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Vienna Expert Consultations on “Safety of Journalists: Towards a More Effective International Protection Framework”

Presentation

By

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Ladies and gentlemen,

I am honoured to be here with you at this meeting to address the issue of the safety of journalists. I would like to thank the Austrian Foreign Ministry for having organized it and for its commitment to such an important issue.

Zakariya Isa, Roy Bagtikan Gallego, and Faisal Qureshi are but some of the latest victims to add to a very long list of journalists and media workers who lost their lives while seeking the truth.

Over the last ten years alone, more than 500 journalists and media workers lost their lives seeking the truth. Short of death, many more were victims of abductions, hostage-taking, harassment and intimidation. Facing rising pressures, too many journalists find themselves in prison for the wrong reasons. Too many are forced to flee their countries. Too many resort to self-censorship rather than lose their lives. Moreover, sexual attacks are also used as a weapon for silencing women journalists.

The fact is that most of these abuses remain un-investigated and go unpunished. This is unacceptable, but, prior to that, these attacks should not have ever happened.

The guarantee of the safety of journalists first, and the struggle against impunity for their killers later on, are both essential to preserve the fundamental right to freedom of expression, ensured by Article 19 of the *Universal Declaration of Human Rights*.

One of the principles which sustain a democratic system is active citizen participation in the decisions-making process that affects their own lives. To choose, citizens first need to know, and in order to know they must be well informed and have the opportunity to express their thoughts and concerns.

Journalists play a vital role in this process.

UN INTER-AGENCY MEETING AND PLAN OF ACTION:

In light of the ongoing problems, there has been a pressing need for the various UN agencies, funds and programmes to develop a single, strategic and harmonized approach to have more impact on this issue.

Therefore, in March 2010, the Intergovernmental Council of the International Programme for the Development of Communication (IPDC) called on the Director-General of UNESCO, as the leading UN agency with the mandate to promote freedom of expression and press freedom, “to consult with Member States on the

feasibility of convening an inter-agency meeting of all relevant UN agencies, funds and programmes in order to design a joint UN strategy on the Safety of Journalists and the Issue of Impunity.”

On the basis of the responses received following this consultation, Mrs Irina Bokova decided to organize a UN Inter-Agency Meeting on the Safety of Journalists and the Issue of Impunity, and this took place in September 2011.

The result of this meeting is an example of how we can ensure better implementation of existing standards for the protection of journalists and how we can more effectively address the issue of impunity.

At the UN Inter-Agency Meeting, UNESCO brought together a wide range of international and regional institutions, professional organizations, NGOs and Member States to provide the UN family with recommendations to formulate a coherent and result-oriented UN plan of action on the safety of journalists and the issue of impunity, with the view of preserving the fundamental right to freedom of expression.

A draft of this plan is now being finalised after the discussions which took place during the UN Inter-Agency Meeting and additional consultations undertaken within the UN system and with other major stakeholders.

The measures in the draft Plan of Action include the establishment of a coordinated inter-agency mechanism to handle issues connected to the safety of journalists and impunity. This will involve monitoring of progress at both national and international levels.

The draft also foresees the strengthening of the office of the UN High Commissioner for Human Rights, as well as the mandate and resources of the UN Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression. He is mandated to gather information relating to violations of freedom of expression; to seek, receive and respond to relevant information from governments, NGOs and other parties; and to make recommendations on how best to promote freedom of expression. This strengthening of the office would also include the Special Rapporteurs on Extra-judicial Summary or Arbitrary Executions, Violence Against Women and Torture.

The draft Plan of Action encourages Member States to explore ways of broadening the scope of Security Council Resolution 1738, to include the promotion of the safety of journalists and the fight against impunity in non-conflict situations as well. Cooperation with Member States is also addressed in the document. This notably includes assisting countries to develop legislation and mechanisms favourable to freedom of expression and information, and by supporting their efforts to implement existing international rules and principles, especially the 1997 UNESCO General Conference Resolution concerning violence against journalists. The

resolution stipulates that there should be no statute of limitations on crimes against freedom of expression. It also considers the importance of taking an active role in the prevention of attacks against journalists and undertaking prompt action in response to these attacks.

To further reinforce prevention, awareness raising campaigns will also be conducted with Member States, civil society, non-governmental organizations and concerned bodies on a wide range of issues such as existing international instruments and conventions, the growing dangers posed by emerging threats to media professionals, including non-state actors, as well as various existing practical guides on the safety of journalists. An important issue is also to disseminate good practices on the safety of journalists and to counteract impunity.

Journalism education institutions will be also encouraged to include in their curricula, materials relevant to the safety of journalists and impunity.

The final draft of the Plan of Action will be submitted to UNESCO's International Programme for the Development of Communication (IPDC) for endorsement at its 28th session that will take place from 21 to 23 March 2012. Afterwards, it will be submitted to the bodies in charge of UN-wide coordination.

The UN Inter-Agency meeting and its subsequent Plan of Action are the latest proof of our continuing collective determination in advancing freedom of the press.

A number of legal instruments have already been adopted by the United Nations to strengthen legal frameworks and enforcement mechanisms designed to ensure the safety of journalists. The UN's strengths and opportunities lie in the areas of building free, independent and pluralistic media as well as the legal frameworks and democratic institutions to support them.

International legal instruments represent one of the key tools that the international community, including the United Nations, has at its disposal in the struggle for the safety of journalists and the fight against impunity.

These instruments draw their strengths from being internationally recognized as well as being a moral compass and obligation for Member States. They include international humanitarian laws, universal human rights laws, covenants, declarations, and resolutions.

International humanitarian laws, such as Geneva Conventions and their Additional Protocols, distinguish combatants from civilians in conflict situations and also provide clarification regarding the treatment and protection of civilians who are in conflict situations. It is clear that journalists, including embedded journalists, are civilians and must therefore be protected as such. Since 2006, when the UN Security Council adopted the legally binding Resolution 1738, the UN Secretary-

General has presented an annual report to the General Assembly on the implementation of this Resolution.

In non-conflict situations, universal human rights laws can be the guiding light. Among others, they include the Universal Declaration of Human Rights and the legally binding International Covenant on Civil and Political Rights (ICCPR).

Moreover, the Office of the High Commissioner for Human Rights plays an important role in raising awareness regarding the issue, including through its reports to the Human Rights Council. Within the framework of its *Universal Periodic Review*, UNESCO has been providing individual country information, beginning early 2011, regarding the status of the freedom of opinion and expression in each country under review.

Ladies and Gentlemen,

UNESCO, as the United Nations specialized agency with a mandate to ‘promote the free flow of ideas by word and image’, has been an important player in the defence of freedom of expression through the promotion of the safety of journalists and the fight against impunity. Within the organization, these issues are at the front and center of our priorities.

The importance of both the safety of journalists and the fight against impunity were addressed in 1997 by the adoption of Resolution 29 by UNESCO’s General Conference, which condemns violence against journalists and calls on its Member States to uphold their obligations to prevent, investigate, and punish crimes against journalists. Since 1997, the Director General has publicly condemned each killing of a journalist or media worker, as well as massive and repetitive violations of press freedom and she has urged the competent authorities to discharge their duty in preventing, investigating and punishing such crimes as stated in Resolution 29.

Furthermore, the Medellin Declaration, issued in 2007 in conjunction with World Press Freedom Day, reiterated the call upon Member States to focus on securing the safety of journalists and combating impunity in both conflict and non-conflict situations. This is in addition to the Belgrade Declaration of 2004, which focused on supporting media in violent conflict-zones and countries in transition.

The issue therefore is not an absence of international legal instruments, but rather a failure in their implementation. The problem is partly that governments often fail to meet their international obligations to investigate such attacks and to bring perpetrators to justice.

However, while recognizing that investigating crimes against journalists remains the responsibility of Member States, the acts of violence and intimidation are becoming ever more frequent in a variety of contexts. Notably, the threat posed by non-state actors such as criminal organizations is growing. This merits a careful, context-

sensitive consideration of the differing needs of journalists, as well as of the different legal instruments available to ensure their protection.

In addition to legal matters, UNESCO has also undertaken a number of activities designed to raise awareness about journalists' safety and the issue of impunity. Among UNESCO's flagship activities in this area are World Press Freedom Day, celebrated every year on May 3rd, 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. This year's prize went to the imprisoned Iranian journalist Ahmad Zeidabadi who is currently serving a six-year jail sentence following Iran's disputed presidential election in 2009.

Moreover, often in collaboration with other organizations, UNESCO has taken a number of decisive actions in this field. It has supported a number of organizations to provide safety and risk awareness training for journalists and media workers and to publish guidelines and publications.

Finally, the aforementioned International Programme for the Development of Communication (IPDC) has in recent years assumed a crucial role in promoting the safety of journalists and combating impunity. On top of developing media capacities in the field, IPDC has, since 2008, encouraged Member States to submit information, on a voluntary basis, on the status of the judicial inquiries conducted on each of the killings condemned by UNESCO, for inclusion in a public report submitted every two years to the IPDC Council by the Director-General. The most recent report, in 2010, showed that out of 29 States where journalists had been assassinated in the period 2006-2007, fifteen had provided information as requested.

At the national level, many agencies, funds and programmes of the UN system, in particular UNESCO, are also working toward an approach which promotes the safety of journalists and addresses the issue of impunity. This is relevant as majority of the crimes against journalists did not concern international war correspondents but journalists working in their home countries, often in times of peace, and covering local stories.

Ladies and Gentlemen,

I hope I have shown you that, on the issue of safety of journalists and the fight against impunity, UNESCO is working comprehensively at multiple levels. Internally, it is one of our top priorities. Furthermore, in addition to our regular in-house programmes we also work closely with international, regional and national NGOs. Last but not least, we have developed a close working relationship with the larger UN family such as through the recent UN Inter-Agency meeting which approved the draft Plan of Action.

The relevance of such a Plan of Action does not end with its approval. It is but a means to an end. And that 'end', Ladies and Gentlemen, is the end to impunity and to the unacceptable dangers and risks that journalists are forced to endure unnecessarily and where society is the ultimate loser.

This is just the start and we have to make it real. In this sense, UNESCO is committed to work hand in hand with all of you: the UN family, Member States, international, regional and local organizations, professional associations and NGOs. UNESCO's mandate is to defend and promote freedom of expression and its corollary press freedom, and a crucial element of this mandate is to foster the safety of journalists and media workers. We look forward to future strengthening of this campaign through continued co-operation with other UN agencies and many other actors in this field.

Thank you.