

**UN INTER-AGENCY MEETING ON SAFETY OF JOURNALISTS AND IMPUNITY**  
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**Committee to Protect Journalists**

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The Committee to Protect Journalists is grateful to UNESCO for convening this UN interagency meeting.

We are also especially pleased that the ongoing collaboration that we have been engaged in with our partners in civil society and academia from around the world can now be brought to concrete actions.

The previous speakers have already mentioned the seriousness and extent of attacks against journalists. The CPJ Impunity index is a measure of the scope and severity of the problem. This Index that identifies countries where journalists are murdered, governments fail to solve the crimes, and killers remain free shows that the murders of 251 journalists have gone unpunished over the past decade in 13 nations where justice is failing and free expression is threatened.

The press freedom community has been deploying great efforts to try to roll back this tide of attacks against journalists and the reign of impunity. In recent years, CPJ has been strengthening all its programs aimed at protecting journalists. It has launched, in particular, a Global Impunity Campaign to investigate cases, publicize law enforcement failures, advocate for justice, and bring institutional and financial support to the families of victims.

However, these efforts have to be reinforced by the actions of intergovernmental organizations that have a mandate and an obligation to defend press freedom and fundamental rights.

We recognize that a lot of attention has already been given to the protection of journalists, especially within UNESCO. International human rights and international humanitarian law also cover a lot of ground, and the international system has put in place mechanisms that we of course welcome.

However, these instruments are only effective as far as they are properly enforced, and in most regions of the world, they are not.

The failings, the lack of means or the lack of will, and, much worse, the corruption and complicity of a number of state authorities, as well as the reckless brutality of increasingly powerful so-called non-state actors, have turned these instruments into quasi-useless tools.

There is a clear and urgent need for a more systematic way and a better integrated system of monitoring and enforcement backed by the top of the UN system and present at all levels of all UN agencies.

We would like to quickly and succinctly highlight six points that we consider, based on our own experience, not only priorities but attainable ones. My CPJ colleague and Global Impunity adviser, Elisabeth Witchel, who is here at this meeting, could certainly provide you with more details during the Open discussion session.

**1. Protection and impunity**

We should limit the question of impunity to an after-the-crime commitment to do justice. Prevention of attacks against journalists is paramount. Our research indicates that more than 40 percent of journalists murdered in countries with high levels of violence against journalists and ongoing impunity were threatened prior to attack.

UN agencies—in particular, the High Commissioner for Human Rights or UNDP—should make protection of journalists under threat a priority. There is a need for further support to assist existing protection programs in countries of concern as well as for the development of such programs where there are none. These efforts should be made in consultation with governments in countries of concern and with NGOs active in this area.

In these efforts, NGOs and the UN can complement each other. We have seen lives of journalists saved when, in Abidjan earlier this year, the UN mission in Ivory Coast acted to relocate 12 journalists under attack that had been assisted by CPJ who acted as a liaison between them and the UN.

We would therefore welcome the development of an accessible mechanism for groups to contact and engage available UN resources and missions working in all countries where journalists are facing imminent threats.

## **2. The IPDC decision**

The weak implementation of the “2008 UNESCO IPDC Decision on the Safety of Journalists and the Issue of Impunity” illustrates the essence of the challenge. Out of 28 countries and territories concerned by the killings of journalists condemned in 2006 through 2007, 15 provided information on judicial follow-up. A less-than-half rate of response is unacceptable, and the countries that chose not to respond include ones with long-standing impunity in the murders of journalists and repeat of violence such as Pakistan, Sri Lanka, and Mexico.

According to the director-general’s biennial report to the intergovernmental council of the IPDC in March 2010, country responses in many cases failed to demonstrate any commitment to end impunity, often noting simply that a case is open or under investigation. There is no mechanism to follow up or request additional information from individual states or seek greater compliance on the issue of impunity.

The DG report should make strong note of countries that did not reply and of those responses that do not demonstrate a firm commitment to justice by providing inadequate information or lack of effective remedy.

Member states are currently “invited” to respond voluntarily to inquiries by the director-general. We think that participation should be obligatory among member states that signed up to the Council’s 2008 decision.

Because most victims are threatened before they are killed and in order to reinforce protective measures, the report should include serious cases of assault, threats, and kidnapping, and its report should be issued more swiftly following the period.

The review should also include input of NGOs, victims’ families, and representatives of the national or international media.

## **3. Security Council Resolution 1738**

The 2006 resolution represents a significant and high-level international statement of concern over the issues of protection and impunity, but in practice there is little awareness, little compliance, and very little improvement on the ground. In 2011 alone, at least 25 journalists have been killed in the line of duty, 15 of whom died in active conflict zones or countries with high levels of civil unrest.

The secretary-general includes an assessment on the implementation of this Resolution to the General Assembly, but on the whole it is given short, broad treatment, without references to specific cases or incidents.

In order to enhance the impact of this Resolution, the secretary-general's annual report to the Security Council should be more extensive in its assessment of compliance and include a specific list of violations to the resolution. UN agencies, in addition to UNESCO and including field and humanitarian missions and specialized agencies, should commit themselves to publicly reporting incidents of press freedom abuses.

As some have already noted, the Security Council should also consider reforms that would promote protection and end impunity in situations that are not defined as traditional conflict, and ensure attacks and threats against local journalists covering armed conflicts are responded to appropriately. It should establish a process to receive reviews and recommendations at least annually from NGOs on compliance with 1738 and acts of violence against the media that do not fall under 1738's current mandate.

#### **4. A permanent observer function**

We support the development of more formal mechanisms for consultation with NGOs and the creation of independent bodies to provide oversight in order to monitor states' compliance with their obligations.

We believe in particular that it is crucial for our aim here today to include the development of a permanent observer function by an appropriate UN agency such as the UN High Commissioner for Human Rights or in-country missions to more actively and regularly monitor trial proceedings and investigations in cases of concern in countries with high levels of impunity.

This would help ensure that prosecutions are conducted according to international standards of effective investigation and swift trial. Some examples, the Hrant Dink trial in Turkey or of JS Tissainayagam in Sri Lanka, show that such monitors have made a positive impact.

#### **5. Strengthening the Special Rapporteurs**

As already advocated by some speakers, we also recommend that the UN reinforce the special rapporteurs—in particular, the special rapporteur on the promotion and protection of the right to freedom of opinion and expression and the rapporteur on extra-judicial, summary, or arbitrary executions. They are often politically isolated and underfunded although they have a positive record. The UN should increase their financial resources and enhance their prerogatives and status.

#### **6. A criteria for the Millennium Development Goals**

All UN institutions, as we already underlined, should be engaged in fighting for freedom of expression and against impunity. Inclusive and sustainable development, along with human rights and accountability, are two priority areas for the Secretary-General. As UN Special Rapporteur on Freedom of Expression Frank LaRue rightly points out in his most recent report to the UN Human Rights Council's 17th Session, freedom of expression is "as much a fundamental right of its own accord as it is an 'enabler' of other rights."

CPJ research shows that from 872 journalists killed since we began keeping track in 1992, 39 percent were reporting on politics and 21 percent were reporting on corruption. Considering the vital role of journalists in exposing politically inconvenient issues, many related to governance, service delivery, and human rights violations, we believe that the UNDP, as the agency working on the Millennium Development Goals, should play a more active role in ensuring that journalists can report on these abuses without fear of reprisal.

UNDP has done commendable work in exploring and highlighting the various ways that media interacts with and impacts the MDGs (toolkits for journalists as catalysts in reporting on HIV/AIDS, trainings for journalists reporting on corruption, among other activities). These initiatives should be taken a step further to ensure that a free press can contribute to the monitoring and fulfilment of the MDGs.

Concretely, we propose that UNDP consider incorporating new variables into its Human Development Index to reflect the impact of freedom of the press and protection of journalists on social and economic development. Such an initiative would strongly proclaim that freedom is at the basis of the human development paradigm.

The UNDP could also include journalist safety as a condition to properly track the MDGs and make protection of journalists an integral part of its Internet and communication development. It could also incorporate the safety of journalists and impunity into its general reports on security, like the one it is currently working on in Latin America.

### **Final considerations**

These proposals focused on the protection of journalists might appear corporatist as if the impunity suffered by lawyers, unionists, women's rights activists, and, more generally, by human rights defenders would be less important. We all know that journalists' safety conditions their capacity to do their work.

However, it does not mean giving special privileges to journalists over the equal dignity of all but recognizing that attacking journalists attacks the rights of all to defend their rights. The targeted killing of journalists serves as a silencing message to all, ensuring that sensitive issues are not subjected to public scrutiny, thus affecting a fundamental function of the press—reporting on abuses while questioning and explaining decisions and programs that affect many and ultimately serving as a means to hold power to account.

A last point: we welcome all new initiatives within the UN system with a view to reinforcing the fight against impunity. The press freedom community, and certainly CPJ, are open to more cooperation with the UN system and like-minded member states, but our role is also to be and remain a watchdog. Our usefulness and our relevance depend on our capacity to expose and name and shame member states of the UN that are violating such basic freedoms.

As expressed directly to Mr. Ban Ki-moon in a meeting earlier this year, we think that the credibility of meetings like this one requires consistency from the UN.

In that context and as an example, we hear that some UNESCO member states are trying to reinstate the Teodoro Obiang Nguema Mbasogo International Prize for Research in the Life Sciences. We would like to underline that our collaboration would be derailed if such efforts would be allowed to come to fruition. We know that many within UNESCO share our concerns.

To some extent, this invitation extended by UNESCO reminds us of a famous phrase of President Franklin Delano Roosevelt at the time of the Great Depression. As he was criticized by trade union leaders for not doing enough for the unemployed, he invited them to the White House and told them: "I agree with you. I want to do it. Now go out and make me do it."

Be sure that we'll go out and strive to make you do it!