

Research Report | XXV Annual Session

Special Conference 1 on Good Governance

Ensuring the impunity, safety, and freedom
of journalism



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Introduction

Journalism plays an extraordinary role around the world, and in the past few decades, it has become vital in our day-to-day lives. It is because of journalism that we are informed about the political situation in our neighboring countries, that we know about famines and diseases that plague the population on another continent, that we are even remotely aware of what is happening half a world away. Reporters shape the international agenda by recording events and bringing them to global attention.

It is no surprise that journalism has never been more controversial. On May 3rd, the international community celebrates journalism and the freedom that we, citizens of the world, hope to bestow not only upon journalists but on all individuals. This date is set to remind the world of the importance of what is written in Article 19 of the Universal Declaration of Human Rights, specifically emphasizing the significance of protecting the fundamental human right of freedom of expression.

In 2005, Reporters Without Borders and the UNESCO drafted a "Handbook for Journalists", listing laws that protect the work of a journalists and describing the correct ways to act should a journalist feel threatened. In addition to the handbook, the UNESCO came up with a "UN Plan of Action on the Safety of Journalists and the Issue of Impunity", a document detailing the recommended steps to improve the situation of journalists under threat. There are many clauses in regional Human Rights conventions and charters, such as the European Convention for the Protection of Human Rights and Fundamental Freedoms (Article 10), and the American Convention on Human Rights (Article 13) that have been implemented to ensure the safety and impunity of journalists.

Unfortunately, even in the present day and with numerous laws in place to protect the work of journalists and the right to freedom of expression, there are still a dismaying number of countries where neither freedom of expression nor freedom of press are tolerated. According to research conducted by Reporters Without Borders, from 2010 to 2014, 360



journalists were killed. It is clear that despite the UN having dealt with the issue on several occasions, the situation and safety of journalists worldwide needs to be addressed further.

The main objective of the SPC 1 committee during this conference will be to try to find effective solutions for the challenges ahead of us. By adding this issue to the agenda, the SPC 1 committee hopes that the UN member states present will successfully tackle the issue by cooperating. The main objective during this conference, is trying to find effective solutions for the challenges present and ahead of us, and to improve and ensure the safety, impunity and freedom of journalism.

Definition of Key Terms

Journalism

Journalism is the activity of gathering, assessing, creating, and presenting news and information. It is also the product of these activities.

Freedom of Speech

Freedom of speech is the political right that a person has to communicate and openly state their opinions and ideas.

Freedom of Press

Freedom of press is the right to publish works without government interference or prior censorship.

Media

The term media refers to different means of communication. It's also a collective noun for press or news reporting agencies.

Censorship

The process or idea of governments, media outlets and authorities suppressing speech, public communication or other information.

Impunity

The exemption or immunity from punishment or unpleasant consequences.

Unbiased



Impartial, without passing judgement or prejudice.

Conflict situation

A situation in which a clash between opposing forces has intensified enough to lead to a state of disagreement, controversy, tension and possible violence.

Political persecution

The persecution of an individual or of groups for political reasons. It is often manifested through discriminatory policies such as the violation of human rights.

General Overview

In Article 19 of the International Covenant on Civil and Political Rights (ICCPR) the following is stated:

- “1. Everyone shall have the right to hold opinions without interference.
2. Everyone 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 his choice.
3. The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be for example provided by law and are necessary: (a) For respect of the rights or reputations of others; (b) For the protection of national security or of public order (order public), or of public health or morals.”

Not only is freedom of expression universally recognized as a human right, it is also a civil and political right. However, many previous incidents have made the international community painfully aware of how this right is often neglected and violated.

Many governments are currently monitoring and even censoring reporters in their work. A journalist's freedom is often restricted, although the extent and degree to which this is done differs. For example, in the People's Republic of China, the government has a tight rein on both traditional media outlets such as newspapers and new media outlets such as the internet. Monitoring systems, jailing dissident journalists and activists and blocking access to certain websites are all methods in which the government's rules are enforced.



Whether it is reporting acts of terrorism, conventional wars or feuds between politicians, journalists put themselves in ever increasing danger to inform the international community of what is happening across the globe. Certain countries are notorious for their lack of prosecution when it comes to cases involving anti-press crime such as restricting, censoring and limiting journalists in their work. Committee to Protect Journalists' staff have, by using their extensive knowledge and by applying a rigorous set of criteria, determined a list of nations (Top 10 Most Censored Countries) in which the state controls all media, and in which the state uses violence and imprisonment and harassment against journalist. Aforementioned are only a few conditions on the list, but they clearly show that states have a chokehold on information. In Turkmenistan, Libya, and North Korea, these being just a few of them, the governments are so restrictive that there is no other authority left that can aid mistreated journalists and victims of censorship in their struggle.

This is a huge part of the ever increasing danger that journalists face. In a time span of 14 years from 2000 to 2014, a shocking number of 773 journalists were killed while on the job. International News Safety Institute (INSI) has said, "As modern warfare, terrorism and crime follow different patterns, journalists reporting these conflicts and events are ever more at risk of being caught in a crossfire or taken hostage. The free flow of information, on which enlightened governments and peoples depend, suffers." Journalists need to be protected during both times of conflict and times of peace, meaning that they, being third party observers, should not be targeted by militia and should be allowed to report events and news.

Another problem that journalists are presented with are the restrictions put on them by the respective authority of different states. The majority of governments across the globe recognize and regard freedom of expression and freedom of press as crucial to a functioning and well educated society. However, this is not the case in every country. There are still states in which the public only has information to news and media that the government approves of. Having the freedom to write and print anything and having laws in place that will ensure journalists are safe is essential for growth. It is necessary for people to be given the opportunity to obtain information from various unbiased sources, and it is of high importance that those gathering and publishing or presenting this information can do so without facing violent consequences or having their work censored. The freedom of journalism is a fundamental cornerstone of what our modern societies are based on, and both the safety and impunity of journalists should be safeguarded and protected in order for them to get their job done. Nations that prohibit media outlets from publishing and distributing what they want are violating Article 19 of the Universal Declaration of Human Rights, and depriving their



nation's population of knowledge and news. Below are a few examples of countries in which censorship and journalist targeted violence play a big role.

Examples of cases in which Human Rights were violated

Islamic State of Levant and Syria (ISIL)

Before June 2014, very few were familiar with the Islamic State (IS). This radical militant organization, also referred to as Islamic State of Levant and Syria (ISIL), has made a name for itself by taking over large swaths of territory in both Iraq and Syria, even having seized power in big cities like Mosul, and by committing atrocious acts of terrorism and violence. In November 2014, the U.N. Independent International Commission of Inquiry on Syria concluded that ISIL had committed war crimes and crimes against humanity, and leaders of the militant group should be held accountable by organizations such as the International Criminal Court.

ISIL's doing has sent waves of horror across the globe. One specific act that shocked the world is the violence towards independent journalists that helped ISIL reach the peak of its notoriety in August 2014. James Foley and Steven Scotloff, two American journalists, were beheaded on film. The film's release was widely reported, and it quickly went viral. Unsurprisingly, the images depicted were profoundly disturbing to governments and people all over the world.

Civilians in the war-torn region are not safe, but neither are journalists. Despite posing no militant threat, reporters are disappearing and being taken hostage on a frequent basis. The whole world watches in helpless horror as more and more films and images of executions are being released. Now, it is up to nations everywhere to cooperate and for the United Nations to respond accordingly.

Ethiopia

Another recent example of this conflict took place in Africa. The Committee to Project Journalists (CPJ) has documented twice the number of exiles in Ethiopia in 2014 than it did in 2012 and 2013 combined. The reason for this alarming number is a study that the state-controlled Ethiopian press and news agency carried out, allegedly to assess the role of magazines in relation to the nation's peace, democracy and development. This resulted in two charts that claimed magazines were promoting terrorism and damaging due to these publications, a large number of Ethiopian editors, journalists and publishers were arrested and charged, prompting many more to leave the country in fear for their safety and lives.



CJP has now been working with similar organizations in the hopes of offering these dislocated and exiled journalist assistance by providing financial aid in order to cover basic living expenses.

Peoples' Republic of China (PRC)

The Chinese Communist Party (CCP) is the country's governing force, responsible for the population's wellbeing. They maintain control over almost everything, including a variety of laws and administrative regulations that censor and restrict the information and content various media outlets, such as newspapers and the Internet, are allowed to publish. One way in which this is done is known as 'the Great Firewall of China', a name that cleverly refers to the actual Great Wall of China, but also the name of a technological system that filters and blocks access to websites and pages within them. Authorities have also created laws that force media corporations and publishing agencies to comply with them if they want admittance to the country's market.

Democratic People's Republic of Korea (DPRK)

Reporters Without Borders (RWB) has been publishing a yearly Press Freedom Index (PFI), and ever since the first PFI was presented in 2002, the Democratic People's Republic of Korea (DPRK) has had a place near or at the bottom of this list. In their 2013-2014 reports, the DPRK's media environment ranked as 178th out of 179 countries, with only Eritrea coming below them.

How is this possible, with Article 67 of the North Korean Constitution protecting freedom of speech and freedom of press? The answer is simple, yet sad. In practice, the government grants citizens of the nation very little freedom.

The Korean Central News Agency is the only source that provides information for media outlets in North Korea, and the state only allows press and speech that supports the ruling party.

Major Parties Involved and Their Views

Reporters Without Borders (RWB)

They are a non-governmental, non-profit organization that is located in France. They currently enjoy consultant status at the United Nations, and investigate in many countries in order to annually post data and reports about matter such as but not limited to censorship,



the killing of journalists, and freedom of speech. On their website, they have a statement of their mission, which is as follows:

- “To continuously monitor attacks on freedom of information worldwide
- To denounce any such attacks in the media
- To act in cooperation with governments to fight censorships and laws aimed at restricting freedom of information
- To morally and financially assist persecuted journalists, as well as their families.
- To offer material assistance to war correspondents in order to enhance their safety.”

The Peoples’ Republic of China (PRC)

The Peoples’ Republic of China has one of the most intricate censorship systems currently in use. It is said that their press is “not free” and that freedom of expression, while in theory allowed, is in reality punishable. Some notable subjects that the government is said to limit and censor include: democracy, the situation in Tibet, homosexuality, and pornography.

Democratic People’s Republic of Korea (DPRK)

In 2006, the Democratic People’s Republic of Korea was on the list of 13 Internet Enemies that the NGO Reporters Without Borders published. They were also referred to as the ‘worst Internet black hole’, referring to the significant amount of censorship that is implemented in the country. The government has gone as far as making Internet access illegal, having created an alternative called Intranet instead. Intranet allows the small amount of users that are able to use it to view very little actual websites, leaving the vast majority of the citizens in this nation isolated and unaware of the outside issues and conflicts that are occurring in the rest of the world.

Timeline of Events

You can include a small paragraph to explain the timeline. Otherwise you should follow the format specified below:

| Date | Description of event |
|----------------------------------|--|
| 5 BC | The democratic ideology behind free speech develops in Ancient Greece |
| December 10 th , 1948 | The United Nations General Assembly adopts the Universal Declaration of Human Rights |
| December 16th, 1966 | The United Nations General Assembly adopts the International Covenant on |



Civil and Political Rights

UN involvement, Relevant Resolutions, Treaties and Events

The UN has been actively involved in the finding of solutions to the problems at hand. Here you will find a list of some UN treaties and resolutions as well as other documents that are relevant to the issue and may help you prepare for the conference:

- The Safety of Journalists and the Issue of Impunity, December 18, 2013 (A/RES/68/163)
- Protection of Civilians in Armed Conflict, December 23, 2006 (S/RES/1738)
- Universal Declaration of Human Rights
- Handbook for Journalists
- UN Plan of Action on the Safety of Journalists and the Issue of Impunity
- European Convention for the Protection of Human Rights and Fundamental Freedoms

Evaluation of Previous Attempts to Resolve the Issue

There is no clear-cut solution to this problem. For significant progress to be made in all nations, member states must come to mutual agreements on new ways to ensure the safety, freedom and impunity of journalism. Given that many countries do not agree on this topic, coming to an agreement may prove to be difficult. Together we will, however, surely be able to change the current situation and to adopt new laws to protect the journalists of the world.

A previous resolution on this issue that has passed is one drafted by the United Nations Human Rights Council. Resolution A/HRC/20/L.13 was backed by more than 70 countries and includes the "promotion, protection, and enjoyment of human rights on the Internet." Multiple resolutions such as A/RES/1684(XVI), on the Freedom of Information, have been debated but are inconclusive as they are without vote.

Possible Solutions



Journalists, media professionals and associated staff are not safe in their field of work. There is no international humanitarian law that provides protection of journalists in armed conflict, and although the UN has been making important progress by working with government agencies and by setting up and creating programs to directly benefit journalists, ensuring and protecting the freedom, impunity and safety of journalists remains an increasingly difficult task.

One of the first steps to take when looking for a way to solve the problem is to critically analyse what is going on and to ask questions. For example, how can the UN and its member states encourage states to honour freedom of expression and press? How can the international community assist in protecting the impunity, freedom and safety of journalists? Should minimal censorship be enforced everywhere, and if so, how can we achieve this? What means of censorship are appropriate?

Since it is obvious that things must change, here are a few possible ways in which this can happen. By aiding media freedom groups such as Reporters Without Borders, they will have more means to take action.

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Appendix or Appendices

Appendix I

Some useful links:

<https://www.law.kuleuven.be/jura/art/45n3/verschingel.html>

<http://www.unesco.org/new/en/communication-and-information/freedom-of-expression/safety-of-journalists/un-plan-of-action/>

http://www.rsf.org/IMG/pdf/guide_gb.pdf

