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1. INTRODUCTION:

1. This document is a draft **UNESCO Work Plan on Safety of Journalists and the Issue of Impunity**, following the Decision on The Safety of Journalists and the Issue of Impunity approved by the Intergovernmental Council of the International Programme for the Development of Communication (IPDC) on 23 March 2012. This Decision requested “*the Director-General to prepare, in consultation with Member States and other relevant and representative actors, a UNESCO Work Plan on the Safety of Journalists and the Issue of Impunity, and to present it to the Executive Board at its 191st Session*”. The full text version of this Decision is available via the following link:
http://www.unesco.org/pv_obj_cache/pv_obj_id_36EBD1E2919C259A7B47716321326CFC0E3E0100/filename/ipdc28_safety_decision_final.pdf
2. The UNESCO Work Plan is a working document providing action lines (against a background) to guide the Secretariat on UNESCO's aim to promote the safety of journalists and combat impunity; therefore, unlike the C5, it does not describe concrete activities. Member States have the opportunity to comment on specific activities in the forthcoming 37/C5 Major Programme (2014-2015).

3. The implementation of this Work Plan will be carried out primarily by the Communication and Information Sector's Division for Freedom of Expression and Media Development, including the Secretariat of the International Programme for the Development of Communication (IPDC) and Advisors for Communication and Information in Field Offices. The Director-General provides overall leadership, particularly through monitoring, reporting and public activities based on the decisions of the General Conference. Furthermore, UNESCO's External Relations and Public Information Sector will play an important role in disseminating information.
4. This UNESCO Work Plan is in line with the **United Nations Plan of Action on The Safety of Journalists and the Issue of Impunity** (Annex I) endorsed by the UN Chief Executive Board on 13 April 2012, as well as aligned with the UNESCO Medium-Term Strategy (2008-2013) 34 C/4 and the 36 C/5 Major Programme V: Communication and Information. This document will also be further aligned to the 37/C4 Medium-Strategy (2014-2022).
5. This UNESCO Work Plan will be implemented in cooperation with relevant stakeholders (in their respective roles and responsibilities) and through the regular programme budget as well as through extrabudgetary funds. Special efforts will be made in fundraising.
6. This second draft has been prepared based on the 25 contributions received following consultation with Member States, the majority of which have been taken into account. As per several Member States' general points, the UNESCO Work Plan underlines that fostering unhindered access to information and knowledge is one of the four key principles underlying the concept of building knowledge societies. Likewise, the Work Plan respects that national sovereignty is a sine qua non condition of the United Nations common country processes. Lastly, the Work Plan starts from the foundation that UNESCO should demonstrate its role as a global leader among UN system organizations on safety and impunity in regard to freedom of expression issues.

2. THE UNESCO WORK PLAN

2.1 OBJECTIVES, OUTPUTS AND STRATEGIC THEMES

2.1.1. Overall Objective:

The promotion of a free and safe environment for journalists, media workers and social media producers in both conflict and non-conflict situations, with a view to strengthening peace, democracy and development worldwide

2.1.2. Outputs:

1. Member States are strengthened in protecting freedom of expression, particularly for journalists, media workers and social media producers, and in dealing with the problem of impunity.
2. UN bodies are working in close cooperation on the safety and impunity issues addressed in this Work Plan.
3. Stakeholders are working together in awareness-raising, capacity building and other activities.

2.1.3. Strategic themes:

1. Cooperating with Member States in developing legislation and journalists' protection mechanisms as well as in supporting the implementation of the existing international standards at national level. Information-sharing on good practices and capacity-building contribute to this.
2. Working within UN System organizations in strengthening cooperation, harmonising practical actions and developing new common activities as well as leading the implementation of the UN Plan of Action on The Safety of Journalists and the Issue of Impunity.
3. Partnering with all stakeholders concerned in media development programmes, raising awareness campaigns and any action aiming to promote the safety of journalists and the combating of impunity.
4. Promoting a gender-sensitive approach within work on the safety of journalists, including the safety of women journalists.

2.2. ACTION LINES

2.2.1. Cooperating with Member States

1. Assistance to fully implement existing international norms and principles, mostly within the framework of the international human rights law and the humanitarian law as well as within the framework the existing regional mechanisms.
2. Development of appropriate legislative framework and institutional arrangements to create a safe environment for journalists.

3. Facilitation of capacity-building in state institutions dealing with journalists and with threats to safety, such as police and prosecutorial services.
4. Promotion of good practices among Member States to promote the safety of journalists and to combat impunity, such as through publications and workshops.
5. Development of a visible heritage around the issues of press freedom and journalistic safety at national level.

2.2.2. Work within UN System

1. Coordination of the implementation of the UN Plan of Action on the Safety of Journalists and the Issue of Impunity at a global and national level in cooperation with UN Country Teams and within the Delivering As One framework. New UN internal mechanisms will be created to facilitate monitoring and follow-up of the UN Plan implementation, including regular inter-agency meetings. UNESCO will ensure communication and partnership-building as key processes for the success of the UN Plan.
2. Contributing information relevant to UNESCO's mandate in the framework of the Universal Periodic Review, a process which is led by the UN Human Rights Council to survey the state of human rights around the world.
3. Reinforcement of UN Coordination mechanisms on the safety of journalists, including cooperation with relevant UN HRC Special Procedures.

2.2.3. Partnering with other organizations and institutions

1. Collaboration with other intergovernmental organizations, institutions, relevant professional and civil society organizations, particularly with those that have formal relations with UNESCO.
2. Promotion of training on safety issues, including developing handbooks and guidelines for journalists, the media industry, political parties and parliamentarians, and other social actors bearing a relation to the promotion of the safety of journalists.
3. Development of a specific journalism safety module to be included in the UNESCO Model Curricula for Journalism Education, and cooperation with academic institutions, including UNESCO Chairs, and professional associations in promoting journalist safety issues.

2.2.4. Raising Awareness in cooperation with all stakeholders

1. Sensitization of stakeholders through international conferences and thematic debates, participating in international campaigns, conducting surveys and publishing their results.
2. Following Resolution 29, continue the practice of the Director-General's public condemnations of the killings of journalists, media workers and social media producers who are killed in the line of duty or targeted for murder because of their journalistic activities.
3. Following the IPDC Decision on The Safety of Journalists and The Issue of Impunity, ensure the compilation and dissemination of the Director-General Report on The Safety of Journalists and the Danger of Impunity, including information on DG's condemnations of the killings of journalists, media workers and social media producers worldwide, on the judicial inquiries and actions taken by Member States to bring perpetrators of crimes against journalists to justice.
4. Continuing high quality monitoring of safety and impunity issues, and the use of ICT to publish objective information on the subject.
5. As per Resolution 43 of the 36th UNESCO General Conference in 2011, presentation at the General Conference of a report on the status of freedom of expression, including the issue of the safety of journalists, involving Member States, academic institutions, media, NGOs, etc.
6. Enhancing existing information exchange mechanisms in collaboration with relevant professional associations on journalists' safety issues.
7. Celebration of World Press Freedom Day (3 May) and ensuring high visibility of the event, in cooperation with Member States, journalism education institutions, professional associations, media houses, NGOs, etc.
8. Using international days related to the issue, for example the International Day Against Impunity (23 November) and the International Anti-Corruption Day (9 December), among others, to raise awareness on the issues of journalist safety.

2.2.5. Preventing attacks against journalists

1. Supporting existing international alert mechanisms for journalists in danger.
2. Establishing preventive mechanisms and policies with a gender-sensitive approach.

3. Promoting training and awareness-raising actions on the prevention of violence against journalists

2.3. FOLLOW-UP MECHANISMS

The implementation of the UNESCO Work Plan will be assessed in formative and summative ways. On-going monitoring will be enabled by the actions recorded in SISTER, and there will be regular accounting in reports to the Intergovernmental Council of the International Programme for the Development of Communication (IPDC), Executive Board, and General Conference.

3. CONTEXT:

1. UNESCO's starting point is that the question of the safety of journalists and how to combat impunity of crimes committed against them needs to be addressed holistically. Multiple factors determine whether citizens can exercise the right to freedom of expression without fear of harassment, intimidation or physical danger. In particular, journalists, media workers and more recently social media producers play an especially prominent role in the exercise of the human right to freedom of expression. They provide citizens with the necessary information to develop their own opinions and to take informed decisions about their lives and development. UNESCO recognises the need for environments that are conducive in legal and socio-economic conditions, and that it is in this context that journalistic safety is a fundamental prerequisite for achieving freedom of expression and democracy.
2. The traditional concept of the term 'journalist' has evolved. According to the description of the UN Special Rapporteur on the protection and promotion of the right to freedom of expression and opinion, journalists are individuals who observe and describe events, document and analyse events, statements, policies, and any propositions that can affect society, with the purpose of systemizing such information and gathering of facts and analyses to inform sector of society or society as a whole¹. Furthermore, as affirmed by the resolution adopted by the Human Rights Council in June 2012 on the promotion, protection and enjoyment of human rights on the Internet, "the same rights that people have offline must also be protected online, in particular freedom of expression."

3.1. UNESCO'S TRACK RECORD ON SAFETY AND IMPUNITY ISSUES

1. UNESCO is the United Nations specialized agency with a mandate to defend freedom of expression and press freedom, which has meant that the Organization has had a long-standing commitment to foster the safety of journalists. **UNESCO's Constitution** explicitly states that the Organization's mission is "*to promote the free flow of ideas by word and image*". Over

¹ Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Human Rights Council, Twentieth session, 4 June 2012, <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G12/137/87/PDF/G1213787.pdf?OpenElement>

the years UNESCO has led, within the UN system, the implementation of a comprehensive strategy aiming at protection and promotion of safety of journalists and fighting impunity of perpetrators of crimes against journalists.

2. Accordingly, UNESCO supports Member States on issues related to the promotion of the safety of journalists and combating impunity. The Organization also works closely with international and regional partners to produce regularly updated practical safety guides in multiple languages and supports safety training courses and workshops for journalists and media workers. Awareness-raising and sensitization campaigns are often carried out involving international, regional and local associations. Furthermore, UNESCO supported the creation of the information sharing networks which monitor freedom of expression worldwide and issue alerts to their members when there is an attack on journalists and media workers.
3. Contributing to the environment conducive to the safe exercise of freedom of expression and press freedom, UNESCO conducts a range of activities. The flagship programme in UNESCO's global campaign for press freedom has been the **World Press Freedom Day** which falls on 3 May of each year, as proclaimed by the United Nations General in 1993, and the Guillermo Cano/UNESCO World Press Freedom Prize, intended to honour the work of an individual or an organization defending or promoting freedom of expression anywhere in the world, especially in dangerous conditions. UNESCO's work in post-conflict and post-disaster (PCPD) and transitional situations has been instrumental in highlighting the power of media in promoting democratic governance. In addition, since 2011, UNESCO has begun to contribute to the **Universal Periodic Review**, a process which is led by the Human Rights Council to survey the state of human rights around the globe, including freedom of expression.
4. This work has been based on the following decisions of Member States:
 - a. **Resolution 29** adopted by the 29th UNESCO General Conference in 1997 which condemns violence against journalists and calls on its Member States to uphold their obligation to prevent, investigate, and punish crimes against journalists. Since then, the Director-General has publicly condemned each killing of a journalist or media worker and now also social media producers. The full text of the UNESCO Resolution 29 is at the following link:
http://www.unesco.org/new/fileadmin/MULTIMEDIA/FIELD/Brussels/pdf/ipdc_resolution_29.pdf.
Director-General condemnations are available at the following link:
<http://www.unesco.org/new/en/communication-and-information/freedom-of-expression/press-freedom/unesco-condemns-killing-of-journalists/>
 - b. **Decisions on the Safety of Journalist and the Issue of Impunity** adopted by the Intergovernmental Council of the International Programme for the Development of Communication (IPDC) at its 26th, 27th and 28th sessions in 2008, 2010 and 2012 respectively. These Decisions urged Member States “to inform the Director-General of UNESCO, on a voluntary basis, of the actions taken to prevent the impunity of the

perpetrators and to notify her/him of the status of the judicial inquiries conducted on each of the killings condemned by UNESCO". These Decisions also requested the Director-General to provide an analytical report on the basis of her condemnations and the responses received from Member States concerned. Therefore, since 2008 the Director-General presents every two years the **Report on The Safety of Journalists and the Danger of Impunity**, available at the following link: <http://www.unesco.org/new/en/communication-and-information/intergovernmental-programmes/ipdc/special-initiatives/safety-of-journalists/>

5. Furthermore, many of the declarations issued within the framework of the UNESCO's World Press Freedom Day, has put the focus on the issue of journalists' safety, such as the following:

a. **The Belgrade Declaration on Assistance to media in Conflict Areas and Countries in Transition (2004)** affirmed that "*assuring the safety of both local and international journalists should be given the highest priority. There should be an end to a culture of impunity over killings and other attacks on journalists and there should be independent investigations into such killings and attacks*".

<http://www.unesco.org/new/en/communication-and-information/flagship-project-activities/world-press-freedom-day/previous-celebrations/worldpressfreedomday2009000000/belgrade-declaration/>

b. **The Medellin Declaration (2007) on Securing the Safety of Journalists and Combating Impunity** reiterated the call upon Member States to focus on preventing and securing the safety of journalists and combating impunity in both conflict and non-conflict situations. Full text can be read at the following link:

<http://www.unesco.org/new/en/communication-and-information/flagship-project-activities/world-press-freedom-day/previous-celebrations/worldpressfreedomday2009000/medellin-declaration/>

c. **The Carthage Declaration (2012)** called upon all stakeholders "*to create a free and safe environment for journalists, media workers and social media producers to produce information through traditional or new media, and to support implementation of the UN Plan of Action on The Safety of Journalists and the Issue of Impunity*". Full text is available via the following link:

http://www.unesco.org/pv_obj_cache/pv_obj_id_E473CFC4DB067667EE5A786DF_F53C990D09E0300/filename/carthage_declaration_2012_en.pdf

6. UNESCO's recent activities on the safety of journalists and combating impunity are guided by the six-year **34 C/4 Medium Term Strategy (2008-2013)** and the biennial programming document, 36 C/5. In the current Medium Term Strategy, the issue is addressed in the Strategic Programme Objective 13, which states that "*special attention will be paid to the protection of the press freedom and the rights and safety of media and information*

professionals, especially within the framework of alert monitoring networks for the protection of freedom of expression”.

7. This strategy is further elaborated in the current biennial document, **36 C/5 Biennial Sectoral Priority 1** in promoting freedom of expression and information and the relevant Main Line of Action 1 in promoting an enabling environment for freedom of expression in order to foster development, democracy, and dialogue for a culture of peace and non-violence, which further calls on to the Organization “*to continue its efforts to fight impunity for crimes committed against media professionals, including through the IPDC. Strong collaboration with other agencies and programmes within the UN family will aim to ensure that existing conventions in this regard are respected, and capacity-building will be furthered in this area, in particular through the inclusion of safety modules in journalism training curricula*”.
8. UNESCO’s future relevant actions are in line with the **UN Plan of Action on the Safety of Journalists and the Issue of Impunity**, and endorsed by the UN Chief Executive Board on 13 April 2012, which provided a framework to harmonize cooperation, especially amongst the various agencies within the UN system.
9. The measures in the Plan include the establishment of a coordinated inter-agency mechanism to handle issues related to the safety of journalists, and the involvement of other intergovernmental organizations at international and regional levels to encourage the incorporation of media development programmes focusing on journalists’ safety within their respective strategies. The plan also foresees assisting countries to develop legislation and mechanisms favourable to freedom of expression and information, and supporting their efforts to implement existing international rules and principles. To further reinforce prevention, the Plan recommends conducting awareness-raising campaigns on a wide range of issues. Emphasis is also given to the importance of disseminating good practices on the safety of journalists and how to counteract impunity. Journalism education institutions will also be encouraged to include in their curricula, materials relevant to the safety of journalists and impunity.
10. According to Clause 6.3 of the UN Plan, overall coordination of UN efforts on the safety of journalists is entrusted to UNESCO, in cooperation with other UN agencies, in particular with the Office of the High Commissioner for Human Rights (OHCHR) and the UN Secretariat in New York. This role is elaborated in the UNESCO Plan.

3.2. INTERNATIONAL AND REGIONAL INSTRUMENTS

1. The United Nations and its family of agencies have at their disposal tools and instruments which can be readily employed to address the issue of the safety of journalists and how to combat impunity. These instruments draw their strength from being internationally recognized as well as being a moral compass and obligation for States. These instruments

include mostly international humanitarian laws (IHL) and universal human rights laws (UHL) as well as resolutions and declarations:

- a. The **Universal Declaration of Human Rights**² (UDHR, 10 December 1948). Specifically, Article 19 which 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*” and also Article 3 which secures the “*right to life, liberty and security of person*”, Articles 5 and 9 which affirm the right not to be subjected to “*torture or to cruel, inhuman or degrading treatment or punishment*” or “*arbitrary arrest*”, and Article 8 which maintains that we have the right to an effective remedy for violations of one's rights.
- b. **The International Covenant on Civil and Political Rights**³ (ICCPR, 16 December 1966) which is the binding agreement with all its signatories corresponding to the UDHR. Specifically, the ICCPR clarifies that the State must “*undertake the necessary steps, in accordance with its constitutional processes and with the provisions of the present Covenant, to adopt such laws or other measures as may be necessary to give effect to the rights recognized*” in the Covenant. In July 2011, Article 19 was the subject of the General Comment 34 by the Human Rights Committee. Adopted by this UN monitoring body, it constitutes an authoritative interpretation by clarifying the scope of States’ obligations, calling on them to adopt adequate laws and practices together with national enforcement mechanisms to protect the right to freedom of expression and opinion.
- c. **The UN Commission on Human Rights Resolution 2005/81**⁴, and previous Resolutions on Impunity⁵, which calls on all States to put an end to impunity and to prosecute or extradite, in accordance with their obligations under international law.
- d. **The UN Human Rights Council Resolution [A/HRC/21/L10](#) on the Safety of Journalists, adopted by consensus in September 2012**. The Council condemned in the strongest terms all attacks and violence against journalists and expressed its concern that there was a growing threat to the safety of journalists posed by non-State actors. It stresses the need to ensure better cooperation and coordination at the international level with regard to ensuring the safety of journalists, and invites UN agencies, programmes and funds, other international and regional organizations, Member States and all relevant stakeholders to cooperate further in the implementation of the UN Plan of Action on The Safety of Journalists and the Issue of Impunity, elaborated by UNESCO and endorsed by the UN System Chief Executives Board for Coordination in April 2012.

² See <http://www.un.org/en/documents/udhr/index.shtml>

³ ICCPR available at <http://www.hrweb.org/legal/cpr.html>

⁴ See <http://www.unhcr.org/refworld/category,LEGAL,UNCHR,,,45377c930,0.html>

⁵ See http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CI/CI/pdf/ipdc_resolution_29.pdf

- e. The **Human Rights Council's Special Procedures mechanisms** also play an important role in monitoring, raising awareness and giving advice on human rights issues. The most directly relevant contributions to the safety of journalists can be drawn from the UN Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression. In 2012 the UN Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions focused his report on the rights of journalists, in response to the alarming number of killings. In 2011, the Special Rapporteur on the Situation of Human Defenders also included a specific chapter on journalists and media workers.
- f. The **UN Security Council** adopted **Resolution 1738 (2006)**⁶ to condemn attacks against journalists in conflict situations. It emphasizes "the responsibility of States to comply with the relevant obligations under international law to end impunity and to prosecute those responsible for serious violations of international humanitarian law" and that "journalists, media professionals and associated personnel engaged in dangerous professional missions in areas of armed conflict shall be considered civilians, to be respected and protected as such".
- g. **The Geneva Conventions** of 12 August 1949 and the **Additional Protocol I**⁷ which concerns the treatment of civilians, including journalists, and of persons not or no longer taking direct part in hostilities. **Article 79** of Protocol I specifically states that "journalists engaged in dangerous professional missions in areas of armed conflict shall be considered as civilians" and thus be protected as such under the Conventions.
- h. There are also many **regional instruments** such as the African Charter on Human and Peoples' Rights and the Declaration of Principles on Freedom of Expression in Africa adopted in 2002; the American Declaration of the Rights and Duties of Man and the American Convention of Human Rights; the Arab Charter on Human Rights and the European Convention on Human Rights. It is also important to mention the role played by the Special Rapporteur on Freedom of Expression and Access to Information of the African Union Commission (AUC), the Special Rapporteur for Freedom of Expression of the Organization of American States (OAS) and the Representative on Freedom of the Media of the Organisation for Security and Cooperation in Europe (OSCE).
- i. A large number of international, regional and national declarations have been also issued by many stakeholders, as for example the Windhoek Declaration on freedom of expression and press freedom.

⁶ See <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N06/681/60/PDF/N0668160.pdf?OpenElement>

⁷ Geneva Conventions available at <http://www.hrweb.org/legal/geneva1.html>