

Resolution to Endorse the United Nations 16 May 2011 Report of the Special Rapporteur on the Promotion and Protection of the right to Freedom of Opinion and Expression

Whereas, American Library Association Policy 53.1, the *Library Bill of Rights*, asserts that: “Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment; Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas; and “A person’s right to use a library should not be denied or abridged because of origin, age, background, or views;” and

Whereas, American Library Association Policy 53.1.19 states: “Freedom of expression is an inalienable human right and the foundation for self-government. Freedom of expression encompasses the freedom of speech and the corollary right to receive information. Libraries and librarians protect and promote these rights regardless of the format or technology employed to create and disseminate information;” and

Whereas, American Library Association Policy 53.1.17 states: “The ALA affirms that the use of filtering software by libraries to block access to constitutionally protected speech violates the *Library Bill of Rights*;” and

Whereas, On 16 May 2011, the United Nations received the Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, which asserts: “By vastly expanding the capacity of individuals to enjoy their right to freedom of opinion and expression, which is an ‘enabler’ of other human rights, the Internet boosts economic, social and political development, and contributes to the progress of humankind as a role;” and

Whereas, This Report asserts that “The Special Rapporteur emphasizes that there should be as little restriction as possible to the flow of information via the Internet, except in few, exceptional, and limited circumstances prescribed by international human rights law. He also stresses that the full guarantee of the right to freedom of expression must be the norm, and any limitation considered as an exception, and that this principle should never be reversed;” and

Whereas, This Report asserts that “The Special Rapporteur is deeply concerned by increasingly sophisticated blocking or filtering mechanisms used by States for censorship. The lack of transparency surrounding these measures also makes it difficult to ascertain whether blocking or filtering is really necessary for the purported aims put forward by States. As such, the Special Rapporteur calls upon States that currently block websites to provide lists of blocked websites and full details regarding the necessity and justification for blocking each individual website. An explanation should also be provided on the affected websites as to why they have been blocked. Any determination on what content should be blocked must be undertaken by a competent judicial authority or a body which is independent of any political, commercial, or other unwarranted influences; now, therefore, be it

Resolved, That the American Library Association (ALA) endorses the 16 May 2011 the United Nations the Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression.”

Adopted by the Council of the American Library Association



Keith Michael Fiels

ALA Executive Director and Secretary of the ALA Council

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In New Orleans, Louisiana