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THE SAFETY OF JOURNALISTS AND THE DANGER OF IMPUNITY

**REPORT BY THE DIRECTOR-GENERAL TO THE
INTERGOVERNMENTAL COUNCIL OF THE IPDC**

UNESCO is the only United Nations agency with a mandate to defend freedom of expression and press freedom. Article 1 of its Constitution requires the Organization to “further universal respect for justice, for the rule of law and for the human rights and fundamental freedoms which are affirmed for the peoples of the world, without distinction of race, sex, language or religion, by the Charter of the United Nations.” To realize this, the Organization is requested to “collaborate in the work of advancing the mutual knowledge and understanding of peoples, through all means of mass communication and to that end recommend such international agreements as may be necessary to promote the free flow of ideas by word and image.”

SUMMARY

This document is being submitted as a follow-up to the Decision on the Safety of Journalists adopted at the 26th session of the Intergovernmental Council of the IPDC in March 2008. It provides an overview of as well as background information on the killings of journalists condemned by the UNESCO Director-General in the last biennium (2008 – 2009). In total, the Director-General condemned the killings of 123 journalists - 46 in 2008 and 77 in 2009. In line with the Decision taken in 2008, this report also provides information on the responses received by UNESCO's Director-General from the Member States concerned on the status of the judicial inquiries conducted on each of the killings condemned in the 2006-2007 biennium, and on the actions taken to prevent the impunity of the perpetrators. The draft decision recommends that the IPDC continue monitoring the follow-up of killings condemned by the Director-General of UNESCO. It also invites the UNESCO General Conference to propose that a one-minute silence be observed in newsrooms worldwide on World Press Freedom Day (3rd May) to honour the journalists killed each year.

Decision required: Page 15.

INTRODUCTION

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

Universal Declaration of Human Rights. Article 19

- a. The safety of journalists is essential to protect the right of all citizens to reliable information and the right of journalists to provide it without fearing for their security. It is an obligation of the State and of the society to create and maintain the conditions needed for these fundamental human rights to be enjoyed by all. Therefore, the possibility for journalists to carry out their journalistic investigations and report without fear of reprisal should be guaranteed by both state and non-state actors. However, when crimes against journalists go unpunished, the State's commitment to fundamental freedoms and its willingness to enforce the rule of law become unconvincing. Member States must therefore take a firm stance to prevent the murders of journalists and to ensure that the perpetrators of crimes and acts of violence against media professionals and associated personnel are duly prosecuted.
- b. UNESCO's Director-General began condemning the killings of journalists in 1997, in line with Resolution 29 adopted by UNESCO's General Conference at its 29th session. This Resolution requested governments to adopt the principle that there should be no status of limitations for crimes against a person when these are perpetrated to prevent freedom of expression but also the right of other people to receive information. It also urged the competent authorities to "discharge their duty of preventing, investigating and punishing such crimes, and remedying their consequences".¹

¹ Last report presented at the 26th IPDC Council in 2008 incorporated a legal background summary. It made reference to Resolution 1738 of the United Nations Security Council, which condemns attacks against journalists in conflict situations and the Medellin Declaration, adopted on World Press Freedom Day 2007, which calls upon Member States to fulfil the duty incumbent upon them to prevent crimes against media professionals, to investigate them and to sanction them. Since last IPDC Council session, one significant declaration has been, the Declaration on the Safety of Journalists calling "for sustained and concrete international action to address the murder of journalists and media support staff around the globe in peacetime and war" adopted at the Fourth World Electronic Media Forum in Mexico on 12-13 November 2009, and supported by UNESCO.

- c. In 2006, the safety of journalists was the subject of a thematic debate conducted during the 25th session of the Intergovernmental Council of the International Programme for the Development of Communication (IPDC) held at UNESCO Headquarters in Paris.

- d. Two years later, at its 26th session in March 2008, the IPDC Intergovernmental Council adopted a Decision on the Safety of Journalists and the Issue of Impunity, which gives to IPDC a central role in monitoring the follow-up of killings condemned by UNESCO's Director-General. This decision urges Member States "to comply with the relevant obligations under international law to end impunity" and "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 him of the status of the judicial inquiries conducted on each of the killings condemned by UNESCO".

- e. As a result of this Decision, UNESCO's Director-General sent an official letter in March 2009 – and a reminder in November 2009 - to the Member States concerned by the killings of journalists condemned during the biennium 2006-2007, inviting them to provide this information.

ANALYSIS OF THE RESPONSES RECEIVED FROM MEMBER STATES ON THE STATUS OF THE JUDICIAL INQUIRIES CONCERNING JOURNALISTS KILLED IN 2006-2007

1) Out of the 29 countries and territories concerned by the killings of journalists condemned in 2006-2007, fifteen provided detailed information on judicial follow-up: these were Bangladesh, Brazil, Colombia, Ecuador, El Salvador, the Republic of Guatemala, India, the Republic of Indonesia, Kyrgyz Republic, Lebanon, the Union of Myanmar, the Palestinian Authority, the Republic of the Philippines, the Russian Federation and Turkey. Two other countries, namely the Democratic Republic of the Congo and Haiti, acknowledged receipt of the Director-General's letter seeking information on judicial follow-up. Countries that provided detailed information on the judicial inquiries being carried out with respect to the killings of journalists condemned by UNESCO's Director-General demonstrated their commitment to preventing the impunity of such crimes. Although done, on a voluntary basis, the provision of such information is seen as a demonstration of Member States commitment to preventing the impunity of such crimes.

COUNTRIES HAVING RESPONDED TO DG's REQUEST	JOURNALISTS KILLED AND DATE OF KILLING	THE STATUS OF THE INQUIRY
Bangladesh	- Bellal Hossain Dafadar (14 Septembre 2006)	Ongoing
Brazil	- Ajuricaba Monassa (24 July 2006) - Luis Barbon Filho (5 May 2007)	Ongoing Ongoing
Colombia	- Gustavo Rojas Gabalo (29 March 2006) - Atilano Segundo Pérez (22 August 2006)	Ongoing Ongoing
Ecuador	- José Luis Desiderio (13 February 2006) - Saúl Suárez Sandoval (14 February 2006)	Ongoing Ongoing
El Salvador	- Salvador Sánchez Roque (20 September 2007)	Convicted
Guatemala, Republic of	- Mario Rolando López Sánchez (3 May 2007)	Ongoing
India	- Prahlad Goala (6 January 2006) - Aran Narayan Dekate (10 June 2006)	Ongoing Ongoing
Indonesia, Republic of	- Herlyanto (20 april 2006)	Ongoing
Kyrgyz Republic	- Alisher Saipov (24 October 2007)	Ongoing
Lebanon	- Sleiman Al Chidac (22 July 2006) - Layal Najib (22 July 2006)	Ongoing Ongoing
Myanmar, Union of	- Kenji Nagai (27 September 2007)	Ongoing
Palestinian Authority	- Suleiman Abdul-Rahim (15 May 2007) - Mohammad Matar Abdo (13 May 2007)	Ongoing Ongoing

Philippines, Republic of the	- Rolly Cañete (20 January 2006) - Aquino Aquino (21 January 2006) - Albert Orsolino (16 May 2006) - Fernando “Dong” Batul (22 May 2006) - Armando Pace (18 July 2006) - Ponciano Grande (7 December 2006)	Ongoing Ongoing Ongoing Ongoing Convicted Ongoing
Russian Federation	- Ilya Zimin (26 February 2006) - Yevgeny Gerasimenko (26 July 2006) - Anna Politkovskaya (7 October 2006)	Ongoing Ongoing Ongoing
Turkey	- Hrant Dink (19 January 2007)	Ongoing

- 2) The Permanent Delegation of Bangladesh to UNESCO informs that the case of the killing of the journalist Bellal Hossain Dafadar is ongoing. The hearing of the case will be held at the Court of District on 15 April 2010.
- 3) The Permanent Delegation of Brazil to UNESCO sent a summary on the killings of two Brazilian journalists. The case of Ajuricaba Monassa is under investigation and concerning the case of Luis Barbon Filho the judgement will take place in March 2010.
- 4) The Permanent Delegation of Colombia to UNESCO sent an update on the status of the judicial investigation concerning the deaths of journalists Atilano Segundo Pérez and Gustavo Rojas Gabalo. The report informs that both cases are under investigation. The Government of Colombia expressed its commitment to informing the UNESCO Director-General of the situation regarding journalists’ safety in the country and stressed that the number of journalists killed has dramatically decreased in the last few years.
- 5) The Permanent Delegation of El Salvador to UNESCO submitted a report informing that the killers of the journalist Salvador Sánchez Roque had been convicted.
- 6) The Permanent Delegation of Ecuador to UNESCO sent a report about the killings of José Luis Desiderio and Saúl Suárez Sandoval. Both cases are under investigation and the report informs that the alleged assailant of José Luis Desiderio has been arrested.
- 7) The Permanent Delegation of the Republic of Guatemala to UNESCO provided a report on the assassination of Mario Rolando López Sánchez. Accordingly the “Comisión Presidencial Coordinadora de la Política del Ejecutivo en material de

Derechos Humanos” (COPREDEH) informs that the status of judicial inquiry is ongoing.

- 8) The Permanent Delegation of India to UNESCO sent a letter informing of the arrest of the alleged assailants of Prahlad Goala and on the ongoing investigation into the killing of Aran Narayan. The report assured that “Member States may have full confidence in India’s democracy, based on the rule of law and an independent judicial system committed to upholding the Fundamental Rights enshrined in India’s Constitution, including the freedom of press and of the media, to complete the ongoing investigations in a timely manner and within its democratic framework. The Government of India will inform States of the final outcome of the investigation.”
- 9) A letter was received from the Permanent Delegation of the Republic of Indonesia to UNESCO concerning the assassination in 2006 of the Indonesian journalist Herliyanto. It affirms that “active steps have been initiated since the beginning of the case, through legal and judicial efforts and in compliance with our national legislature”.
- 10) The Permanent Delegation of Kyrgyz Republic to UNESCO sent a report on the status of the judicial investigation concerning the death of Uzbek journalist Alisher Saipov. The judicial process started after his assassination and the case is still under investigation.
- 11) The Permanent Delegation of Lebanon to UNESCO sent a letter concerning the deaths of journalists Sleiman Al Chidac and Layal Najib. The letter informs that both journalists died due to the conflict situation prevailing in Lebanon in July 2006.
- 12) The Permanent Delegation of the Union of Myanmar to UNESCO provided a report concerning the killing of the Japanese photojournalist Kenji Nagai. The letter explains that his death occurred “while he proceeded to the crowd of protesters and he was accidentally injured” and reminds that “he had not yet applied for a journalist visa”.
- 13) The Permanent Observer Mission of Palestine to UNESCO informed that the investigation on the killings of the journalists Abdul-Rahim Al-Ashi and Mohammad

Matar Abdo in Gaza in May 2007 is not concluded as “the situation prevailing in Gaza does not allow the competent services to carry out the necessary investigations”.

- 14) The Permanent Delegation of the Republic of the Philippines submitted to UNESCO a detailed report, prepared in collaboration with the Asian Institute of Journalism and Communication, with detailed information on the status of the judicial inquiries concerning media professionals Ponciano Grande, Armando Pace, Fernando “Dong” Batul, Albert Orsolino, Aquino Aquino and Rolly Cañete. Out of all these cases, only the one concerning Armando Pace’s murder had ended with a conviction at the date of the report (June 2009). The report reaches the conclusion that “the progress of the cases regarding journalists killed is very slow”. It also underlines that the safety of journalists “requires a more comprehensive study with a multidisciplinary framework” and calls for the integration of the safety and protection of journalists in journalism curricula.
- 15) The Permanent Delegation of the Russian Federation provided a summary of the legal investigation into the killings of the media professionals Ilya Zimin, Yevgeny Gerasimenko and Anna Politkovskaya.
- 16) The Permanent Delegation of Turkey to UNESCO sent a letter informing that the trial regarding the killing of journalist Hrant Dink which began in July 2007 is ongoing. “The murder was an incident to which the law enforcement and judicial authorities reacted immediately”, said the letter.
- 17) Both Haiti and the Democratic Republic of the Congo sent written acknowledgments of the letters sent by UNESCO’s Director-General. The information requested by the Director-General on the status of the judicial inquiries concerning the assassination of 3 journalists –two in the Democratic Republic of Congo and one in Haiti- condemned by UNESCO was not included.

**2006-2009: THE KILLINGS OF JOURNALISTS CONDEMNED
BY UNESCO'S DIRECTOR-GENERAL BY COUNTRY²**

Country where killed	2006	2007	Biennium 2006-07	Member States having notifying on the status of judicial enquiries	2008	2009	Biennium 2008-09
Afghanistan	3	2	5		2	4	6
Bangladesh	1	0	1	✓	-	-	-
Brazil	1	1	2	✓	0	1	1
China, People's Republic of	1	0	1		-	-	-
Colombia	2	0	2	✓	0	2	2
Congo, Republic of	-	-	-		0	1	1
Croatia	-	-	-		2	0	2
Democratic Republic of the Congo	1	1	2		1	0	1
Ecuador	2	0	2	✓	-	-	-
El Salvador	0	1	1	✓	0	1	1
Georgia	-	-	-		3	0	3
Guatemala, Republic of	0	1	1	✓	0	1	1
Guyana, Republic of	1	0	1		-	-	-
Haiti	0	1	1		-	-	-
Honduras	-	-	-		0	1	1
India	2	0	2	✓	4	0	4
Indonesia, Republic of	1	0	1	✓	-	-	-
Iraq	29	33	62		11	4	15
Kazakhstan, Republic of	-	-	-		0	1	1
Kenya, Republic of	-	-	-		0	1	1
Kyrgyz Republic	0	1	1	✓	-	-	-
Lebanon	2	0	2	✓	-	-	-
Madagascar, Republic of	-	-	-		0	1	1
Mexico	3	1	4		4	7	11
Myanmar	0	1	1	✓	-	-	-
Nepal, Federal Democratic Republic of	-	-	-		1	1	2
Nigeria, Federal Republic of	1	0	1		1	1	2
Pakistan, Islamic Republic of	2	0	2		4	2	6
Palestinian Authority	0	2	2	✓	1	1	2
Philippines, Republic of the	6	0	6	✓	3	34	37
Russian Federation	3	0	3	✓	4	3	7
Somalia, Democratic Republic of	1	7	8		2	7	9
Sri Lanka	4	0	4		1	1	2
Sudan	1	0	1		-	-	-
Thailand, Kingdom of	-	-	-		2	0	2
Turkey	0	1	1	✓	0	1	1
Turkmenistan	1	0	1		-	-	-
Venezuela, Bolivarian Republic of	1	0	1		0	1	1
TOTAL	69	53	122		46	77	123

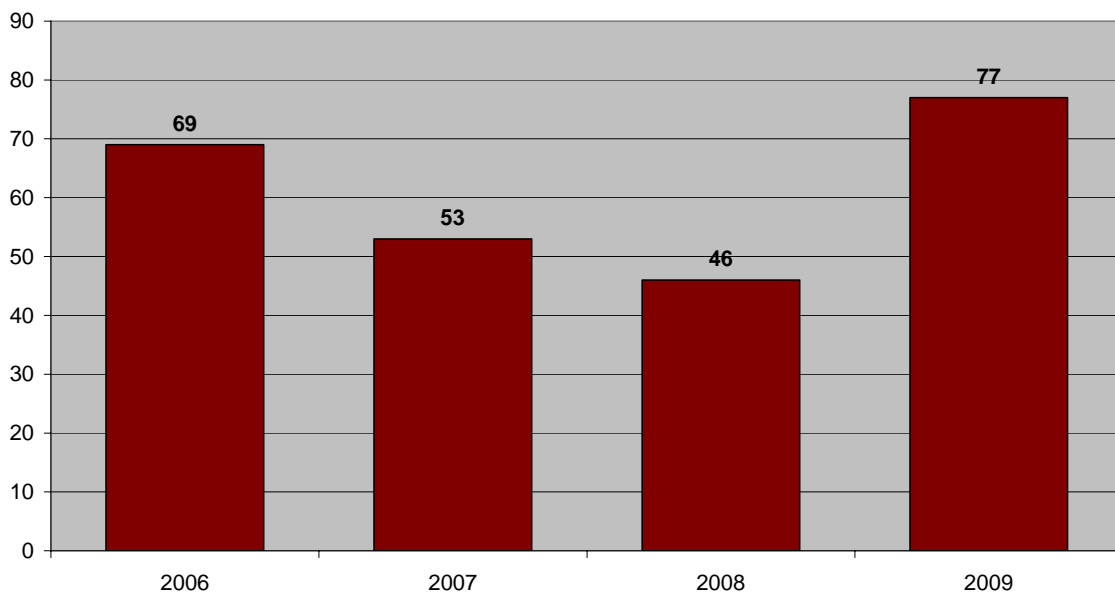
² Attached annex with list of names.

2008-2009: THE CONTINUAL KILLING OF JOURNALISTS IS A DISTURBING REALITY

18) In 2008-2009, the UNESCO Director-General condemned the killings of 123 journalists, a figure comparable to that of the previous biennium 2006-2007 (122 killings condemned)³, which indicates that there has been no improvement in the safety of journalists in the last few years. Sadly, the frequency of acts of violence against journalists is increasing. In most cases, impunity precludes the way of justice, and if this trend prevails, journalists will remain easy targets. Needless to say this represents a severe threat to freedom of expression and to our ability to seek the truth.

19) A yearly analysis of the killings of media professionals condemned by the UNESCO Director-General reveals that the worldwide tally in 2009 (77) surpassed the previous record of 2006 (69), when violence in Iraq was pervasive and media fatalities there were common. The decline in the worldwide death toll in 2007 (53) and 2008 (46) was largely attributable to an improvement of the situation in Iraq. The very significant rise in 2009 can be partly explained by the killing of 30 journalists in the Philippines on 23 November.

Journalists Killed 2006-2009



³ Reporters Without Borders condemns 167 killings of journalists in 2006-2007 and 136 in 2008-2009. The International Federation of Journalists (IFJ), 290 in 2006-07 and 194 in 2008-09. The Committee to Protect Journalists, 211 in 2006-07 and 165 in 2008-09. The International News Safety Institute, 121 in 2006-07 and 126 in 2008-09.

- 20) A noteworthy evolution in 2008-2009 is that the percentage of killings not linked to conflict situations has dramatically increased compared with 2006-2007. While in the previous biennium, almost 72% of the 122 victims were killed in a conflict or post-conflict situation (Afghanistan, Colombia, Democratic Republic of Congo, Iraq, Lebanon, Palestinian Authority, Democratic Republic of Somalia, Sudan and Democratic Socialist Republic of Sri Lanka), in 2008-2009 this number fell to 35% (Afghanistan, Colombia, Democratic Republic of Congo, Georgia, Iraq, Federal Democratic Republic of Nepal, Palestinian Authority, Democratic Republic of Somalia and Democratic Socialist Republic of Sri Lanka).
- 21) The great majority of casualties in 2008-2009 were not international war correspondents but local journalists working in their own countries, mostly in peacetime, covering local stories. As Reporters Without Borders Secretary-General, Jean-François Julliard, said: “Less known to international public opinion than the foreign correspondents, it is local journalists who pay the highest price every year to guarantee our right to be informed about wars, corruption or the destruction of the environment”.
- 22) It is important to remember that journalists on dangerous assignments are considered civilians under Article 79 of Additional Protocol I of the Geneva Conventions, provided they do not do anything or behave in any way that might compromise this status, such as directly helping a war, bearing arms or spying. Any deliberate attack on a journalist that causes death or serious physical injury is a major breach of this Protocol and deemed a war crime.
- 23) The number of journalists intentionally murdered in 2008-2009 is significant, concerning at least 80% of the killings condemned by the Director-General of UNESCO. There is increasing evidence of acts of violence against media professionals in many parts of the world, in particular deliberate attacks by those who do not wish journalists to investigate and reveal information of public interest. The International News Safety Institute⁴ considers that “journalists continue to die because they dare to shine a light on the darkest corners of societies”.

⁴ www.newssafety.org

- 24) While constituting the most serious attack on press freedom, the killing of journalists is just the tip of the iceberg. Media professionals face many other forms of threats such as intimidation, kidnappings, harassment, and physical assaults, as noted by the press freedom institutions and professional institutions, with which UNESCO has official relations, such as Reporters Without Borders (RSF)⁵, the Committee to Protect Journalists (CPJ)⁶ and the International Federation of Journalists (IFJ)⁷. There have also been reports on attacks on media organizations and acts of destruction of their property.
- 25) Regarding the type of media, the majority of the victims whose killings were condemned by UNESCO's Director General in 2008-2009 worked for the written press (43%). As CPJ noted, "print media continue to play a front-line role in reporting the news in dangerous situations". 26% of victims were television workers and 16% radio journalists. There were also a few cases of professionals working for news agencies and online sites, a film-maker and a president of a syndicate of journalists.
- 26) Almost 95% of the media professionals whose killings were the subject of the UNESCO Director General's condemnations in 2008-2009 were men. While the number of women professionals killed is significantly lower, the International Federation of Journalists (IFJ) draws attention to the situation of "many women who face threats and are subject to targeted attacks because of their gender. Death threats, kidnapping, physical attacks as well as sexual, verbal and judicial harassment are atrocities that many women journalists face the world over".
- 27) The Philippines is the country that registered the most killings (37) condemned by UNESCO's Director General in 2008-2009, due in part to a murderous attack that occurred on 23 November 2009, in which 30 journalists died. Since 2003, Iraq had been consistently the deadliest country in the world for the press, according to RSF and CPJ. In the 2008-2009 biennium, Iraq still ranks second but there is an encouraging development: the number of victims has reduced very significantly, from 62 to 15, compared with the 2006-2007 biennium. Mexico is the third country on the

⁵ www.rsf.org

⁶ www.cpj.org

⁷ www.ifj.org

list with 11 media professionals' killings condemned by UNESCO's Director General. In fourth place comes Somalia, where 9 journalists were killed. In addition to these countries, those most concerned by the killings of journalists were the Russian Federation (7), Afghanistan (6), the Islamic Republic of Pakistan (6), India (4) and Georgia (3).

28) The most significant increase between the two biennia, 2006-2007 and 2008-2009, occurred in the Philippines, where 37 journalists were killed in 2008-2009, 31 more than in the previous biennium. The second most considerable rise was in Mexico where 11 victims were registered, 7 more than in 2006-2007. Furthermore, the number of media professionals killed in the Islamic Republic of Pakistan increased from 2 to 6; in the Russian Federation from 3 to 7, and in Georgia from 0 to 3.

29) On the other hand, the most significant decrease was in Iraq where the number of victims dropped by 73%. Other countries in which a positive trend was observed in this respect are Ecuador and Lebanon, which each more than one journalists murdered registered in 2006-2007 and do not figure in the report for 2008-2009.

**HONOURING THE JOURNALISTS KILLED EACH YEAR BY
OBSERVING A ONE-MINUTE SILENCE IN NEWSROOMS
WORDLWIDE ON WORLD PRESS FREEDOM DAY (3RD MAY)**

30) At the 35th session of UNESCO's General Conference held in October 2009, a large number of Member States highlighted the need to promote the safety of journalists and to put an end to impunity. IPDC was congratulated for its role as a catalyst in strengthening the capacity of Member States to address this issue. Several Member States suggested that the killings of media professionals be marked by a one minute silence in newsrooms each year on World Press Freedom Day (3rd May).

31) In the light of this discussion, the IPDC Council may wish to consider adopting the proposal included in the annexed draft decision, which invites the General Conference of UNESCO to call on newsrooms worldwide to honour the memory of journalists killed each year by observing a one minute silence on World Press Freedom Day (3rd May).

DRAFT DECISION 2010

SAFETY OF JOURNALISTS AND THE ISSUE OF IMPUNITY

The Intergovernmental Council of IPDC,

Having discussed the report on the killing of journalists condemned by the Director-General of UNESCO during the 2008-2009 period,

Recalling Article 19 of the Universal Declaration of Human Rights, 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”,

Recalling UNESCO Resolution 29 “Condemnation of Violence Against Journalists” adopted by the UNESCO General Conference at its 29th session on 12 November 1997, which called on Member States to remove any statute of limitations on crimes against persons when such crimes are "perpetrated to prevent the exercise of freedom of information and expression or when their purpose is the obstruction of justice" and which urged governments to "refine legislation to make it possible to prosecute and sentence those who instigate the assassination of persons exercising the right to freedom of expression" ;

Deeply concerned by the increased frequency of acts of violence against journalists, media professionals and associated personnel in many parts of the world, including in countries which are not considered as conflict areas;

Recalling Resolution 1738 adopted by the UN Security Council at its 5613th Meeting on 23 December 2006 in which the Security Council:

- ***condemn[ed]*** “intentional attacks against journalists, media professionals and associated personnel, as such, in situations of armed conflict, and called upon all parties to put an end to such practices”;

- *drew attention* to “the Geneva Conventions of 12 August 1949, in particular the Third Geneva Convention of 12 August 1949 on the treatment of prisoners of war, and the Additional Protocols of 8 June 1977, in particular article 79 of the Additional Protocol I regarding the protection of journalists engaged in dangerous professional missions in areas of armed conflict”;

- *emphasiz[ed]* “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”;

- *request[ed]* “the Secretary-General to include as a sub-item in his next reports on the protection of civilians in armed conflict the issue of the safety and security of journalists, media professionals and associated personnel”;

Underlining the importance for journalists, media personnel and media organizations to uphold the principles of neutrality, impartiality and humanity in their professional activities;

Appreciating the actions taken by Bangladesh, Brazil, Colombia, Ecuador, El Salvador, the Republic of Guatemala, India, Indonesia, Kyrgyz Republic, Lebanon, the Union of Myanmar, Palestinian Territory, the Republic of Philippines, the Russian Federation and Turkey to provide the Director-General of UNESCO with information on the judicial follow-up of the killings of journalists in 2006-2007;

Urge all Member States that have not yet responded to the Director General’s request to provide information on the judicial follow-up to the killings of journalists condemned by UNESCO Director-General in 2006-2007.

Requests all Member States concerned by the Director-General’s condemnations of the deliberate killings of journalists during the 2008-2009 period:

(a) to comply with the relevant obligations under international law to end impunity and to prosecute those responsible for violations, where actions have not been taken;

(b) 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 of the

status of the judicial inquiries conducted on each of the killings condemned by UNESCO;

Invites the Bureau of the Intergovernmental Council of the IPDC to explore how appropriate projects that support local capacity building in safety and protection of journalists can be given priority;

Requests the General Conference of UNESCO to proclaim one minute silence in the news rooms in every year on World Press Freedom Day (3 May) to denounce the murders of journalists and to demand end to impunity.

Requests the Director-General of UNESCO to provides the Intergovernmental Council of IPDC at its 28th session an analytical report on the basis of responses received from Member States concerned, including updated information on the Director-General's condemnations of the killing of journalists, and make this report widely available.

**LIST OF JOURNALIST KILLINGS CONDEMNED BY
UNESCO's DIRECTOR-GENERAL
IN 2008-2009**

Country in which killing took place	Name	Nationality	Year of death
Afghanistan	Janullah Hasimzada	Afghan	2009
Afghanistan	Jawed Ahmad	Afghan	2009
Afghanistan	Sultan Munadi	Afghan	2009
Afghanistan	Michelle Lang	Canadian	2009
Afghanistan	Abdul Samad Rohani	Afghan	2008
Afghanistan	Carsten Thomassen	Norwegian	2008
Brazil	José Givonaldo Vieira	Brazilian	2009
Colombia	José Everardo Aguilar	Colombian	2009
Colombia	Harold Humberto Rivas Quevedo	Colombian	2009
Congo, Republic of	Bruno Ossébi	Congolese	2009
Croatia	Ivo Pukanic	Croatian	2008
Croatia	Niko Franjic	Croatian	2008
Democratic Republic of the Congo	Didace Namujimbo	Congolese	2008
El Salvador	Christian Poveda	Franco-Spanish	2009
Georgia	Alexander Klimchuk	Georgian	2008
Georgia	Grigol Chikhladze	Georgian	2008
Georgia	Stan Storimans	Dutch	2008
Guatemala	Marco Antonio Estrada	Guatemalan	2009
Honduras	Gabriel Fino Noriega	Honduran	2009
India	Ashok Sodhi	Indian	2008
India	Jagajit Saikia	Indian	2008
India	Javed Ahmed Mir	Indian	2008
India	Vikas Ranjan	Indian	2008
Iraq	Ahmed Salim	Iraqi	2008
Iraq	Dyar Abas Ahmed	Iraqi	2008
Iraq	Alaa Abdel-Wehab	Iraqi	2009
Iraq	Haider Hashim Souheil	Iraqi	2009
Iraq	Orhan Hijran	Iraqi	2009
Iraq	Suhaib Adnan	Iraqi	2009
Iraq	Haidar Hashem Al-Husseini	Iraqi	2008
Iraq	Hisham Mijawet Hamdan	Iraqi	2008
Iraq	Ihab Mu`d	Iraqi	2008
Iraq	Muhieddin Abdul Hamid	Iraqi	2008
Iraq	Musab Mahmood al-Ezawi	Iraqi	2008
Iraq	Qaydar Sulaiman	Iraqi	2008
Iraq	Shihab al-Tamimi	Iraqi	2008

Iraq	Soran Mama Hama	Iraqi	2008
Iraq	Wissam Ali Ouda	Iraqi	2008
Kazakhstan, Republic of	Gennady Pavlyuk	Kyrgyz	2009
Kenya, Republic of	Francis Nyaruri	Kenyan	2009
Madagascar, Republic of	Ando Ratovonirina	Malagasy	2009
Mexico	Alejandro Xenón Fonseca Estrada	Mexican	2008
Mexico	Armando Rodríguez	Mexican	2008
Mexico	Felicitas Martínez Sánchez	Mexican	2008
Mexico	Carlos Ortega Melo Samper	Mexican	2009
Mexico	Eliseo Barrón Hernández	Mexican	2009
Mexico	Ernesto Montañez Valdivia	Mexican	2009
Mexico	Fabián Ramírez López	Mexican	2009
Mexico	Jean Paul Ibarra Ramírez	Mexican	2009
Mexico	José Emilio Galindo Robles	Mexican	2009
Mexico	Vladimir Antuna García	Mexican	2009
Mexico	Teresa Bautista Merino	Mexican	2008
Nepal, Federal Democratic Republic of	Uma Singh	Nepalese	2009
Nepal, Federal Democratic Republic of	Pushkar Bahadur Shrestha	Nepalese	2008
Nigeria, Federal Republic of	Bayo Ohu	Nigerian	2009
Nigeria, Federal Republic of	Paul Abayomi Ogundeji	Nigerian	2008
Pakistan, Islamic Republic of	Abdul Razzak Johra	Pakistani	2008
Pakistan, Islamic Republic of	Abdus Samad Chishti Mujahid	Pakistani	2008
Pakistan, Islamic Republic of	Mohammed Ibrahim	Pakistani	2008
Pakistan, Islamic Republic of	Raja Assad Hameed	Pakistani	2009
Pakistan, Islamic Republic of	Sadiq Bacha Khan	Pakistani	2009
Pakistan, Islamic Republic of	Qari Mohammad Shoaib	Pakistani	2008
Palestinian Authority	Fadel Shanaa	Palestinian	2008
Palestinian Authority	Basel Faraj	Palestinian	2009
Philippines, Republic of the	Aresio Padrigao	Filipino	2008
Philippines, Republic of the	Martin Roxas	Filipino	2008
Philippines, Republic of the	Alejandro Reblando	Filipino	2009
Philippines, Republic of the	Andres Teodoro	Filipino	2009
Philippines, Republic of the	Arturo Betia	Filipino	2009
Philippines, Republic of the	Bataluna Rubello	Filipino	2009
Philippines, Republic of the	Benjie Adolfo	Filipino	2009
Philippines, Republic of the	Bienvenido Legarte	Filipino	2009
Philippines, Republic of the	Crispin Perez	Filipino	2009
Philippines, Republic of the	Dohillo Eugene	Filipino	2009

Philippines, Republic of the	Duhay Jhoy	Filipino	2009
Philippines, Republic of the	Ernesto Maravilla	Filipino	2009
Philippines, Republic of the	Ernesto Rollin	Filipino	2009
Philippines, Republic of the	Fernando Razon	Filipino	2009
Philippines, Republic of the	Gina de la Cruz	Filipino	2009
Philippines, Republic of the	Godofredo Linao	Filipino	2009
Philippines, Republic of the	Hannibal Cachuela	Filipino	2009
Philippines, Republic of the	Henry Araneta	Filipino	2009
Philippines, Republic of the	Ian Subang	Filipino	2009
Philippines, Republic of the	Joel Parcon	Filipino	2009
Philippines, Republic of the	John Caniban	Filipino	2009
Philippines, Republic of the	Jojo Trajano	Filipino	2009
Philippines, Republic of the	Lea Dalmacio	Filipino	2009
Philippines, Republic of the	Lindo Lupogan	Filipino	2009
Philippines, Republic of the	Marife Montaña	Filipino	2009
Philippines, Republic of the	Marites Cablitas	Filipino	2009
Philippines, Republic of the	Mark Gilbert Arriola	Filipino	2009
Philippines, Republic of the	Napoleon Salaysay	Filipino	2009
Philippines, Republic of the	Noel Decina	Filipino	2009
Philippines, Republic of the	Rey Merisco	Filipino	2009
Philippines, Republic of the	Reynaldo Momay	Filipino	2009
Philippines, Republic of the	Romeo Jimmy Cabillo	Filipino	2009
Philippines, Republic of the	Ronnie Perante	Filipino	2009
Philippines, Republic of the	Rosell Morales	Filipino	2009
Philippines, Republic of the	Santos Gatchalian	Filipino	2009
Philippines, Republic of the	Victor Nunez	Filipino	2009
Philippines, Republic of the	Robert Sison	Filipino	2008
Russian Federation	Abdullah Alishaev	Russian	2008
Russian Federation	Gadzhi Abashilov	Russian	2008
Russian Federation	Ilyas Shurpayev	Russian	2008
Russian Federation	Magomed Yevloyev	Russian	2008
Russian Federation	Anastasia Baburova	Russian	2009
Russian Federation	Malik Akhmedilov	Russian	2009
Russian Federation	Shafiq Amrakhov	Russian	2009
Somalia, Democratic Republic of	Hassan Kafi Hared	Somali	2008
Somalia, Democratic Republic of	Nasteh Dahir Farah	Somali	2008
Somalia, Democratic Republic of	Abdirisak Warsameh Mohamed	Somali	2009
Somalia, Democratic Republic of	Hassan Zubeyr Haji Hassan	Somali	2009
Somalia, Democratic Republic of	Mohamed Amin Adan Abdulle	Somali	2009
Somalia, Democratic Republic of	Muktar Mohamed Hirabe	Somali	2009
Somalia, Democratic Republic of	Nur Muse Hussein	Somali	2009

Somalia, Democratic Republic of	Said Tahlil Ahmed	Somali	2009
Somalia, Democratic Republic of	Abdulkhafar Abdulkadir	Somali	2009
Sri Lanka, Democratic Socialist Republic	Rashmi Mohamed	Sri Lankan	2008
Sri Lanka, Democratic Socialist Republic	Lasantha Wickrematunga	Sri Lankan	2009
Thailand, Kingdom of	Jaruek Rangcharoen	Thai	2008
Thailand, Kingdom of	Wallop Bounsampop	Thai	2008
Turkey	Cihan Hayirsevener	Turkish	2009
Venezuela, Bolivarian Republic of	Orel Sambrano	Venezuelan	2009



**DECISION ON THE SAFETY OF JOURNALISTS AND THE
ISSUE OF IMPUNITY**

ADOPTED BY THE IPDC INTERGOVERNMENTAL COUNCIL AT ITS 26TH
SESSION UNESCO HEADQUARTERS, PARIS, 27 MARCH 2008

The Intergovernmental Council of IPDC,

Having discussed the report on the killing of journalists condemned by the Director-General of UNESCO during the 2006-2007 period;

Recalling Article 19 of the Universal Declaration of Human Rights, 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”,

Recalling UNESCO Resolution 29 “Condemnation of Violence Against Journalists” adopted by the UNESCO General Conference at its 29th session on 12 November 1997, which called on Member States to remove any statute of limitations on crimes against persons when such crimes are “perpetrated to prevent the exercise of freedom of information and expression or when their purpose is the obstruction of justice” and which urged governments to “refine legislation to make it possible to prosecute and sentence those who instigate the assassination of persons exercising the right to freedom of expression” ;

Deeply concerned by the increased frequency of acts of violence against journalists, media professionals and associated personnel in many parts of the world, including in countries which are not considered as conflict areas;

Recalling Resolution 1738 adopted by the UN Security Council at its 5613th Meeting on 23 December 2006 in which the Security Council:

- “**condemn[ed]** intentional attacks against journalists, media professionals and associated personnel, as such, in situations of armed conflict, and called upon all parties to put an end to such practices”;
- “**drew attention** to “the Geneva Conventions of 12 August 1949, in particular the Third Geneva Convention of 12 August 1949 on the treatment of prisoners of war, and the Additional Protocols of 8 June 1977, in particular article 79 of the Additional Protocol I regarding the protection of journalists engaged in dangerous professional missions in areas of armed conflict”;
- “**emphasiz[ed]** 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”;
- “**request[ed]** the Secretary-General to include as a sub-item in his next reports on the protection of civilians in armed conflict the issue of the safety and security of journalists, media professionals and associated personnel”;

Underlining the importance for journalists, media personnel and media organizations to uphold the principles of neutrality, impartiality and humanity in their professional activities;

Urges all Member States concerned by the Director-General's condemnations of the deliberate killings of journalists during the 2006-2007 period;

(a) to comply with the relevant obligations under international law to end impunity and to prosecute those responsible for violations, where actions have not been taken;

(b) 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 him of the status of the judicial inquiries conducted on each of the killings condemned by UNESCO;

Invites the Bureau of the Intergovernmental Council of the IPDC to explore how appropriate projects that support local capacity building in safety and protection of journalists can be given priority;

Requests the Director-General to provide, after consultation with the UN Secretary-General, the Intergovernmental Council of IPDC at its 27th session with an analytical report on the basis of responses received from Member States concerned, including updated information on the Director-General's condemnations of the killing of journalists, and make this report widely available.



**RESOLUTION 29 "CONDEMNATION OF VIOLENCE
AGAINST JOURNALISTS"**

GENERAL CONFERENCE 29TH SESSION, PARIS, 1997

The General Conference,

Recalling Article 19 of the Universal Declaration of Human Rights, 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",

Confirming that freedom of expression is a fundamental right of everyone and is essential to the realization of all the rights set forth in international human rights instruments,

Also recalling the American Convention on Human Rights (Pact of San Jose, Costa Rica), the European Convention for the protection of Human rights and Fundamental Freedoms, the African Charter on Human Rights and Peoples' rights, and the International Covenant on Civil and Political Rights,

Bearing in mind resolution 59(I) of the United General Assembly, of 14 December 1946, in which it is stated that freedom of information is a fundamental human right, General Assembly resolution 45/76 A of 11 December 1990 on information in the service of humanity, and resolution 1997/27, of the United Nations Commission on Human Rights, on the right to freedom of opinion and expression,

Reaffirming that the rights to life and to liberty and integrity and security of person and also to freedom of expression are fundamental human rights that are recognized and guaranteed by international conventions and instruments,

Considering:

that over the past ten years an increasing number of journalists have been assassinated for exercising their profession, a development denounced by various international organizations, and that the majority of these crimes still go unpunished, that this reality in the Americas, for example, has been corroborated by the Inter-American Press Association (IAPA) through investigations conducted in various countries and by special missions,

Mindful that, as a consequence of the Hemisphere Conference on Unpunished Crimes against journalists convened by IAPA, several professional organizations have decided to engage in specific joint action to shed light on unpunished crimes against journalists,

Conscious that the assassination of journalists goes beyond depriving people of their lives as it involves a curtailment of freedom of expression, with all that this implies as a limitation on the freedoms and rights of society as a whole,

1. ***Invites the Director-General:***

to condemn assassination and any physical violence against journalists as a crime against society, since this curtails freedom of expression and, as a consequence, the other rights and freedoms set forth in international human rights instruments;

to urge that the competent authorities discharge their duty of preventing, investigating and punishing such crimes and remedying their consequences;

2. ***Calls upon*** Member states to take the necessary measures to implement the following recommendations:

that governments adopt the principle that there should be no statute of limitations for crimes against persons when these are perpetrated to prevent the exercise of freedom of information and expression or when their purpose is the obstruction of justice;

that governments refine legislation to make it possible to prosecute and sentence those who instigate the assassination of persons exercising the right to freedom of expression;

that legislation provide that the persons responsible for offenses against journalists discharging their professional duties or the media must be judged by civil and/or ordinary courts.

Resolution adopted on the report of Commission IV at the 27th plenary meeting, on 12 November 1997.



Security Council Resolution 1738 (2006)

The Security Council,

Bearing in mind its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security, and underlining the importance of taking measures aimed at conflict prevention and resolution,

Reaffirming its resolutions 1265 (1999), 1296 (2000) and 1674 (2006) on the protection of civilians in armed conflict and its resolution 1502 (2003) on protection of United Nations personnel, associated personnel and humanitarian personnel in conflict zones, as well as other relevant resolutions and presidential statements,

Reaffirming its commitment to the Purposes of the Charter of the United Nations as set out in Article 1 (1-4) of the Charter, and to the Principles of the Charter as set out in Article 2 (1-7) of the Charter, including its commitment to the principles of the political independence, sovereign equality and territorial integrity of all States, and respect for the sovereignty of all States,

Reaffirming that parties to an armed conflict bear the primary responsibility to take all feasible steps to ensure the protection of affected civilians,

Recalling the Geneva Conventions of 12 August 1949, in particular the Third Geneva Convention of 12 August 1949 on the treatment of prisoners of war, and the Additional Protocols of 8 June 1977, in particular article 79 of the Additional Protocol I regarding the protection of journalists engaged in dangerous professional missions in areas of armed conflict,

Emphasizing that there are existing prohibitions under international humanitarian law against attacks intentionally directed against civilians, as such, which in situations of armed conflict constitute war crimes, and *recalling* the need for States to end impunity for such criminal acts,

Recalling that the States Parties to the Geneva Conventions have an obligation to search for persons alleged to have committed, or to have ordered to be committed a grave breach of these Conventions, and an obligation to try them before their own courts, regardless of their nationality, or may hand them over for trial to another concerned State provided this State has made out a prima facie case against the said persons,

Drawing the attention of all States to the full range of justice and reconciliation mechanisms, including national, international and “mixed” criminal courts and tribunals and truth and reconciliation commissions, and *noting* that such mechanisms can promote not only individual responsibility for serious crimes, but also peace, truth, reconciliation and the rights of the victims,

Recognizing the importance of a comprehensive, coherent and action-oriented approach, including in early planning, of protection of civilians in situations of armed conflict, **Stressing**, in this regard, the need to adopt a broad strategy of conflict prevention, which addresses the root causes of armed conflict in a comprehensive manner in order to enhance the protection of civilians on a long-term basis, including by promoting sustainable development, poverty eradication, national reconciliation, good governance, democracy, the rule of law and respect for and protection of human rights,

Deeply concerned at the frequency of acts of violence in many parts of the world against journalists, media professionals and associated personnel in armed conflict, in particular deliberate attacks in violation of international humanitarian law,

Recognizing that the consideration of the issue of protection of journalists in armed conflict by the Security Council is based on the urgency and importance of this issue, and recognizing the valuable role that the Secretary-General can play in providing more information on this issue,

1. Condemns intentional attacks against journalists, media professionals and associated personnel, as such, in situations of armed conflict, and calls upon all parties to put an end to such practices;

2. Recalls in this regard that journalists, media professionals and associated personnel engaged in dangerous professional missions in areas of armed conflict shall be considered as civilians and shall be respected and protected as such, provided that they take no action adversely affecting their status as civilians. This is without prejudice to the right of war correspondents accredited to the armed forces to the status of prisoners of war provided for in article 4.A.4 of the Third Geneva Convention;

3. Recalls also that media equipment and installations constitute civilian objects, and in this respect shall not be the object of attack or of reprisals, unless they are military objectives;

4. Reaffirms its condemnation of all incitements to violence against civilians in situations of armed conflict, further reaffirms the need to bring to justice, in accordance with applicable international law, individuals who incite such violence, and indicates its willingness, when authorizing missions, to consider, where appropriate, steps in response to media broadcast inciting genocide, crimes against humanity and serious violations of international humanitarian law;

5. Recalls its demand that all parties to an armed conflict comply fully with the obligations applicable to them under international law related to the protection of civilians in armed conflict, including journalists, media professionals and associated personnel;

6. Urges States and all other parties to an armed conflict to do their utmost to prevent violations of international humanitarian law against civilians, including journalists, media professionals and associated personnel;

7. 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;

8. Urges all parties involved in situations of armed conflict to respect the professional independence and rights of journalists, media professionals and associated personnel as civilians;

9. Recalls that the deliberate targeting of civilians and other protected persons, and the commission of systematic, flagrant and widespread violations of international humanitarian and human rights law in situations of armed conflict may constitute a threat to international peace and security, and *reaffirms in this regard its readiness* to consider such situations and, where necessary, to adopt appropriate steps;

10. Invites States which have not yet done so to consider becoming parties to the Additional Protocols I and II of 1977 to the Geneva Conventions at the earliest possible date;

11. Affirms that it will address the issue of protection of journalists in armed conflict strictly under the agenda item “protection of civilians in armed conflict”;

12. Requests the Secretary-General to include as a sub-item in his next reports on the protection of civilians in armed conflict the issue of the safety and security of journalists, media professionals and associated personnel.