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Global Approaches to Media Regulation

Presented by Michael Karanicolas
Legal Officer
Centre for Law and Democracy



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Regulating Print Media

- Free expression necessarily includes the right to circulation
- Is regulation necessary?
 - Remember the “necessity” branch of the three part test
 - Most established democracies do not regulate print media
- In practice, nearly all laws that specifically target print media violate international standards



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Licensing or Registration Requirements

- Generally these violate the right to freedom of expression
 - Concept of necessity, as well as minimal impairment.
- Such schemes are also prone to abuse, and can create a chilling effect



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International Opinions on Licensing

- International opinions of licensing regimes is generally negative
 - UN Human Rights Committee
 - UN Committee on the Rights of the Child



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International Opinions on Registration

- An administrative requirement that publishers provide basic information to authorities
- Somewhat better, since government cannot deny registration
- However, there remains potential for abuse
 - Laptsevich v. Belarus
 - The UN, OAS, OSCE and the European Court of Human Rights have also criticized registration requirements



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Mandatory Provision of Copies

- This is commonly found in developed democracies, including the United States
- This requirement can be legitimate if the material goes to a central library
- But these requirements are not consistent with international if the deposits go to the central government since there is no legitimate aim and the deliveries can have a chilling effect on government criticism