, so that the guidelines remain relevant to the dynamic global landscape.

II. Media Literacy Programs promotion

- a. Include media literacy in all levels of education, which would include learning critical thinking skills, source evaluation, and the differentiation between opinion and fact.
- b. National campaigns are to be carried out with the help of NGOs, in order to sensitize the public on the issue of misinformation and the importance of media literacy, utilizing social media and community events for outreach.
- c. Train and provide resources for educators to teach media literacy, which would enable meaningful discussions about information consumption.

III. Establish independent oversight bodies for speech regulation

- a. Set up independent bodies composed of experts in law, civil society, and members of marginalized communities to oversee and review enforcement in speech regulation.
- b. Grant these bodies the authority to check the effect of policies related to freedom of expression, ensuring that the accountability and transparency of decision-making are maintained.
- c. Design a mechanism through which such bodies can collaborate internationally by sharing experiences and best practices in order to be more effective for different jurisdictions
- d. Conduct regular public reports on their findings and recommendations, to secure trust and encourage the community to engage in discussions about free speech.

IV. Strengthen legal protections for whistleblowers and journalists

- a. Draft reasonable whistleblower protection laws, and establish protections against retaliation for individuals who report misconduct.
- b. Conduct training programs for the police and judicial authorities about these protections, in order to ensure that they are effectively enforced.
- c. Legal frameworks to address the emerging threats to freedom of speech, ensuring that protections remain relevant and effective in a changing world.

VI. COUNTRIES INVOLVED

1. United States of America

Although the First Amendment to the US Constitution explicitly stipulates "freedom of speech," political disputes and group interests have been constantly taking advantage of the form of "freedom of speech" to damage its essence (EPRCISS, 2025). The First Amendment states, in relevant part, that: "Congress shall make no law...abridging freedom of speech" (United States Courts, n.d). This clearly states that no law will endanger freedom of speech. Also on the first amendment there are categories that are given no protection, these categories being: defamation, obscenity, fraud, incitement, fighting words, child pornography, threats, and speech containing criminal conduct. The United States of America has been in controversy all over the centuries because freedom of speech is not a reality to the civilians. Schools in this nation have prohibited books that talk about sexual content and controversial themes. Also protests had been interfered by the government with acts of violence.

2. The Democratic People's Republic of Korea

A totalitarian country that is ruled by a government which has absolute power and control over their citizens. North Korea is ranked as the first most censored nation in the world. Media such as newspapers, radio, and television are controlled by the government. The country's grinding lack of resources or famines are never mentioned. Only small numbers of foreign journalists are allowed limited access each year, and they must be accompanied by "minders" wherever they go (Committee to Protect Journalists, 2006). Death penalty occurs to civilians because breaking the consumption of foreign radio broadcasts and possession of contraband devices are illegal, as are the facilitation and nonreporting of such activity (Freedom House, n.d). SOCHUM needs to address this censorship in order for the people in this country to have one of their fundamental rights.

3. The Kingdom of Denmark

According to "Statista", statistics of Global freedom of expression in 2023, by country, The Kingdom of Denmark stands in number one country with freedom of expression. This nation dictates that anyone is allowed to write, say, express their thoughts and opinions in the way they want under the responsibility of the courts. There are some restrictions in order to maintain respect in the society, there being no statements that are defamatory or invading privacy, no confidential information can be released. "The

European Convention on Human Rights also contains the following provision on freedom of information and expression: *“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...”* A similar provision is contained in article 11(1) of the Charter of Fundamental Rights of the European Union” (FORSKERPORTALEN.DK, n.d).

4. People's Republic of China

“Free Speech Elite”, is a term used in the People's Republic of China to refer to the small sector in this country that has 1.41 billion citizens. Only a small part of the population can have access to free opinion about the government or ideas. These people are communist party leaders, academics, leaders and journalism professionals, apart from them the rest of the society doesn't have free speech. Currently, if an average person in China wants to publish their opinions to an audience broader than their voice can carry and they do not have a free speech elite patron or a willing government publishing house, the safest mechanism is via Internet bulletin board systems run by the government. Chinese law requires all electronic bulletin board systems to be licensed, all posts to be constantly monitored, and any inappropriate posts to be taken down (Congressional Executive Commission on China, n.d).

5. The Kingdom of Norway

The Kingdom of Norway ranks 4th out of 161 countries in Article 19's 2022 Global Expression Report. The Civil liberties in Norway are in order, the Norwegians have complete access to news from a variety of sources. Freedom of press is generally respected. In this nation promoting freedom of expression is a key priority for their development. The law prohibits threatening or insulting anyone, or inciting hatred or repression of or contempt for anyone because of his or her: skin color/ethnicity, religion, sexual orientation and disabilities (U.S Department of State, 2022). If this is to be not followed by the citizens the maximum sentence is 3 years of prison. In SOCHUM the goal is to come up with international agreements and Norway is key in the advancement of freedom of speech and the balance of individual liberties and societal responsibilities.

6. Bolivarian Republic of Venezuela
7. Central African Republic
8. Dominion of Canada
9. Federal Democratic Republic of Nepal
10. Federal Republic of Germany
11. French Republic
12. Islamic Republic of Pakistan
13. Kingdom of Belgium
14. New Zealand
15. Republic of Chile
16. Republic of Costa Rica
17. Republic of Cuba
18. Republic of India
19. Republic of Malawi
20. Republic of Senegal
21. Republic of South Africa
22. Republic of Uzbekistan
23. The Federative Republic of Brazil
24. The Plurinational State of Bolivia
25. The Republic of Côte d'Ivoire
26. The Republic of Yemen
27. The Russian Federation
28. The United Kingdom Of Great Britain and Northern Ireland
29. Ukraine
30. United Mexican States

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