



United Nations
Educational, Scientific and
Cultural Organization

Freedom of Expression and Public Order

Fostering the Relationship Between Security Forces and Journalists



Context and International Laws

Freedom of expression is a fundamental right enshrined in Article 19 of the Universal Declaration of Human Rights (UDHR) and of the International Covenant on Civil and Political Rights (ICCPR), as well as numerous regional treaties, among them, the American Convention on Human Rights, the African Charter on Human and Peoples' Rights and the European Convention on Human Rights.

As the United Nations agency with a specific mandate to promote "the free flow of ideas by word and image", the United Nations Educational, Scientific and Cultural Organization (UNESCO) works to ensure the protection, respect and fulfilment of freedom of expression, access to information, press freedom, and the rights and safety of journalists.

Security forces play a vital role in protecting and ensuring an environment conducive to freedom of expression, access to information and other fundamental freedoms. **Without a minimum level of public order, citizens and journalists cannot fully enjoy their right to free expression. Security forces must therefore protect journalists against attacks by others who seek to prevent them from doing their work.** They must ensure that journalists can access areas and information about crimes and other matters of public interest, and they must ensure that their own communications with the media are transparent.

The extent of the risks faced by journalists is demonstrated by the 930 killings recorded by UNESCO over the course of the past

eleven years, from 2006 to 2016. On average, this constitutes one death every four days. In 2017, 79 journalists were killed, which marks the lowest number of killed journalists in several years. In nine out of ten cases, the killers go unpunished. To this, one needs to add the countless other violations endured by journalists, which include kidnappings, enforced disappearance, arbitrary detention, torture, intimidation and harassment, both offline and online, and seizure or destruction of material. The perpetrators of these attacks are not only non-State actors such as criminals or extremists groups. According to the Committee to Protect Journalists¹, 25 % of murder suspects are government or military officials.

Since 2013, UNESCO has been implementing a training programme for security forces with the aim to provide practical and theoretical tools for them to carry out their mission of maintaining order while respecting human rights, freedom of expression and the safety of journalists. The programme's goal is to improve the sometimes tense relationships between security forces and journalists, to ensure a safe environment for journalists to work freely. This enables not only journalists, but all citizens to enjoy their right to freedom of expression and access to information. Supporting transparent law enforcement institutions, which respect freedom of expression and the right to information, promotes accountability and the rule of law while respecting human rights.

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The programme falls within the framework of the UN Plan of Action on the Safety of Journalists and the Issue of Impunity², adopted in 2012, which aims to create a free and safe environment for journalists and media workers. The UN Plan highlights the importance of journalists and others expressing themselves to be able to work in a safe and independent environment:

"In a climate where journalists are safe, citizens find it easier to access quality information and many objectives become possible as a result: democratic governance and poverty reduction; conservation of the environment; gender equality and the empowerment of women; justice and a culture of human rights, to name a few."³

The importance of capacity-building projects for law enforcement actors was em-

1 https://cpj.org/reports/cpj_impunity_pages.pdf

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

3 UN plan of Action on Safety of Journalists and the Issue of Impunity, 2012

phased during the Multi-Stakeholder Consultation on Strengthening the UN Plan of Action on the Safety of Journalists and the Issue of Impunity in 2017 and its outcome document. Protecting freedom of expression and other fundamental freedoms also contributes to promoting the attainment of the Sustainable Development Goal (SDG) 16 “Peace, Justice and Strong Institutions” of the 2030 Agenda for Sustainable Development, in particularly target 16.10: Ensure public access to information and protect fundamental rights.

Women Journalists Face Specific Threats

According to UNESCO, intimidation and violence against women journalists have increased. The digital era has created new opportunities for female journalists, but it has also provided a platform for new forms of attacks against women. The online sphere is often just a reflection of the realities and hierarchies that exist offline. Female journalists experience a range of threats – from intimidation, threats and abuse to sexual harassment. And in the most extreme cases, sexual assault and rape, which can occur “in reprisal for their work, during public events by mobs, or when journalists are in detention or captivity”. In areas of armed conflict, female journalists are subject to the same dangers as their male colleagues, but perhaps more than men they

also face additional threats of sexual violence, intimidation and gender discrimination.



The fundamental right to freedom of expression and the right to seek, receive and impart information are included in both the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights¹. Freedom of expression is a cornerstone of a democratic society and an enabler of all other human rights. Journalists and media workers, including citizen journalists and bloggers, play an important role in upholding the right to freedom of expression as well as access to information for all citizens.

1 See UDHR, Article 19; ICCPR, Article 19.

Journalism and Public Order: Serving Democracy

Obstacles to fostering freedom of expression include tensions and sometimes confrontational interactions between security forces and journalists. One of the major sources of tension occurs when journalists are trying to access information. For instance, the police can doubt the legitimacy of journalists' sources, whereas journalists often find the information from the police limited or not delivered in time for their deadline. There is a discrepancy between journalists' need for information and the

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Restricting freedom of expression must: be provided by law; pursue a legitimate aim; and be necessary and proportionate.

ability of security forces to provide them with the necessary kind of information and authorisation.

Any measures the State takes, which limit freedom of expression, either directly or indirectly, are prima facie interferences with this right. In some cases, it is legitimate for States to prohibit certain acts as inciting others to crime or exposing others' private lives, which are founded on a strict test established in international law. This three-part test indicates that restricting freedom of expression must: be provided by law; pursue a legitimate aim; and be necessary and proportionate.

It is important for security forces to know

the international norms on freedom of expression, because it defines the ways in which they must treat journalists and citizens' right to freedom of expression. In effect, security forces may act in ways which limit freedom of expression – for example by refusing to let journalists enter premises where a crime is being investigated – but they may only do so where they act in accordance with a clear law that permits them to do so.

During the UNESCO programmes where security forces and journalists exchange their experiences, they often find their jobs have many aspects in common. They both work long hours, have little time to spend with their partners and families and experience high levels of psychological pressure. They also often work in high-risk situations, where mistakes are at the expense of the public, and both professions are regularly subjected to criticism by the public. These shared working circumstances cultivate empathy and can serve as a foundation for establishing a good working relationship.

To guarantee fundamental freedoms such as freedom of expression and access to information in a society, it is vital to reinforce the capacities of security forces to ensure journalist safety. It is therefore essential that security forces and journalists establish professional relationships, which is conducive to a safe and independent environment for journalists, enabling all citizens to enjoy their right to freedom of expression and access to information.

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What is Journalism?

UN bodies, including UNESCO, use a broad definition of the term “journalist”. UNESCO uses the term journalists to cover traditional reporters as well as “media workers” and “social media producers who generate a significant amount of public-interest journalism”.

The General Comment No. 34 on Article 19 of the International Covenant on Civil and Political Rights (ICCPR) provides the following definition: “Journalism is a function shared by a wide range of actors, including professional full-time reporters and analysts, as well as bloggers and others who engage in forms of self-publication in print, on the internet or elsewhere, and general State systems of registration or licensing of journalists are incompatible with paragraph 3.” In clear, according to international norms,

the status of journalist cannot be restrained only to holders of a professional card.

Finally, the UN General Assembly Resolution A/RES/70/162 adopted on 17 December 2015 on the Safety of Journalists and the Issue of Impunity also outlines a broad definition of journalists by acknowledging that: "journalism is continuously evolving to include input from media institutions, private individuals and a range of organizations that seek, receive and impart information and ideas of all kinds, online as well as offline, in the exercise of freedom of opinion and expression, in accordance with article 19 of the International Covenant on Civil and Political Rights, thereby contributing to the shaping of public debate".

Role and Activities

Journalists and police officers both play an important role in society as protectors of democracy and the rule of law. Although their missions and means of working are different, both overlap in terms of their areas of operation. To achieve their respective goals, they must cooperate and understand each other's responsibilities and constraints.

Journalists provide a link between security forces and citizens, who read, watch or listen to the media. It is therefore important for security forces to be transparent, honest and credible in order to maintain public confidence and their own legitimacy.

Journalists are citizens whose work is to inform society about matters of public interest. In doing so, they exercise their right to freedom of expression and help to guarantee the right of all citizens to be informed.

Journalists disseminate information to the public and inform them with relevant information, which directly implies their right to 'seek' information. They have to investigate, and to seek and collect information relating to the subjects they are covering. This often involves sensitive affairs, such as corruption, war and conflict. International norms provide protection for journalists and others who provide the public with information of public interest, to refuse to reveal their confidential sources of information.

The right to freedom of expression as well as the right to freedom of the press are universally guaranteed by international treaties:

- The Universal Declaration of Human Rights
- The International Covenant on Civil and Political Rights

Question: What is the national legislation in your country concerning freedom of expression?

When a police officer is assaulted or killed in the line of duty, this is an attack against the community because the police represent that community and the officer was killed as a result of his or her efforts to protect the community. It is the same when a journalist is attacked or killed for his or her work; this is also an attack against the community, to which he or she was providing information. As a result, it is important to not only inform and guide journalists, but also to protect them in the conduct of their mandates.

Communicating with Journalists

Purpose and Benefits

The police are obliged to disclose all information that is subject of a request for information, apart from certain exceptions, including protecting the ability of the police to investigate crimes and the right of privacy for victims. To prevent problems in the communication between police officers and journalists, it is important to have a clear policy on media relations for members of security forces in order to minimize frustrations, errors and misunderstandings.

On one hand, police communicate to provide information about law and order, their public service role, and to give advice on security issues. In this sense, communication is a means of promoting citizen participation. At the same time, citizens have a right to know about the work of security forces, which are a public service paid by the collectivity. In this regard, the police's communication does not only serve as a way of publicising their work. The police, as a public body, have

“We should always thrive to build and maintain the credibility of the Police forces, even in the most difficult circumstances. We should not say everything, but everything we say must be true.”

Commander Ian Lafrenière, Director of Corporate Communications, City of Montreal Police Service, Canada, and UNESCO expert on trainings for security forces on freedom of expression and safety of journalists

an obligation to be open so that citizens can monitor their work, in both its positive and negative aspects. It is part of their commitment to being accountable, credible and of subjecting themselves to public scrutiny. When security forces communicate with the media, they should be open and honest and respond to inquiries on time as much as possible.

Since the communication is often non-verbal, it goes without saying that all members of security forces are continually communicating through their attitude and behaviour, even without formally addressing the media. They should have a widely publicized policy on media relationships as well as a designated spokesperson. It is also important to decide which level of spokesperson is authorized to deal with different events, so as to avoid any ambiguity and to be able to communicate well with the public. To further improve the mutual understanding of each other's responsibilities, both security forces and the media should designate focal points in advance, to have regular meetings before major events (e.g.: social protests, elections, public rallies, trials, sports matches).

When to Do it?

The principal approach of the police in terms of the provision of information to the public through the media should be one of openness and respect for the principle of maximum disclosure. At the same time, there are legal limits to this on the disclosure of information as well as professional requirements

to exercise discretion in the divulgence of information.

Information should be provided by security forces which:

- Is of interest to journalists (especially information on certain events, such as accidents, crimes, thefts, arrests and accusations);
- Actively fosters public debate about issues relating to the police and their work;
- The public has the right to know;
- Helps illustrating how the police conduct their work, noting that this applies to both positive measures but also openness about challenges faced by the police;
- Helps building public confidence in the police.

Information should not be provided in case it concerns:

- Details about an investigation where this information could compromise the investigation, the prosecution of the accused or future investigations;
- Details about certain situations, so as to not give others copycat ideas in terms of the methods used;
- The identity of complainants, witnesses and victims.

The Camera is not the Enemy

There is an old adage that a picture is worth a thousand words. Nowhere is this truer than in media, where readers have become accustomed to the presence of pictures, and live audio recordings and video clips, which give a sense of reality and vitality to news stories.

Professional journalists, as well as any member of the public, enjoy the right to record, whether for private purposes or with an eye to publishing the material. Putting a hand in front of the camera and erasing graphic material are acts of censorship.

It is not the role of police officers to determine whether or not recording during police actions may infringe on the rights of third parties, for example to privacy. The fact that recording takes place in the context of police activity does not mean that officers have special powers to interfere or judge the photography. This is the role of the courts.

At the same time, it is important to remember that privacy is an important right, acknowledged in national and international legislation. However, this right does not apply when police officers are in active duty in public places.

Police officers' function is to provide a public service, namely maintaining public order. The public has the right to observe and examine. The police are subjected to public scrutiny and should pay attention to behave in an exemplary fashion at all times, and expect the media to take photographs or to film them.

There are exceptional cases where officials, for security reasons, need to preserve the secrecy of their identities (e.g.: anti-terrorism or serious crime-units).

Social Media

In this era, it is impossible not to mention the impact of social media on police work, whether it be the dissemination of information with social media to the public or the use of social media by police officers. Social media have democratized access to information and has given anyone the opportunity to act as a content producer. Online videos, pictures and blogs need to be addressed. Therefore, the police need constant vigilance and a strategy to address this reality.

Personal use of social media by police employees

Not only does the use of social media by members of security forces have an impact on the image of the police, it can also have a direct effect on operations and on employees' safety.

Police services need to enforce strong policies on the use of social media in order to protect:

- The identity of victims and witnesses
- The safety of police operations
- The identity of police officers working undercover or with sensitive units such as antiterrorism
- The image of the service, which can be damaged by sharing opinions that do not reflect the corporate message

Social media 2.0 strategy by police

We can say that social media are free to use – which is true – but organizations that want to have a social media presence must consider the resources that will need to be deployed. Social media are time-consuming!

A few tips for police organizations:

- Evaluate which social media is the most appropriate for your needs
- Establish credibility and transparency
- Use social media as a communications tool combined with other communications tools and not as a strategy by itself (ex: use Twitter to promote a press release on your website)
- Involve different partners such as the city, the fire department, and others to conduct real-time monitoring, since social media are time-consuming
- Establish your limits (state clearly that it is not an emergency account, and to please contact emergency phone lines)



Preparation Needed to Establish Solid Relations with the Media:

- A process of internal awareness-raising on the need to involve the media in the work of the security forces;
- Reflection on what security forces want to highlight in their communications;
- A willingness to respect the public's right to know about the activities of the police, as a public body, and to subject themselves to external public scrutiny;
- Establishing clear rules (a code of conduct or standard operating procedures) that allow journalists to report from crimes scenes, and on major or sensational trials.

Clear rules can be laid out in either a code of conduct or standard operating procedures, such as designating spokespersons (either centralized at the level of the head of communication or decentralized as the operational level), establishing media perimeters, organizing a technical non-mandatory briefing with journalists before a demonstration and adopting a policy on the use of social media by employees. Having a clear policy on communicating with the media is essential to provide guidance to police officers and to instruct journalists about how to obtain information.

Although the authorisation to speak to the media is often regulated by the national police, all members of the police should know how to act in the presence of the media.



Responding to Inaccuracies

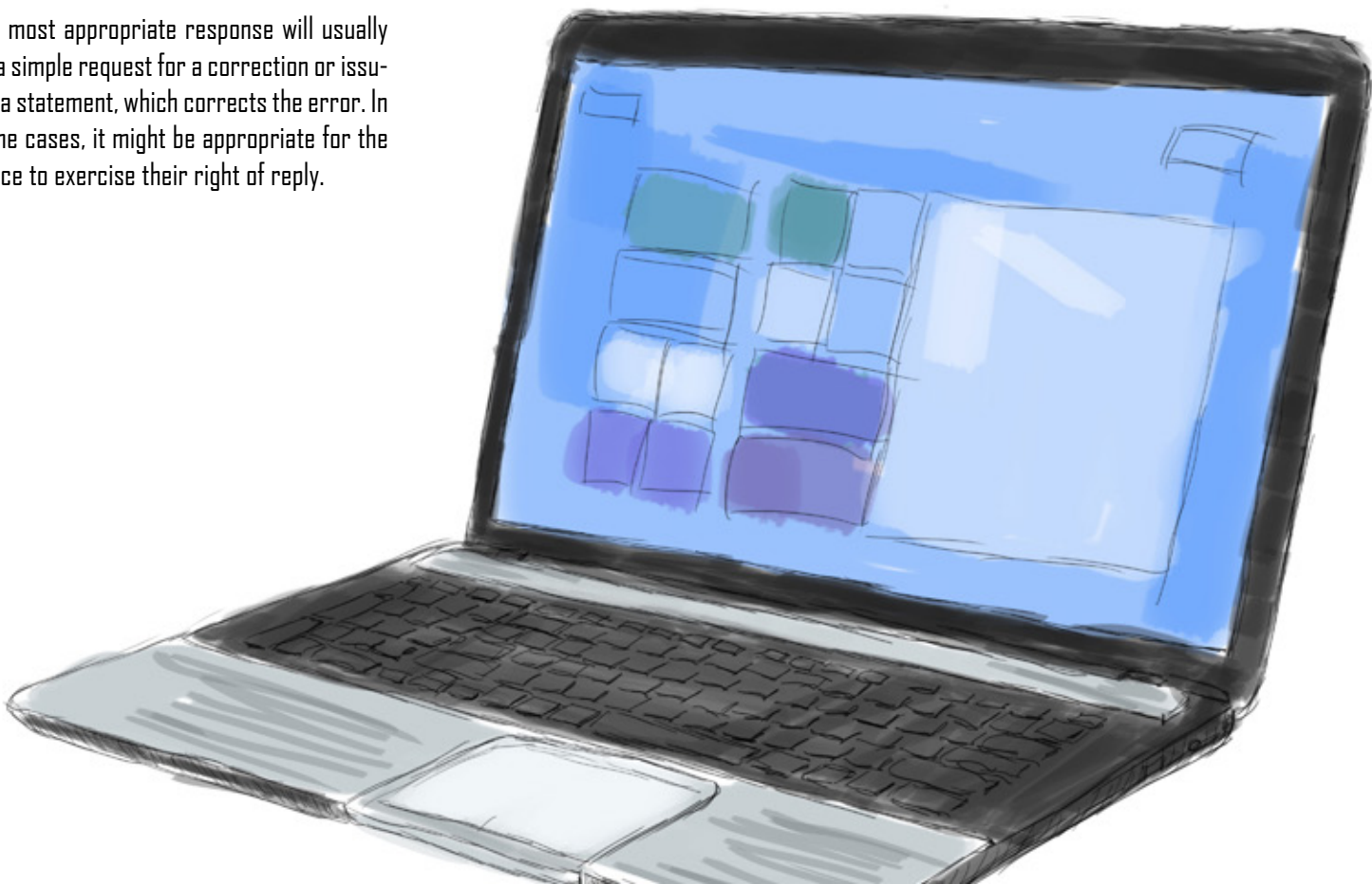
The nature of the media, which includes the obligation to provide the public with timely information about matters of public interest, implies that even the best journalists can make mistakes. Sometimes, journalists disseminate an inaccurate story, which may in turn have implications for police officers or the entire institution. The communications head should assess whether or not to react. Sometimes reacting can inflame a situation, which would otherwise calm down by itself.

The first step is to assess the impact of the inaccuracy. It is important to assess the severity of this impact. If the inaccuracy is sufficiently serious, managers should consider reacting in the manner best suited to the situation, depending on the seriousness of the facts, and the good faith of the journalist or media involved.

The most appropriate response will usually be a simple request for a correction or issuing a statement, which corrects the error. In some cases, it might be appropriate for the police to exercise their right of reply.

People should request corrections directly from the media or journalists and can only do this if the information presented is:

- False or erroneous information: that does not correspond to reality.
- Inexact information: that is partially true, but that lacks some details or information.
- Partial information: that is an opinion rather than a true fact, that does not compare sources or present other points of view.
- Outdated information: that presents old information about an event that, despite having been true at the time, is not up to date with recent events.
- Distorted information: that presents correct facts, but in a misleading way.



Crime Scenes

The mainstay of police work is to find the perpetrators of crimes and bring them to justice. When an event, which is or appears to be criminal in nature, has taken place, a perimeter is established to protect the crime scene or the police intervention. In addition to preventing "contamination" of the scene or the loss of evidence, a perimeter keeps curious observers away and facilitates the work of the police.

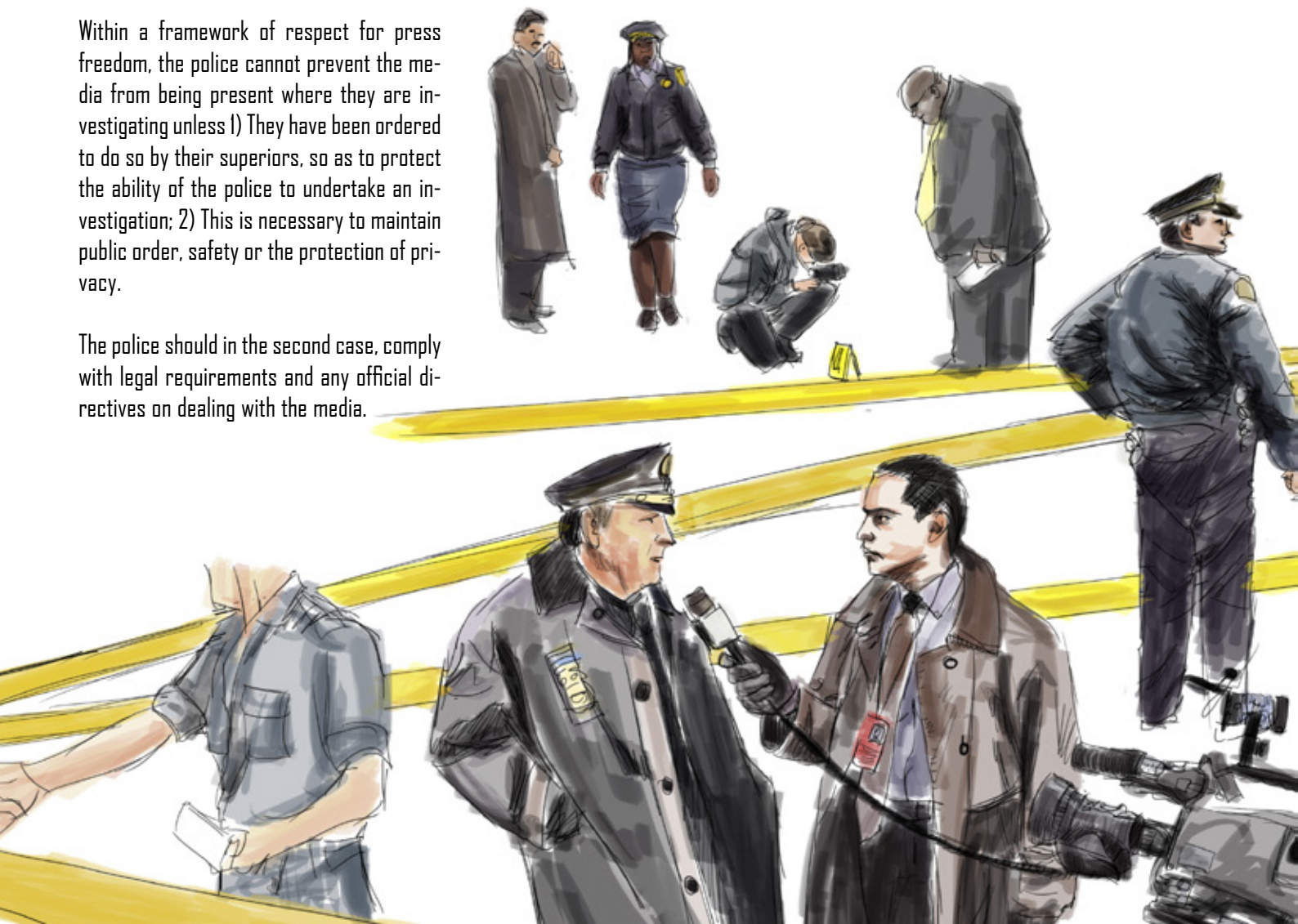
Nevertheless, the media need to serve as an interface between security forces and the public, informing the latter about what is happening. Journalists are, therefore, naturally interested in such events.

Within a framework of respect for press freedom, the police cannot prevent the media from being present where they are investigating unless 1) They have been ordered to do so by their superiors, so as to protect the ability of the police to undertake an investigation; 2) This is necessary to maintain public order, safety or the protection of privacy.

The police should in the second case, comply with legal requirements and any official directives on dealing with the media.

Access to the crime scene

- The perimeter should be clearly and physically marked, otherwise it is not enforceable on journalists;
- Designate an onsite spokesperson to provide journalists with real time information updates;
- Consider 'group' access (for one TV camera, TV journalist, newspaper reporter, photographer, radio journalist), who can then share information with other members of the press who are present;
- Establish a maximum access zone (a limit that the media may not breach).



Elections

Elections are a key event in a democracy. During the electoral period, security forces play an important role in maintaining public order and protecting the various actors, such as those running the elections, candidates and citizens going to vote. Given their role, it is all the more important that security forces remain neutral and manifest this neutrality through their communication, behaviour and the arrangement they put in place. Journalists are fundamental during the electoral processes. They provide citizens with information in order to make a well-informed, free and independent vote. On their parts, men and women in the police force play a very important role in maintaining public order and protecting different actors.

During the various stages of the election, security forces should ensure a feeling of security, stay neutral and allow voting to proceed freely.

Despite the best precautions, there are always politicians who will be tempted to use security forces to do the following:

- Ask for a significant and visible police presence near polling places, which can discourage people from voting;
- Being seen at joint events with the police so as to increase their credibility or to send a message that they represent better security;
- Some even go so far as to make criminal allegations to discredit their opponents.

For these reasons, security forces should remain focused on their mission and avoid

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Journalists have the right to be at polling stations and use their mobile phones, cameras and video cameras. Obstructions to coverage of what is happening at poll stations can be considered a criminal and disciplinary offence.

different political interests. Politicians and governing parties change, but the police remain and the public needs to have confidence in the police and in their independence.

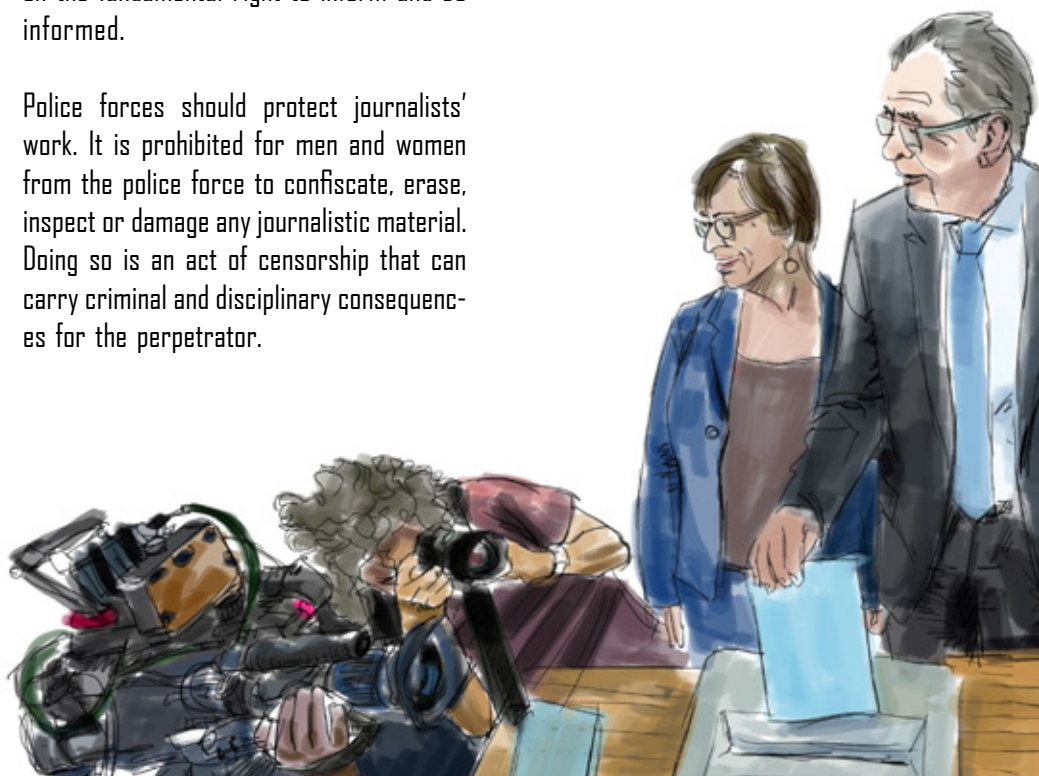
The authorities are not authorised to question journalists about their work and the latter do not have to justify the work they do to public officials. Their work is based on the fundamental right to inform and be informed.

Police forces should protect journalists' work. It is prohibited for men and women from the police force to confiscate, erase, inspect or damage any journalistic material. Doing so is an act of censorship that can carry criminal and disciplinary consequences for the perpetrator.

Journalists can cover everything they think is relevant in their reporting as long as it does not interfere in the secrecy of the vote, inhibit the work of the people in charge of the election or alter the results of the vote.

Journalists have the right to be at polling stations and use their mobile phones, cameras and video cameras. Obstructions to coverage of what is happening at poll stations can be considered a criminal and disciplinary offence.

Members of the security forces cannot prohibit the entry of the press to polling stations. Journalists can stay in the polling stations with their photographic and video cameras with the intention of recording what happens during the course of the polls.



Demonstrations

The risk for journalists can be particularly high during riots, civil disturbances and other conflict situations. These types of events can escalate at any time and journalists can become targets, whether intentionally or otherwise, of security forces or protestors.

Protestors may attack camera operators to avoid being identified. This may have some grounds as security forces sometimes seek to use footage or pictures taken by journalists to secure convictions. This falls under the right to protect one's confidential sources of information, but it is not always respected by police and other security forces.

Journalists can also be targeted by security forces who do not want their actions to be filmed or photographed. Sometimes, security forces believe that a media presence reinforces the determination of the rioters.

A police officer should not, under any circumstance, deliberately damage a camera, film, recording or any other equipment that belongs to a journalist.

Press ID cards should be used as a means of identifying journalists, not of denying them access to the media perimeters or press center.

Good practices before and during demonstrations:

- Issue a non-mandatory technical briefing to journalists beforehand;
- Designate a spokesperson, who can also provide journalists with real time information updates onsite;
- Establish a safe communication perimeter, where representatives of the media can receive information.
- Disseminate current information to the media through social media to let participants know about intentions;
- Provide a neutral and quiet central location for dealing with media requests during the event;
- Do not prevent the media from taking pictures; security forces have neither the authority nor the legitimacy to impose such limits on freedom of the press;
- Do not seize equipment; security forces have neither the authority nor the legitimacy to impose such limits on freedom of the press or freedom of expression;
- Press cards should be used as a way to identify journalists, not to sort them or deny them access to the media perimeter or a media room.



Press Conferences, Media Scrums and Interviews

Police officers are a source of information for journalists, and press conferences, media scrums or arranged interviews are probably the most involved and intense form of engagement with the media.

Press Conferences

To arrange a press conference, one must

- 1) choose a good date and time,
- 2) choose a good location,
- 3) invite the journalists,
- 4) choose the right speakers and
- 5) provide a follow-up.

During the brief presentation at the start, the speakers should not read their statement but rather shed light on the subject, highlighting their experiences and views.

Accreditation of the attending journalists can be required, though such a procedure is not obligatory. Communicate in advance whether this condition applies.

Remember that at press conferences, journalists will try to get an advantageous viewpoint for taking photos or recording statements. Do not restrict access to these areas.

Media Scrums

A media scrum is an ad hoc situation, which arises where journalists rush to surround a public figure who is likely to make a statement and start firing questions at him or her (Definition of the Office of the French Language in Quebec - OLFQ). As with any interview, one has to expect the unexpected and keep in mind one's communication objectives.

It is important to take control of the media scrum and lead the organisation. A few essential things to remember in such a situation:

- Make sure there is adequate space with an exit area;
- Never allow oneself to be trapped, or to be unable to move or without a way out;
- Protect one's "space", that is to say a minimum area around oneself;
- Do not let journalists or other people get behind oneself.

Interviews

When a journalist arranges an interview somewhere where there are security restrictions for entry, he/she should be given instructions to gain entry with their equipment, such as computers, microphones, mobiles and recorders.

Do not forget that if you give an interview which covers matters that could potentially put you at risk, you can ask the journalists to conceal your identity.

If you are not authorised to communicate with the media by your organisation, refer the journalist to your office's public relations or press unit to organise the interview. If you are authorised to communicate, keep in mind that interviews should follow a four-step process: negotiating for the interview, preparation, the interview and an assessment of the results.



Ten Tips:

- Never say "no comment"
- Do not engage in speculation
- Do not provide information on an unofficial basis
- Do not fly blind and stick to the subject
- Avoid jargon and acronyms in your responses
- Do not use double negatives
- Do not feel forced to answer with "yes" or "no" if that is not your preferred answer
- Do not comment on the position of another player
- Immediately correct false premises in a question
- Take the time you need to answer at your own speed

Perimeters for journalists or media zones should provide access, safety and information. The perimeter should therefore be clearly defined with a tape or a barrier and provide visual access to the events. It should have a police officer to ensure safety of journalists and should have a spokesperson to answer questions of journalists. In no way it should be mandatory for journalists to be in the perimeter.



Good Practices from Around the World

Members of security forces may rely on a number of procedures and operational methods when making a decision. When a police officer is required to communicate with the media, he or she may be facing uncharted territories and ethical rules can help guide him or her.

It is worth noting that the nature and enforceability of these codes vary considerably. In some cases, they are developed in an organic fashion by police services as part of the rules of employment. These may then be part of the contract of employment or simply part of the general rules that apply in the workplace. In this case, failure to respect them may lead to discipline.

In other cases, they are predominantly guidelines, to assist officers in making decisions about behaviour. In yet other cases, they are professional rules, adopted by a union or other type of professional association. It is difficult to compare different practices, since their nature and contents depend on how the rules and practices have evolved in a given context.

To highlight these points in detail, good practices of codes of conduct or standard operating procedures of the security forces in other countries are drawn upon:



Great Britain's Metropolitan Police Service (MPS) Procedural Manual

To some extent, the different aspects of police communications (and openness) can be contradictory. In the end, a broad commitment to openness is the best policy. As emphasized in the preamble of the procedural manual of the Metropolitan Police Service (MPS) (the Police of London), better known by the name "Scotland Yard":

"While our interactions with the media can sometimes be complex, open and positive relationships should be encouraged and, in the end, will bring considerable benefits for everyone."



Politie Police

The Police Service of the Kingdom of Belgium (SPB) Code of Ethics

The code of ethics of the police of the Kingdom of Belgium views this type of communication with journalists as an opportunity to improve the quality of the services provided by their staff. "When officers exercise their right to speak, this can help draw the attention of the relevant authorities to necessary policy changes or administrative deficiencies and optimise communication between the administration and the public."

"Staff enjoy freedom of expression in relation to facts which they are aware of first hand, as part of their duties. Within these limits, staff may speak and publish freely. In the exercise of their freedom of expression, staff shall however:

Not harm the interests of the service or the dignity of their office;

Not harm the interests of established authorities, public institutions or third parties; Disseminate information which is as complete and correct as possible;

Make it clear whether they speak on behalf of the service or on their own behalf, and distinguish clearly between facts and opinions."



The South African Police Services (SAPS) Code of Conduct

The code of conduct for relations with the media of the South African Police Service notes: "Officers in charge of public relations should endeavour to communicate the dedicated efforts by officers to combat crime, so as to inform the community about such efforts and so that officers receive the recognition they deserve."

Highlighting what the police do – through relations with the media and journalists – increases transparency and supports crime prevention by forging and maintaining genuine interactions with citizens.

"In addition to public relations officers, the following individuals may be authorised to communicate with the media according to the code of conduct:

An officer with a particular specialisation, who has been instructed to communicate on a particular topic;

An expert working in a specialised unit which has been designated for this purpose;

An officer who has been authorised to communicate on issues involving other units, as long as that officer is qualified in public relations."



The Los Angeles Police Department (LAPD) Operational Procedure

The operational plan for an event involving a rally will include the designation of an area outside the location of the rally, where the media can remain. The area should be reasonably proximate to the rally, visually and orally. "As far as possible, the Department will attempt to prevent the 'media zone' from being overrun by the rally. Nevertheless, it is up to journalists to decide what level of risk they are willing to take, as long as they do not violate the law."

Freedom of Expression

It is important to ensure awareness amongst security forces of the role and work of journalists and other media workers, the legitimacy of their presence during protests and assemblies, and measures that can be taken to enhance the protection of their rights. Some examples of good practices are:

- Training security forces on how to deal with crimes against freedom of expression, by improving their relationship with the media and by making them more cognizant of their legal obligations to protect media professionals from violent actions by any group and to allow journalists to freely exercise their profession;
- Providing protection in cases in which there is a serious risk of an attack on freedom of expression, and setting up a specialized protection unit where there are ongoing and serious threats;
- Collecting and making public detailed and disaggregated statistics (for example, in terms of gender, location and suspected root causes) on attacks on freedom of expression;
- Conducting independent investigations and, where necessary, setting up special independent units (for example where the attacks may have come from within or be supported by security forces);
- Allocating sufficient resources to investigations, including for the securing of evidence.

Other good practices include establishing operational procedures and concrete actions that can be taken by security forces during tense events (e.g. demonstrations, elections, high-profile trials, crime scenes, major sport events). For example:

- Developing a code of conduct or standard operating procedures on media relations to give security officers instructions on how to behave towards journalists and to allow journalists to access information;
- Appointing specific spokespersons for maintaining contact with the media and answering questions from journalists;
- Establishing clear media zones during an event, which play an important role in facilitating access to information and maintaining journalists' safety. The media zone, delimited by a tape or a barricade, should allow journalists to work safely, have the presence of a spokesperson and provide interesting vantage points on the event;
- Briefing journalists (on technical procedures) and security forces (on the role of journalists) before an event;
- Planning of procedures by security forces on how to work with journalists before, during and after an event.
- Organizing informal visits of security forces to media organisations and inviting journalists to meet security forces in their premises to exchange information on respective perspectives and constraints.

Note: This document compiles various principles and recommendations agreed on in other countries, especially mentioned in the document 'Freedom of Expression and Public Order' created by UNESCO and published in 2015, UN OHCHR, Human Rights and Law Enforcement, A Manual on Human Rights Training for Law Enforcement Officials, 2016 edition, UNESCO World Trends in Freedom of Expression and Media Development Report, 2015, and the Recommendations for police forces published by FLIP in 2016.



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