

**Forum:** Human Rights Committee

**Issue:** Maintaining the freedom of press and guaranteeing the safety of journalists

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## Introduction

The 19<sup>th</sup> Article of the Declaration of Human Rights states “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”.

Sharing stories is human nature, being informed helps us live more complete lives, knowing the facts makes our judgment better, and lastly being aware of others and issues makes us more aware of the world around us. Yet as essential as knowledge and information is to human curiosity and passion, it is not easy to obtain. It is essential for functioning societies to create a social climate where ideas and information are shared openly.

Journalists and the press corps created ways to inform the local town or village of information. As a result, in 2016 we have a global exchange of ideas, views and information. According to the United Nations, in 2016, more than 3 billion people have access to the internet. This constitutes 40% of the global population. This change in audience has changed the role that access to information plays in human society. It is essential for journalism and the press to continue to develop and stay adapt to changing technology. Wars, battles, international conflicts, domestic scandal and a host of other situations encourage citizens to collect more information. Global technology has increased the amount of news and available to citizens around the world. Since its arrival in the last decade of the 20<sup>th</sup> century, the Internet has expedited the exchange of information and shortened the time and distance between peoples. As such, this exchange of views has increased the role of the press in global affairs. For those seeking information the Internet was a golden tool, for those seeking to oppress information, the Internet was a dangerous tool.

The journalists and the press corps have been endangered, because the safety of journalists is often not a high priority for many governments. Journalism is a dangerous business as the reporters risk their lives trying to inform the world of international events. There are plenty of people and governments

that do not respect international sovereignty and law. Journalists who go into war zones are endangered on a daily basis. Allies as well as enemies should respect that these reporters and journalist are doing a public duty in reporting information to an eager audience. Journalists should not be held captive, tortured or killed. However, in many nations journalist have been arrested, tortured and killed for reporting on public events. The NGO Reporters Without Borders (RSB) cites 110 journalists were killed in 2015. A Japanese journalist, Kenji Goto was publicly beheaded, on January 30th because of the Japanese were aiding, other foreign nations in fighting ISIL. Kenji Goto was a freelance journalist known for his stories covering Civilian Crisis. A Brazilian blogger investigating police brutality in Brazil was gunned down. Many journalists repeatedly have to experience these ugly acts. Many journalists are used as ransom bait for international terrorist cells. James Foley was abducted and held captive in Northern Syria after the United States reportedly bombed parts of Iraq. He was killed in a beheading video that was posted on the Internet. These are a few examples of challenges to freedom of the press and the challenges to 19<sup>th</sup> Article of the Declaration of Human Rights.

The UN condemns such acts of violence and the UN acts to limit the censorship and government control over news agencies and journalist reports.

## Definition of Key Terms

### Journalism

Journalism can be described is as a way to disseminate news and information to public masses. However this broad definition gives almost anyone with a social media connection and access to the Internet the opportunity to call himself or herself a journalist. The common and standard definition of journalism is changing. The definition is not solidified, but the field of law is helping narrowing it down. Journalists no longer have to be tied to a single media outlet, that is gathering media for livelihood. In the United States the courts have decided there needs to be an ethical test to decide whether or not someone is a journalist.

### Freedom of Speech

The right to express any opinion without censorship or restraint. As stated by the Article 19 of the Declaration of Human Rights: “Humans have the right to hold opinions and the right to for every individual to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers”.

## Terrorism

Generally defined, terrorism is the use of violence and intimidation in the pursuit of political, personal, religious, social and economic aims. The United Nations recognizes that terrorism “attacks the values that lie at the heart of the Charter of the United Nations: respect for human rights; the rule of law; rules of war that protect civilians; tolerance among peoples and nations; and the peaceful resolution of conflict”. Iraq and Syria are two of the countries in the world where journalists are most threatened. ISIS/ISIL greatly challenge the principal of freedom of the press. ISIS is the acronym for the Islamic state in Iraq and Syria. ISIS is often referred to as ISIL, which stands for the Islamic State of Iraq and the Levant. ISIS/ISIL is a religiously motivated terrorist group. One of the largest and most successful terrorists groups to date. They are an extremist militant group that practices Wahabi/Salafi law. ISIS/ISIL currently occupy large parts of Syria and Iraq, causing much civil war and fighting between governments and armed rebels. Their operations have remained intact because they have controlled and exploit many different oil drill/rigs in the Middle East. ISIS/ISIL have carried out many atrocities against journalists and other citizens. ISIS/ISIL are a vital part of this discussion because they continuously violate international agreements, making journalism very dangerous in the Middle East.

## Fundamental Human Rights

Human rights are universal rights each individual possesses by virtue of their humanity. These rights operate under the assumption that each individual human is moral, rational being who deserves to be treated with dignity. Mutual respect among peoples and nations is key to the United Nations vision for the world. Freedom of the press and the freedom of speech are considered to be among the Fundamental of Human Rights. Article 19 of the Declaration of Human Rights states that all people can; “receive and impart information and ideas through any media and regardless of frontiers.”

## Background Information

### Types of Journalism

There are many different types of journalism. Many journalists risk physical and legal danger.

#### *Investigative Journalism*

Although there are many arguments in the community about the difference of investigative journalism, there is a general consensus that investigative journalism involves researching and investigating something to unearth a secret. UNESCO, the United Nations Educational Scientific and Cultural Organization, defines it as follows; “investigative journalism involves exposing to the public matters that are concealed—either deliberately by someone in a position of power, or accidentally, behind a chaotic mass of facts and circumstances that obscure understanding. It requires using both secret and open sources and documents”. This is important to understand

because there are plenty of journalists who risk their lives. There are many international organizations that take great actions to prevent investigative journalists from doing their jobs, because of shady side operations that are being run. Like the FIFA committee and the corruption scheme that was involved with the game, or the Volkswagen emission problems.

### *War Journalism*

Considering the amount of civil wars, regional wars and other and destabilizing environments there are an increasing number of journalists who are embedded with fighting forces on almost every side of any given conflict. War is inherently dangerous for soldiers, citizens and journalists. The great civic questions are being discussed, reported and photographed by a new type of journalist who only needs a smart phone and internet access. This relates to the topic because it challenges the definition of freedom of the press. In this new environment, who qualifies for claiming freedom of the press?

### *Data Journalism*

The world of computerized data is increasing in size. The world is reaching an age where most information is stored digitally. Data journalism involves combing through large sets of data analyzing it, cleaning it, and looking for anomalies. Data journalism is an increasingly important field as Big Data plays a bigger role in public policy. Websites like Wikileaks and the recent release of the Panama Papers and cyber terrorism are major topics in the field of data journalism.

## **Key Issues**

### **Online Media**

The 21<sup>st</sup> Century is undoubtedly the age of media. Younger generations are growing up learning about media, experiencing it, and living it. The computers people carry around today at ten times more powerful than the computer aboard the first space shuttle. This is a powerful but also dangerous age for journalism, more and more information is being shared and stored online. Governments keep public and private information online or in heavily encrypted databases. This has made digital investigative journalism a growing field. Social networks like Facebook and Twitter have become major outlets for news agencies and journalists. Over 1.5 billion people use these new media outlets on a regular basis. This new media also challenges older definitions of journalism as now regular citizens can use these social networks to communicate with a very wide audience.

### *WikiLeaks*

Wiki Links is a non-profit organization that is dedicated to informing the public on important news and information. They strive to publish source materials, even if it means hacking government files, or NGO files. WikiLeaks is made up of volunteers who contribute anonymously

to keep the site working. WikiLeaks identifies itself as a news agency published by journalists. 'Sunrise Press' is the organization that publishes Wikileaks. Sunrise Press has won multiple renowned journalism awards as well.

Sunrise Press presents a problem because it means that people recognize that legitimacy of a organization and this undermines governments. WikiLeaks proves a very troublesome problem because it justifies its operations under Article 19 of the Declaration of Human Rights, as they say they "seek to uphold this and the other Articles of the Declaration". This is a huge problem for the United Nations because WikiLeaks is using a universal document of peace to create tension and elevate levels of distrust and anarchy. However, this tension is justified under the laws that all member nations passed, and supports the goals that the United Nations is striving to achieve.

WikiLeaks may be recognized as a truthful, unbiased source of information in the journalism world, however it still has flaws. One main criticism is that WikiLeaks does not have targeted messages. Instead it dumps massive amounts of emails, data, and records on its readers, exposing governments and organizations. WikiLeaks does not process data. It allows individual citizens to figure out the meaning and significance of the leaked documents. Historically, journalists used to interpret the data, but with the changing global dynamic, that is not necessarily the case in 2016.

Some people believe WikiLeaks is a dangerous issue because it is reckless with its evidence and documents. In 2010, it published a video of an United States Army Apache helicopter gunning down a dozen civilians in 2007. WikiLeaks failed to put the event in accurate historical context. Many consider this data dump as a characteristic of the new brand of big data journalism. Policy makers and global citizens have to decide if this new type of journalism still has the same ethical standards that older, more traditional journalism had.

### ***Panama Files***

The Panama Papers are another example of a big data dump of files, paper, emails and documents. The Panama Files implicated thousands of government officials and CEO's and many other high profile figures. Tens of thousands of documents showed the money trails from home countries to shell companies to offshore bank accounts. The Panama Papers has ties to wildlife reserves in Africa to banks in Northern European countries to high-ranking officials in Asia. Heads of State have had to step down because of the accusations raised in the Panama Papers. The International Consortium of Investigative Journalism published the Panama Papers.

The Panama Papers shed a new light on a new era of investigative journalism. In the new model, journalists no longer require a sleuth and elaborate schemes to sneak into big corporations or governments. Investigations can be done behind a computer with a firewall and a strong internet connection. Journalists can take many more documents than they could before the digital age. Digital journalists can access so much more information than ever before. This

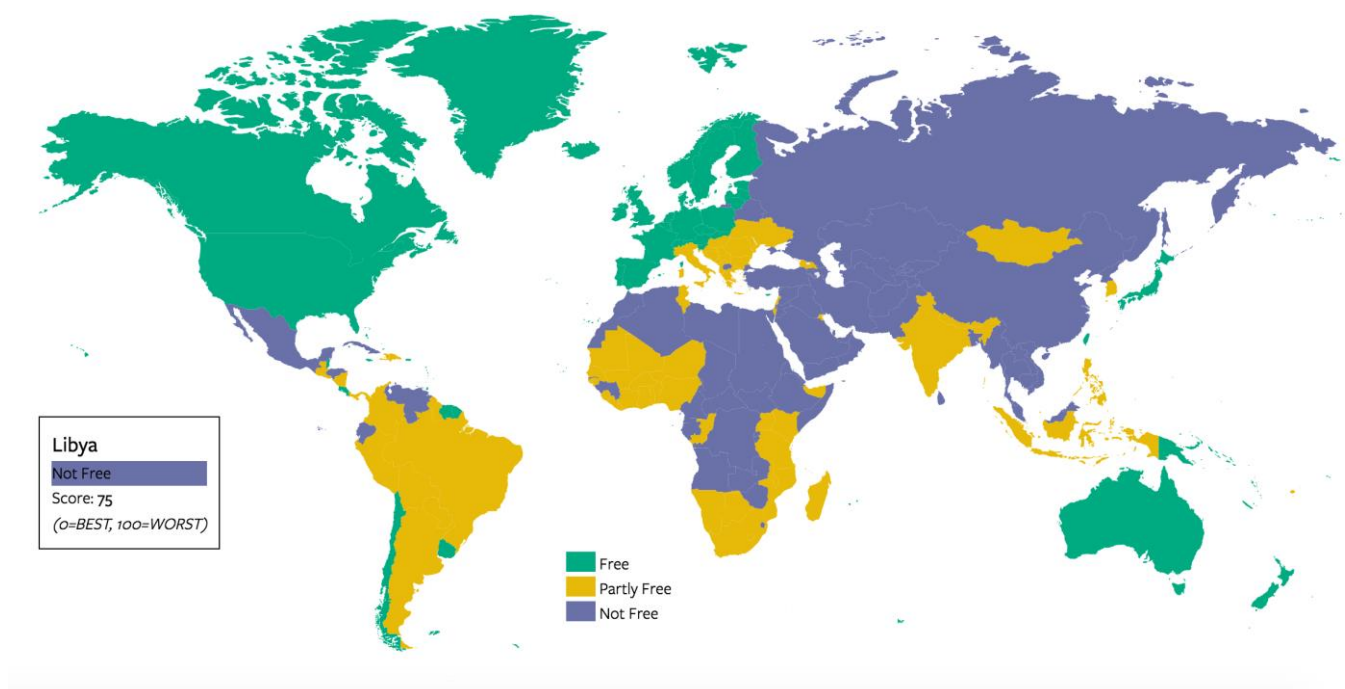
creates a problem for the international journalism community because all of these documents are taken out of context. This is a problem because journalists have the potential to release sensitive documents; they also have the power to unleash an international calamity.

## Terrorism

Terrorists are a huge problem for the journalism community. There is no way to forcefully monitor or punish terrorists for breaking international law. Even worse, how does the United Nations and all of its member states respectfully fight back and uphold basic human rights against an enemy who will not respect human rights. In a United Nations report from UNESCO, United Nations Educational Scientific and Cultural Organisations, it stated that over 825 journalists have been killed in the line of duty over the past ten years. On average, one media worker is killed every five days. Furthermore in nine out of every 10 cases, those responsible for the killings are never punished, leading to impunity for crimes against journalists. Groups like ISIS/ISIL and Al-Qaeda have long standing reputations for hostile actions toward journalists.

### Hostage Situations/Beheadings

In this new climate in 2016 reporters are finding themselves in more dangerous situations. ISIS/ISIL have demonstrated no mercy towards journalists. They have apprehended, taken hostage, and beheaded journalists whom they capture. Journalists risk their lives reporting from dangerous locations. This is one the most pressing human rights issues in the world in 2016.



Caption #1: Image of freedom of press in the world.

## Major Parties Involved and Their Views

### United States

The United States is one of the world leaders in freedom of information and free speech. It scores 22 on Freedom House scale of good reporting rights to bad (100 being bad 0 being best). Despite the friendly environment, journalists in the United States have run into a few problems recently. These issues escalate quickly and develop into serious problems. The majority of them stem from disagreement between national security and counterterrorism efforts by the United States government.

#### *Patriot Act*

After September 11<sup>th</sup> 2001 former president George Bush quickly pushed a bill through the senate and congress to counter terrorism. This was known as the Patriot Act and was passed on October 23 2001. The Patriot Act states the following: “(i) intimidate or coerce a civilian population; (ii) influence the policy of a government by intimidation or coercion; (iii) to affect the conduct of a government by mass destruction, assassination or kidnapping.” Secondly, and perhaps more controversial, the Patriot Act gave the United States government the ability to use appropriate tools required to intercept and obstruct terrorism. This meant restricting information by monitoring Internet browsing, refusing reporters to investigate certain areas, monitoring calls etc. This is not only in clear violation of the US Bill of Rights, but also against the UN Declaration of Human Rights.

### China

China is one of the world’s strongest enforcers of journalistic censorship. The Chinese Communist Party determines the quantity, quality and nature of journalism is available to the people. China is leading the world in its economic development and its technological advances, yet its civil rights records, particularly in terms of freedom of the press are not world leaders. China received a score of 87 on the Freedom House, freedom of press status (1 being the highest 100 being worst). Since 2012 when Xi Jing Ping assumed leadership of the Chinese Communist Party, there has been a crackdown on social media outlets as well as investigative journalism. Facebook, Instagram, Snapchat, Gmail and many other social media outlets are blocked and can only be accessed with a VPN connection. There are also restrictions on the Chinese based companies and platforms where an exchange of ideas can take place.

For example during the Tibet riots in 2008 the Chinese brought in armored military vehicles as well as armed soldiers for peaceful protesters and monks. They later cordoned off the city and blocked off the city central. According to reports after the incident more than 100 Tibetans and Monks were killed.

None of this information was reported in China. Also, the Chinese government has also cracked down on political protests in Hong Kong since 2014. Again, none of this was reported in China.

### The Islamic State of Iraq and the Levant (ISIL/ISIS)

The Islamic State of Iraq and the Levant is violating numerous international agreements and laws in regards to the way that it is treating reporters and journalist. The Islamic State has no regard to the position and special situation that reporters and journalist are in. In 2014 alone, they acquired over 20 million dollars from ransoming off kidnapped Europeans. European and Asian nations have been the sole target of the kidnaping because the United States holds a very serious no-concessions policy in which it will not provide any sort of funds or materials for any reasons to terrorist organizations. This does not mean that it will not infiltrate and use force to take back a reporter or person.

ISIL has gained notoriety from posting videos of public exactions and beheadings of kidnapped people. They have become a norm now and most go under the radar. The videos are not only of journalist but also of mass shootings and Prisoners of War. ISIS/ISIL has used brutal techniques in carrying out its oppression of free speech and free press.

### Timeline of Relevant Resolutions, Treaties and Events

Date	Description of event
10 December 1948	<p data-bbox="445 1200 991 1240"><b>Universal Declaration of Human Rights</b></p> <p data-bbox="445 1267 1465 1402">A groundbreaking document that laid out the fundamental human rights for all people. It is the most signed and passed document in the history of the United Nations. The only countries that have not signed it are South Sudan, America</p>
6-7 February 2002	<p data-bbox="445 1491 788 1532"><b>Tunnis 2002 Colloquium</b></p> <p data-bbox="445 1559 1485 1641">A meeting held in Africa in 2002 with the International Colloquium on Media and Ethics</p>
2015	<p data-bbox="445 1738 919 1778"><b>ACOS A Culture of Safety (ACOS)</b></p> <p data-bbox="445 1792 1501 1971">Major news companies formed Alliance in late 2015 and journalism organizations to improve worldwide freelance protection standards. The group is launching security information sharing, training, insurance and communications initiatives</p>



### **Third International Committee to Talk about Media Ethics**

24 -26 March 2016

A conference held to discuss Important jobs that the media has and is responsible for when presenting the news to the world.

### **Panama Files Leaked**

9<sup>TH</sup> May 2016

A massive file dumped that leaked hundreds of thousands of letters that implicated officials all over the globe.

### **World Humanitarian Summit**

25<sup>TH</sup> May 2016

In this particular session it was focused on the challenges the media has to present information to the public.

## **Relevant UN Treaties and Events**

- Declaration on the Critical Economic Situation in Africa, 3 December 1984 (**A/RES/39/29**)
- Resolution 2222, 27<sup>th</sup> May 2015 (SC/11908/)
- Security Council Letter, 1 May 2015
- European Parliament resolution on the freedom of press and media in the world, 13 June 2013 (2011/2081(INI))

## **Evaluation of Previous Attempts to Resolve the Issue**

Reporters Without Borders and The Committee to Protect Journalists are at the forefront of building a global community that connects and supports reporters and journalist all around the world. This is very good, because it builds an alliance that is not limited to nations, but it expands the issue to a global community. The main issue with previous attempts to resolve the issue at hand is that whenever a crime is committed against a journalist there is very little that the international community can do to respond. If a reporter is captured then the United Nations and member nations can work tirelessly to get them back, but if the enemy is already in an active war, what more can the UN do to seek out justice for the crime. The fact of the issue is that there is no simple way to protect and criminalize those who commit crimes against journalist.

Another major problem with enforcing common understanding of a free press is different national and cultural definitions of what is necessary for citizens and governments in order to provide a secure

environment. For example what may be protected as free speech in one country, may be a violation of national security in another country.

## Possible Solutions

The first step to creating a safer world for journalists is to work on creating a definition for modern journalists. There has been a lot of confusion over this, and as confusion leads to leeway, this could result in misunderstanding. By creating a solid definition, people can be held more accountable.

Only 1 in 10 out of those who commit crimes against journalist are actually prosecuted. The follow up on those who have violated the rights of reporters needs to be supported by forces and people that can carry out the punishment. The United Nation needs to create a means of defining, enforcing and prosecuting issues of freedom of the press.

Creating an international community of journalists within the United Nations could also prove to be a viable solution. The organization can look similar to reporters without borders, but it could be a committee or NGO within the UN. By doing this, the community would not only have the support from other reporters but would have backing and resources from the UN and member nations. This could include peacekeeping forces to help escort and monitor reporters when in dangerous situations. As well as sponsorship for conferences to further develop laws and practices to protect reporters.

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