



Testimony before the Tom Lantos Human Rights Commission

United States House of Representatives

Committee on Foreign Affairs

**“Blasphemy Laws and Censorship by States and Non-State Actors: Examining Global Threats
to Freedom of Expression”**

July 14, 2016

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Thank you to the Tom Lantos Human Rights Commission and Co-Chairmen Joseph R. Pitts and James P. McGovern, for holding this hearing to bring attention to threats to freedom of expression globally. I ask that my full written testimony be admitted into the record. My name is Courtney Radsch, and I am the Advocacy Director of the Committee to Protect Journalists. CPJ is an independent, nonprofit organization dedicated to defending press freedom and the rights of journalists worldwide. It is an honor to speak to you today and I appreciate the opportunity to address this committee on behalf of CPJ.

I have been asked to discuss the threats to freedom of expression around the world emanating from both state and non-state actors, and to provide recommendations for how U.S. policy makers can effectively encourage the protection of freedom of expression around the globe. CPJ systematically tracks the killing and imprisonment of journalists, so I will start by explaining the current situation based on CPJ research, followed by an analysis of the role that state and non-state actors play. I would also like to focus on how terrorism and the fight against terrorism, particularly the countering violent extremism agenda, is impacting freedom of expression.

This is one of the dangerous times for journalists. Record numbers of journalists are being killed, imprisoned, and kidnapped. Requests for assistance from threatened journalists around the world have skyrocketed. The technology that has facilitated the flow of global information has also enabled governments and non-state actors to expand surveillance and censorship.

There are many reasons why this is such a dangerous time. Technology has transformed newsgathering, putting freelancers, local reporters, citizen journalists, activists, and witnesses on the front lines. It has upset the dynamic between journalists and those they cover, making journalists more vulnerable to kidnapping, arrest, and other abuses. Repressive governments and violent forces that are increasingly threatened by independent information have also entered the fray, seeking to manage their own image and shut down critical voices.

This year at least 17 journalists have been killed in direct relation to their work, and CPJ is investigating a further 10 cases. Nearly half of the confirmed cases were killed in combat or crossfire, but seven were murdered in direct retaliation for their work. Last year, of the 73 journalists killed, 68 percent were murdered.

The militant group [Islamic State](#) is responsible for a significant number of these killings. Since 2013 it has killed at least 27 journalists and media workers. The greatest concentration of killings was in Mosul. When the Iraqi city fell in June 2014, dozens of journalists [vanished](#), newspaper and radio stations were shuttered, and one of the biggest attacks on press freedom went by with scarcely any notice. The Islamic State group has sought complete monopoly over information in the territories it has seized, putting out most-wanted lists that include journalists, murdering anyone who appears to be engaging in journalistic activities, and even hunting down members of a Syrian citizen journalism network in Turkey.

But the Islamic State group is responsible for only a fraction of journalist murders and killings. Governments and political groups are also responsible. [Last year](#), they were the suspected source of fire in more than half the cases.

Yemen and Syria are currently the most deadly countries for journalists this year, with three journalists killed in each. According to [CPJ research](#), at least six journalists have been killed in airstrikes by the Saudi-led coalition since the military campaign against the Houthis began last year, including freelance Yemeni journalist [Almigdad Mojalli](#) who was reporting for Voice of America. CPJ has called for an investigation into the killing in Yemen of journalists who are among the civilians killed in airstrikes by the Saudi-led coalition, but to date has received no response from Saudi Arabia. The U.S., which is providing logistical and intelligence support to the Saudi-led campaign, must ensure that this independent investigation takes place and that it is not complicit in the targeting of journalists and media outlets.

At least 96 journalists have been killed in Syria since hostilities began in 2011. The majority, 88 percent, were local journalists, and 43 percent were freelancers, according to [CPJ research](#). Syria is the world's [most dangerous](#) place for journalists, with record numbers of abductions

and attacks, not only by the Islamic State group, but other militant factions as well as forces loyal to the Assad regime.

Sadly, it is unlikely that many of those behind these killings will be brought to justice. Impunity remains a perennial threat to press freedom. Murder is the ultimate form of censorship, yet [in nine out of 10 cases](#) the killers of journalists go free. Although conflicts put journalists at risk of being killed or injured by crossfire or terrorist acts, murder remains the main cause of death. [Local reporters](#), typically those covering politics, corruption, war or crime, make up the majority of those targeted.

CPJ [research has shown](#) that the endemic problem of impunity is due to a lack of political will, lack of institutional capacity, or both. Unfortunately, impunity is rampant in democratic countries as well as repressive ones. They include close U.S. allies and members of the Community of Democracies. Killers go free in nine out of 10 cases, a stubborn statistic that we have been working with allies in the U.S., EU, and these alliances of so-called likeminded states to change. We need the U.S. to do more to pressure its allies to solve these murders. One measure the U.S. could take would be to [reopen the investigation](#), based on new evidence, into the deaths of five Vietnamese-American journalists murdered in the U.S. between 1981 and 1990. This would send a strong signal to fellow democracies that the U.S. is committed to reducing impunity.

Local reporters also comprise the majority of journalists imprisoned for their work. In the past five years, record numbers of journalists have been jailed. Although China led the list for the past two years, Egypt was the second leading jailer of journalists, with at least 23 in prison in CPJ's [most recent census](#). This is deeply disturbing and indicative of a broader deterioration of press freedom in a country that is in transition and appears to be getting a free pass as an ally of the U.S. When I lived in Egypt prior to the 2011 uprisings, journalists were not routinely jailed and there was some space for independent and critical media. Since January 1, 2016 four journalists have been sentenced for "[publishing false news](#)," five others have been referred to trial, and two others [detained](#), in addition to suspected Muslim Brotherhood affiliated journalists who were rounded up en masse in 2013. Egypt has designated the Muslim Brotherhood a terrorist group and passed an [anti-terrorism](#) law that makes it illegal for journalists to contradict official accounts of terror attacks, imposing fines of up to \$64,000 for reporting information that differs from that of the Egyptian Defense Ministry.

President Abdel Fattah al-Sisi brokers no criticism and is in the process of eviscerating the press, perhaps taking note from Turkey's President Recep Tayyip Erdoğan, who exemplifies the increasingly belligerent and hostile attitudes of authorities toward the press, and the internet for that matter. In both countries, authorities have arrested or expelled critical journalists, banned other journalists from traveling or leaving the country, and adopted strict laws against publishing false news or related to terrorism and extremism.

The situation in Turkey is deteriorating so rapidly that CPJ has started to publish a daily Crackdown Chronicle detailing the attacks on press freedom and journalists. The influx of

cases from Turkey include journalists put under travel bans and having passports confiscated, news outlets fined for insulting the president, and journalists and outlets charged with terrorism because of their reporting. Journalists reporting on the Kurdistan Workers' Party (PKK), or in PKK-controlled areas, as well as those affiliated with pro-Kurdish outlets, have been imprisoned in Turkey on terrorism charges and the state has used this as an excuse to take over editorial control. Authorities even arrested Erol Önderoğlu, the Turkey representative of the press freedom group Reporters Without Borders, and indicted him on terrorism charges—an all too common occurrence in Turkey.

Reporters who try to cover the activities of state-designated terrorist groups or interview their members are at risk of being charged with terrorism themselves, as officials try to limit information and coverage of opposition forces. Activities that journalists regularly engage in, such as on-the-ground reporting, interviewing, and communicating with sources, are being equated with terrorism.

More than half of the 199 imprisoned journalists CPJ documented in last year's census were jailed on anti-state charges, which include terrorism or support to terrorists. Reporters who try to cover the activities of state-designated terrorist groups or interview their members are at risk of being charged with terrorism themselves as officials try to limit information and coverage of opposition forces. Activities that journalists regularly engage in, such as on-the-ground reporting, interviewing, and communicating with sources, are being equated with terrorism.

This brings me to the next dynamic I'd like to present in this testimony. Terrorist groups and the governments who purport to fight them have made recent years extremely dangerous for journalists, according to CPJ research. Some journalists are kidnapped or killed by militant groups, and others are surveilled, censored, or imprisoned by governments seeking to respond to that threat, real or perceived.

Non-state actors, including criminal organizations and violent political groups, pose a significant threat to journalists as well as a challenge to press freedom advocates and news organizations. Journalists have become props in propaganda films, reflecting a global trend in the documentation of violence by the perpetrators. The combination of threats poses an array of safety concerns for journalists. The conflicts in Syria, Iraq, and Libya have reshaped the rules for covering conflict. Freelancers make up an increasing percentage of journalists killed for their work, leading CPJ and a coalition of press freedom organizations and media outlets to advocate for better global standards for protecting them and the local journalists on whom they rely, through the formation of the Culture of Safety (ACOS) Alliance, and the promulgation of the Freelance Journalist Safety Principles.

Of equal concern is the way in which governments abuse anti-terror and national security laws to silence criticism. Ethiopia, Turkey, and Iran are among the world's worst jailers of journalists, most of whom are charged with promoting terrorism or undermining national security. Bahrain and Saudi Arabia both charged critical journalists with terrorism, and the

former stripped several journalists of their [citizenship](#) on charges related to terrorism. In December 2015, Russia's independent TV news station, Dozhd TV, was subjected to an audit to check for anti-terrorism violations, among other purported legal abuses, in what was seen as a [politically motivated](#) move. In Europe, journalists must contend with [limitations](#) in the name of [privacy](#), a rise in right-wing [extremism](#), and homegrown terrorists such as those who murdered eight journalists at the French satirical magazine *Charlie Hebdo* in 2015. As in the U.S., a focus on national security forces journalists to [think and act like spies](#) to protect their sources.

Threats emanating from the countering violent extremism agenda are found in repressive and democratic countries alike. The [attached appendix](#) details examples of when terrorism or extremism related charges have been used to unjustly detain and imprison journalists. Perhaps it is not surprising to hear that countries that lack basic protections for human rights, particularly freedom of expression, are using the countering violent extremism agenda as an excuse to crack down on legitimate expression. But we see democratic states reacting in similar ways.

In India, a freelance journalist who covered alleged human rights abuses by local authorities and the activities of Maoist rebels, was [charged with terrorism](#) in India in September 2015. Maoists are designated as terrorists in India. In the UK, police used anti-terrorism legislation to [demand communication](#) between a BBC journalist and a man in Syria who said he was an Islamic State member; to obtain information on [confidential sources](#); and to [require](#) Internet Service Providers to do more to track and take down extremist content. Such actions not only detract from media freedom but also undermine efforts to promote press freedom abroad.

The problem of criminalizing thought and speech rather than unlawful acts is that basic reporting, not to mention political commentary or critique, can almost certainly be interpreted as contravening anti-extremism or anti-terrorism laws. Journalists routinely report on the facts of terrorism and extremist activities, yet such vaguely worded laws can easily be manipulated or encourage self-censorship by journalists uncertain of where to draw the line. A [Brookings Institution study](#) found that journalists routinely show up in Islamic State social media networks. Just last month, Reporters Without Borders reported how Facebook [closed](#) the account of a French journalist because a flag from the Islamic State group appeared in a photo.

The basic role of the media is to provide information and context, and very often the events depicted in the content being disseminated by the Islamic State group or Boko Haram is newsworthy, putting journalists in the difficult position of having to balance reporting the news without becoming propaganda mouthpieces.

The U.S. government should proceed carefully. Efforts to remove ill-defined “extremist” content without judicial oversight or due process amounts to censorship and can too easily be used by states interested in limiting independent reporting and staving off public policy debates. The risks posed by content removal outweigh the potential but unproven benefits

thought to accrue, and should not be included by the U.S. Congress as a perceived remedy in the countering violent extremism toolbox.

As countries around the world have sought to respond to real and perceived threats from extremist groups, press freedom has been caught in the crosshairs. The current countering violent extremism agenda enables governments to use terrorism-related charges to jail journalists, while policy debates about countering violent extremism online [threaten](#) free expression and undermine the fabric of a free and independent internet, thereby threatening the fundamental human rights to free expression and to receive information.

In conclusion, I would like to reiterate that journalism plays a vital role in the balance of power between a government and its people. When a country's journalists are silenced, its people are silenced. CPJ believes that by protecting journalists, we protect freedom of expression and democracy.

As I have discussed, and as evidenced in the daily documentation that is at the core of CPJ's work, too often journalists are attacked or harassed by those attempting to hold on to power, cover up corruption, and conduct their activities in secret. This is not only a violation of the rights of journalists as individuals, but also society's broader right to inform and be informed. The role of journalists and media organizations as a voice for the poor and powerless, a provider of information and ideas, a forum for politics and culture, and an engine of change is acknowledged by economists and political scientists as vital to economic development and democracy. And, of course, a free press is vital to revealing human rights abuses, whether they are committed by governments or non-state actors, like the drug cartels in Central America or the Islamic State group. It is imperative that the U.S. leads the way in staving off efforts to rein in press freedom around the world, leading by example and refraining from giving into fear or myopic national security interests that may have longer-term detrimental impacts on global press freedom.

Thank you for providing CPJ with the opportunity to address this important matter.