



**Report on the**  
**Commemoration Conference on Ending Impunity for Crimes against Journalists<sup>1</sup>**  
**9 – 10 October 2015**  
**Inter-American Court of Human Rights**  
**San José, Costa Rica**

**I. Summary**

This report aims to contextualize the Commemoration Conference on Ending Impunity for Crimes against Journalists, which was held on 9 and 10 October 2015 by the UNESCO Office in San José, Costa Rica at the Inter American Court of Human Rights. The event was held in partnership with the Inter-American Commission on Human rights and the Special Rapporteur on Freedom of Expression, with the support of many others (See Appendix II). This event was one of the many that have taken place in the last three years aimed at sounding the alarm on violence against journalists and particularly focusing on the role of the judiciary in affirming the rule of law so as to prevent impunity for such crimes.

During the Costa Rica conference, more than 30 panelists representing 20 different nationalities debated the issues. Subjects such as limitations on freedom of expression in different societies, the worrying climate of violence against media professionals, and possible solutions to the issue were addressed. The programme is recorded in Annex 1.

The nine panels addressed the different realities of this multi-layered issue and sought solutions that could integrate all the spheres of power. The following summaries synthesize the most relevant ideas presented by the panelists and the discussions.

**II. Context**

---

<sup>1</sup> Report compiled by Ignacio Vidal and UNESCO secretariat. The concept note for the event is online here: [http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CI/CI/pdf/Events/IDEI\\_2014/Concept-Note\\_San-Jose\\_EN.pdf](http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CI/CI/pdf/Events/IDEI_2014/Concept-Note_San-Jose_EN.pdf), and a background paper “Prevent and Punish” by Eduardo Bertoni is available at [http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CI/CI/pdf/Events/IDEI\\_2014/Prevent-and-Punish\\_Bertoni.pdf](http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CI/CI/pdf/Events/IDEI_2014/Prevent-and-Punish_Bertoni.pdf)

It is indisputable that the full exercise of the profession of journalism is a stumbling block for those who value their private interests over justice. Journalists are feared by criminals, and other individuals and groups, due to their ability to bring information into the public sphere. For this reason, many media professionals are harassed by organized actors aiming to silence their voices and censor their stories. In recent years, both the UN and UNESCO have strongly encouraged states to bring to justice those who violate principles of freedom of expression. The importance of these efforts become more apparent when one looks at the statistics of murdered journalists.

According to the 2014 Report of UNESCO's Director-General on the Safety of Journalists and the Danger of Impunity, 593 journalists were murdered between 1 January 2006 and 31 December 2013. Of those 593 murders, only 39 cases, or seven per cent were solved.<sup>2</sup> Another 87 cases of killings of journalists were condemned by UNESCO in 2014, and the number of accumulated cases reported as being resolved was 8 per cent by the end of 2014.<sup>3</sup>

In addition, the Committee to Protect Journalists (CPJ) reports that more than 1,100 journalists have been killed since 1992.<sup>4</sup> Of those killed, 756 were confirmed as victims of a deliberate attack in relation to their activity.<sup>5</sup> Tragically, 660 of these cases were never investigated.<sup>6</sup> Reporters Without Borders estimates that 410 journalists were murdered between 2010 and October 2015.<sup>7</sup>

Consequently, this reflects a global problem that affects many countries around the world. CPJ elaborates every year an index of countries in which impunity prevails. The index is calculated by counting the number of murdered journalists as a percentage of the population of each country.

Against this background, the UN Plan of Action on the Safety of Journalists and Issue of Impunity is aimed at safeguarding the fundamental right to freedom of expression by creating a safe environment for the practice of journalism through the establishment of synergies with all stakeholders. This can reduce risks and fortify national and

---

<sup>2</sup> *The Safety of Journalists and the Danger of Impunity*. Report by the Director-General to the Intergovernmental Council of the IPDC (29th session). [http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CI/CI/pdf/IPDC/ipdc\\_29\\_council\\_safety\\_report\\_rev2.pdf](http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CI/CI/pdf/IPDC/ipdc_29_council_safety_report_rev2.pdf)

<sup>3</sup> Pollack Ichou, R. (Ed.) (2015). *World Trends in Freedom of Expression and Media Development: Special Digital Focus 2015*. Paris: UNESCO, available at: <http://www.unesco.org/new/en/world-media-trends-2015>

<sup>4</sup> Committee to Protect Journalists (CPJ) (2015). "1139 Journalists Killed since 1992," available at: <https://cpj.org/killed/>

<sup>5</sup> CPJ (2015). "Methodology," available at <https://www.cpj.org/reports/2013/05/impunity-index-getting-away-withmurder.php#table>

<sup>6</sup> CPJ (2015). "660 Journalists Killed with Complete Impunity since 1992," available at <https://www.cpj.org/killed/impunity.php>

<sup>7</sup> <http://en.rsf.org/>

international legal mechanisms in order to protect freedom of expression. Some of the specific measures in the UN Plan include the following: to alert society about the risks of not having a free press; to help governments develop laws aimed to protect journalists and media staff and combat impunity; to encourage self-protection training course for journalists; to establish action-oriented response mechanisms; to enforce safety in conflict zones; and to raise awareness among the public, governments, media owners and journalists on the surge of violence against media professionals.

Under the momentum of the UN Plan, on 18 December 2013, the UN General Assembly adopted Resolution A/RES/68/163, which proclaimed 2 November as the International Day to End Impunity for Crimes against Journalists.<sup>8</sup> The resolution also requested UNESCO to facilitate the implementation of the International Day in collaboration with governments and relevant stakeholders. Furthermore, it urged Member States to “do their utmost to prevent violence against journalists and media workers, to ensure accountability through the conduct of impartial, speedy and effective investigations into all alleged violence against journalists and media workers falling within their jurisdiction and to bring the perpetrators of such crimes to justice and ensure that victims have access to appropriate remedies.”

The rationale behind the commemoration of an international event of this type comes from the necessity of getting all the agencies involved and connected in order to design effective solutions. Judicial system officers (judges, prosecutors, lawyers and investigative police) are crucial for addressing the issue of impunity. The sharing of experiences and information related to the jurisprudence of international courts, as well as national references in regard to high courts, can be an important tool in fighting impunity. It is also important to raise knowledge about international standards and international law.

Judicial systems are complex structures with multiple stakeholders. Therefore, sustainable processes of awareness-raising, peer-to-peer discussions, knowledge sharing and capacity building are needed to support stakeholders in these systems to understand and act to end impunity and to enforce the rule of law in cases of attacks against journalists. The role of jurisprudence coming from international courts is especially relevant within this context.

In this context, the conference in the Inter-American Court of Human Rights aimed to achieve the following goals:

---

<sup>8</sup> Available at: <http://www.un.org/es/comun/docs/index.asp?symbol=A/RES/68/163&referer=http://www.un.org/es/ga/68/resolutions.shtml&Lang=E>

- To ensure continued momentum around the opportunity of the International Day to End Impunity, and to contribute to the build-up of activities on this day.
- To provide continued dialogue and sharing of best practices among international judicial officers, as started in Strasbourg in 2014.
- To emphasize to judicial officers the particular importance of journalists in the quests to end violent crimes and to strengthen rule of law, in line with Goal 16 of the 2030 Agenda for Sustainable Development (to promote peaceful and inclusive societies for sustainable development and provide access to justice for all).
- To provide a platform for Latin American judicial officers to share experiences with each other and with international counterparts on fighting impunity, thus building understanding and capacity.
- To provide publicity on the issues and to increase awareness, including through the production of a quality concept note and a conference report on the outcomes, which are circulated amongst key stakeholders.

#### **Panel 1 – Opening Session**

Panelists in the opening of the commemoration conference of the International Day of End to Impunity for Crimes against Journalists 2015 were: Ms Pilar Álvarez, UNESCO Representative in Costa Rica and Director of the UNESCO Office in San José; Mr Mauricio Herrera, Minister of Communications of Costa Rica; Ms Zarela Villanueva, President of the Supreme Court of Costa Rica; and Mr Humberto Sierra Porto, President of the Inter-American Court of Human Rights. Points raised include:

Violence against journalists occurs both in regions with and without ongoing armed conflict. Most killings occur in countries that are not at war and even in stable democracies. According to the Freedom of the Press Foundation of the Brazilian Association of Investigative Journalism, the three countries in Latin America with the highest number of killed journalists are Mexico, Brazil and Colombia. This suggests that the threat is not only in areas of armed conflict, but also in those countries where the state is falling short in its duty to protect the citizens.

Even in Europe, which has been recognized as the birthplace of human rights and democracy, tragic attacks against journalists can occur. For example, the January 2015 shooting at the French satirical magazine *Charlie Hebdo*, in which 11 people were killed, demonstrates that no country or region can escape violence.

While murder is the most extreme and violent measure to end freedom of expression, there are subtler and more frequently used ways to restrain this right. This includes exercising control over broadcast licensing, restricting access to public information, and prosecuting those who dare to publish information against public institutions.

The Minister of Communications, Mr Mauricio Herrera, stated that Costa Rica has a greater degree of freedom and safety for journalists than other countries in Latin America. However, he also pointed out that there is always room for improvement.

He recalled that during his time as a journalist, he had to resort to the Inter-American Court of Human Rights to protect his right of freedom of expression against Costa Rica. Now as the Minister of Communications, it is his prerogative to guarantee that this right is not only respected but broadened. He announced three measures that the Government is planning to implement in the upcoming months. The first is the development of a law on public information that guarantees for any citizen or reporter access to national institutions' records, so that they can learn and monitor what is done with government expenditure, project bidding, and the salaries and activities of public servants.

The second measure will address the creation of a law on public advertising focused on making sure that official information is not used to reward or punish Costa Rican media groups. This measure is set to end discretion and vagueness. As a third measure, the Minister mentioned a future amendment of the criminal code to decriminalize the crimes of slander and defamation related to investigations and publications of public interest that aim to raise awareness of irregularities of public and/or institutional officers.

The President of the Court, Mr Humberto Antonio Serra Porto, argued in his opening remarks that states must be the champions of freedom of expression. The Inter-American Court of Human Rights, as the organization that administers justice at the regional level, can compel states to comply with their obligations. In this regard, the Inter-American Court of Human Rights represented more than 500 million people in the Americas. Seventy per cent of the laws of every country in the region are heavily or directly based on international laws. The jurisdiction of the Court merges with the jurisdiction of each one of the countries that have ratified the treaty with the Organization of American States.

In addition, the President of the Court indicated that states can apply a range of special measures aimed at safeguarding the integrity and work of media professionals. Those include the development of measures for preventing violence against journalists, such as the introduction of protocols of immediate response. It would be a good idea to organize research and judicial groups specialized in freedom of expression. Possessing deep knowledge of the patterns, context and main agents of violence against journalists increases the chances of holding those responsible accountable for their actions. In cases where impunity is fought with success and perpetrators are prosecuted and sentenced, the

people or institutions that planned but did not execute the attack are often not punished. Special units would be able to analyze cases individually.

The President of the Court also referred to an idea developed by the President of the Supreme Court of Costa Rica, Ms Zarela Villanueva: the judicial and social establishment needs to rethink the definition of a journalist.

In this regard, new approaches to journalism and communications require that the blogger, activist, and whistleblower also be protected by national organizations and states. Measures like mandatory membership in a professional association for the practice of journalism, which can be limited exclusively for those that have college training in the field, restricts the pool of professionals to only a chosen few.

The relationship between freedom of expression and impunity was also addressed in the opening panel. Conviction of perpetrators act as deterrents against those who wish to harm journalists. Eradicating impunity does not mean overlooking other important goals, such as the implementation of specific safeguard mechanisms for media professionals and journalists. Multifaceted problems call for multifaceted approaches. Thus, a state that complies with the decisions of international organizations, that promotes the respect for human rights within its borders, that applies specific protection mechanisms for journalists, and that properly punishes those who act against the law, is a state that integrally supports freedom of expression.

Seven per cent of murdered journalists recorded by UNESCO were women. However, in addition, female journalists are often exposed to sexual aggressions. The mechanisms of prevention and safeguarding must be adjusted to the circumstances of women as well. As new forms of journalism bring new legislative and judicial realities, the further incorporation of women into the journalistic profession in many countries carries additional risks for them that should be considered and tackled with all the resources and means available.

## **Panel 2 - *The role of the judiciary in protecting and promoting freedom of expression***

Keynote speakers included included Mr Claudio Grossman, President of the Inter-American Institute of Human Rights (IIDH) in Costa Rica and Dean of the American University Washington College of Law; Mr Edison Lanza, Special Rapporteur on Freedom of Expression of the Organization of American States; and Mr Diego García Sayán, judge in the Inter-American Court of Human Rights.

Ms Lorena Pinto, UNESCO Chair in Human Rights, University La Salle, Costa Rica, was the moderator of the second session. She noted that in 1993 the United Nations declared

3 May to be World Press Freedom Day. At that time, press freedom was not as protected as it is now. Twenty years later and with the proclamation of 2 November as the International Day to End Impunity for Crimes against Journalists, the problem is still far from being solved.

The major points of discussion were the functions and limitations of national and international judiciary powers, from the standpoint of the jurisprudence enacted by the IACHR with regard to freedom of expression.

Mr Grossman stated that even though murder is the most extreme type of violence that can be perpetrated, there are other non-fatal, types of violence to limit this right Grossman further indicated that the most common types of disruptions of freedom of speech included censorship, arbitrary broadcasting licensing, excessive sentences for crimes against honor or privacy, and impunity as a result of the inaction of judicial mechanisms.

The barometer of any democracy, as stated by Mr Grossman, lies in the people's capacity to question power without fearing retaliation. Freedom of expression in modern societies includes more than the freedom of speech; it also entails free access to the media and technologies that societies need. Freedom of expression requires pluralism. Media monopolies are one of the biggest hindrances to diversity and balance of opinions. Without this balance, there is no freedom of expression. The judiciary power needs to acknowledge how the right to freedom of expression is limited, and to try to strike these limitations down. Defamation should be used only in relation to individuals. Institutions should avoid taking legal action for defamation, as it dramatically hinders the flow of information related to the activities of companies and governmental bodies.

Mr Lanza raised the question of the relationship between freedom of expression and privacy. Even though it is true that information is empowering, information can also pose a threat to the right to privacy. While the right to privacy should not be used as an excuse to undermine freedom of expression, the limits that allow a regular citizen to have an independent and private life should also not be infringed upon. Social media and new communication technologies expose individuals to the public eye, such as through the uploading of pictures taken in public spaces or from people sharing their everyday lives.

The judiciary must be the moderator that ensures that individuals and governments observe the law. However, if judicial power is not separated from other governmental powers, it can become a tool to restrict human rights. It is in this situation that the judiciary plays a key role, as it must correct the potential imbalances that might take place between the powers of a state and society.

As a judge of the Inter-American Court of Human Rights, Diego García Sayán spoke about the role the Court plays on the continent. During his presentation he referred to

three rulings aimed at compensating for the deficiencies some countries display in the defense of freedom of speech.

States that allow the killing of journalists do not comply with their duty to respect and protect freedom of expression. Judge García Sayán made reference to guidelines which should be taken into account when considering whether a state is responsible for the death of its citizens. The following circumstances should be considered: the acknowledgement of the situation of danger, a clear and obvious identification of the individuals or groups that might potentially plan and execute attacks towards citizens, and lastly, that the law enforcement agencies are prepared to prevent any violent action.

In one case, ‘Campo Algodonero against Mexico’<sup>9</sup>, the Inter-American Court of Human Rights found Mexico guilty of violating the right to life and personal integrity – among other crimes – for not intervening to avoid tragedy, acknowledging the risks and having the power to use deterrent measures while failing to undertake a subsequent investigation.

This case, albeit not directly related to freedom of expression, represents an example of a state putting at risk the life of its citizens by omission while infringing a fundamental right. It is important to stress that states can be found guilty not only as a result of their direct actions, but also if they choose not to act. To fail to safeguard a fundamental right is a breach of duty. Therefore, when states choose not to do whatever is in their power to investigate and solve crimes against journalists, they are violating both the right to life and the right to freedom of expression.

Panelists also expressed their concerns about the apparent limitations of the Court. The Inter-American Court of Human Rights cannot act ex-officio, but only by petition. It is more reactive than proactive. This might imply that cases that do not have much press are often overlooked or misrepresented. The lack of pro-activeness has a negative effect on prevention, as cases must be brought forward and judicial process tends to be slow, thus diminishing the Court’s efficacy.

The lack of adaptation to new types of journalism and technologies is another weakness of the Court. In many cases the law is not adapted to an increasingly varied number of scenarios where there is a violation of the right of freedom of expression. The Court does not respond in due time to these situations, which raises the question of whether judges should embrace capacity building in order to stay up to date on the aforementioned fields.

---

<sup>9</sup> Inter-American Court of Human Rights Case of González et al (“Cotton Field”) VS. MEXICO JUDGMENT OF 16 NOVEMBER 2009 available at: [http://www.corteidh.or.cr/docs/casos/articulos/seriec\\_205\\_esp.pdf](http://www.corteidh.or.cr/docs/casos/articulos/seriec_205_esp.pdf)



Edison Lanza, the Special Rapporteur on Freedom of Expression of the OAS, pointed out that some judges might have a conservative approach to the responsibility of states in the safeguard of fundamental rights. In addition, it is the bureaucracy itself that impedes a fast and timely delivery of justice.

As seen during this panel, the IACHR has a key role in the defense of rights such as access to information and freedom of expression. The American states are inspired by its laws and jurisprudence. To count on the protection provided by this international organization is an acknowledgment that justice can travel beyond borders.

However, it is necessary to be aware of the inherent limitations of the organization and that it is a priority to focus on the defense of human rights rather than the punishment of violations. Raising awareness among citizens and states on the importance of universal rights must be the primary tool to defend them.

To conclude the session, Ms Pinto remarked on some key issues: the interesting analysis of the jurisprudence of the Inter-American Court, the fight for freedom of expression as a work in progress, and Mr Lanza's idea of never forgetting that behind the statistics of killed journalists there are people who suffer.

**Panel 3 - *Problem diagnosis: the dimensions of violence against journalists and the issue of impunity***

The goal of this session was to assess the magnitude and characteristics of violence through discussion with the main agents, organizations and institutions that manage information on the issue. The panelists involved were: Mr Germán Rey Beltrán, from the Gabriel García Márquez New Iberoamerican Journalism Foundation (Colombia); Mr Emmanuel Combié, member of Reporters Without Borders (RSF, Brazil); Mr Joel Simon, Executive Director of the Committee to Protect Journalists (CPJ, USA); Ms Daniela Pastrana, independent journalist in Mexico; Mr Roberto Rock, Vice-President of the Commission against impunity, Inter-American Press Association (IAPA); and Ms Sylvie Coudray, Chief of Section for Freedom of Expression at UNESCO Headquarters.

Panel moderator Mr José Luis Saca, Vice-President of the International Association of Broadcasting (IAB/AIR) in Uruguay, noted that societies become more transparent and fair once they address and work to get rid of the issue of impunity.

Before tackling the problem regarding the safety and protection of journalists around the globe, one should consider the available statistics in order to identify national patterns. This would help to identify what is causing such vulnerabilities and which measures should be implemented. Through big data and case studies, it is possible to get an accurate idea of the problem and how to solve it.

According to the report of UNESCO's Director-General on the Safety of Journalists and the Danger of Impunity, less than six percent of the 593 cases have been resolved. In 60 per cent of cases, UNESCO does not have information about the judicial processes concerning the prosecution of the perpetrators of the crimes. Joel Simon stated that just 40 per cent of states report accordingly on crimes committed against journalists. These figures, alarming in their own right, might point to a far worse situation in reality.

Mr Emmanuel Combié, a representative of Reporters Without Borders, said that according to his organization, 20 journalists had been killed in Central and South America in 2015, with Brazil, Guatemala and Mexico being the most hazardous countries. Ms Daniela Pastrana, independent journalist in Mexico, noted that seven of the murders took place in Mexico, specifically in the state of Veracruz – an area that has become very dangerous to be a journalist.

Mr Rey stated that Colombia is still recovering from the armed conflict that the country went through in the last few decades. In recent years, the remote areas of the country have been the scene of military confrontation between the Revolutionary Armed Forces of Colombia (in Spanish: *Fuerzas Armadas Revolucionarias de Colombia*, FARC) and the government. Journalists of small media groups who cover stories outside big cities are in great danger. According to Reporters Without Borders, 50 journalists have been kidnapped by this armed group, and the ability of many others to exercise the profession has been limited.

A significant part of the threat has disappeared thanks to the peace process facilitated by Cuba, although there are still other threats, mostly related to criminal or paramilitary organizations. Even though the conflict is set to be resolved, many journalists still lose their lives. Most killed journalists work for small media groups in places away from the big cities.

The data shown in the Impunity Index developed by the Committee to Protect Journalists (CPJ) reveals that there are countries that have amassed a worrisome number of unsolved killings of media professionals, despite not undergoing armed conflict.

Ms Pastrana stated that in many cases states actors are directly responsible for these deaths. The line between criminal armed groups and government representatives is very blurred. In Mexico, 54 per cent of the cases were attributed to government officials, whereas 14 per cent were assessed to be perpetrated by criminal organizations. Drug traffickers control many spheres of power, and the issue could only be solved by eradicating the strong influence these criminals have over the institutions of the state. The battle that started in 2007 to end this problem had a direct negative impact on media professionals, as some criminal groups targeted them.

According to the CPJ's Impunity Index, calculated by CPJ, the countries with the highest degree of impunity are Somalia, Iraq and Syria. In these countries, it is very likely that the perpetrators get away with their crimes.

The cases of the Colombian journalists Orlando Sierra and Nelson Carvajal were discussed as examples of state-linked violence. According to reports of the Attorney's Office, a group of politicians met with the guerrillas to silence the voice of Nelson Carvajal, who was denouncing corruption. Diana Calderon, Colombian investigative journalist and member of the Inter-American Press Association, said the Carvajal case demonstrated politicians and rebels teaming up to kill a journalist.

Something similar happened to Orlando Sierra, who was killed in 2002. After years of trials that led to the acquittal of the intellectual authors, one was eventually convicted. A former president of the Liberal Party in Caldas plotted Sierra's assassination so that the journalist's criticism and findings about corruption in the party would not be heard.

Given these examples, it is evident that the situation in some countries is very concerning, as justice cannot be properly administered if agents of the state are directly involved in criminal activities. Sadly, this happens more often than not, forcing the victims and their relatives to resort to international organizations or courts to find a solution.

Moreover, resorting to these institutions is not a guaranteed option, as all national judiciary resources must be exhausted before anything can happen at an international level. In addition, the process can be very long, and in some cases, justice is delivered a decade later.

Some of the solutions suggested in the panel focused on the implementation or improvement of national protection systems.

In order to obtain actual solutions, judiciary systems need more funding in order to be agents of prevention and prosecution. Systems of protection rely on the help of many professionals, who are not only ready to undertake preventive actions, but also are able to identify the root causes of the problem. Furthermore, they need to know where the current dangers are and what the best ways are to solve them. The creation of observatories that raise the alarm about the killing of journalists helps the political spheres to dedicate more resources to prevention. International society must be an instrument of putting pressure and denouncing killings so that there can be effective monitoring. A key step in the process is to establish achievable and quantifiable goals.

To reverse the situation requires acknowledging the power of violence to lead to self-censorship. According to Roberto Rock, half of the Mexican media does not cover corruption or narco-related stories out of fear of potential retaliation. The same happens

with digital and social media. Criminal groups are starting to silence their users through attacks against human rights activists, social media users, and other communicators who use new technologies.

To talk about certain topics is also becoming taboo, not only for media professionals but also for every individual who wants to express their ideas through new means of communication. If judiciary powers and protection mechanisms fail to adapt to this situation, the voices of media professionals will be silenced, as well as the voice of any person who condemns social and political injustices.

#### **Panel 4 - *Case law of regional and universal human rights protection bodies***

The discussions in this session focused on the role of international organizations and courts in the defense and protection of the right to freedom of expression and safety of journalists. One point of interest was the debate of whether international jurisprudence should prevail over national laws. The following is a summary of the most important ideas discussed in the debate.

In this fourth session, the following individuals participated: Justice Augustino S. L. Ramadhani, President of the African Court on Human and Peoples' Rights; Mr Andris Mellakauls, Director of the Committee on Media and Information Society of the Council of Europe; Mr Victor Rodríguez-Rescia, member of the UN Human Rights Committee; and Mr Roberto F. Caldas, Vice-President of the Inter-American Court of Human Rights.

Panel moderator Mr William Horsley, from the Centre for Freedom of the Media (CFOM), lamented that no member of the European Court of Human Rights attended the conference, but praised the work of that court in support of freedom of information. He acknowledged the weaknesses of the European system in regard to the enactment of precautionary measures to safeguard the integrity of journalists, and praised the Latin American system for successfully implementing such measures.

The Council of Europe has called for the elaboration of a summary of international laws and activities of different organizations regarding freedom of expression. This may help to reinforce the power of recently founded courts of justice.

Mr Horsley said that some European countries would prefer the jurisdiction of their own national courts of justice over international courts, such as the European Court of Human Rights in Strasbourg. However, the recommendations of the European Court are binding. Therefore, European states are obligated to follow them.

Justice Ramadhani mentioned that this was the first time the African Court on Human and Peoples' Rights was invited to participate in a global event. Therefore, he did not

want to miss the chance to make a brief introduction of what is arguably the youngest international court in the world (established in November 2006).

Justice Ramadhani recounted that the institution has faced several difficulties since its inception. Only 29 out of the 54 African states have ratified the protocol on the Establishment of an African Court on Human and Peoples' Rights, and only seven have acknowledged the Court's competence to receive petitions, which is a mandatory step to complete the process. The Court consists of a small team, just eight attorneys and nine judges for the whole continent. Its budget is limited, and jurisdiction-wise it is still in its early stages, as it was founded less than ten years ago. Despite all these restraints, the African Court on Human and People's Rights had rendered a judgement in 53 cases, two of them related to freedom of expression and both affecting Burkina Faso.

The first case was *Norbert Zongo versus Burkina Faso*. Norbert Zongo, a journalist, and a private driver were killed in an attack. Zongo was investigating the killing of the chauffeur of the brother of the president of Burkina Faso at the time of his assassination. The state handled the first trial and found no one guilty of the killings, leading the family to take the case to the African Court in order to seek redress. The Court found that Burkina Faso had violated the right to freedom of expression by refusing to investigate the case diligently and to prosecute those responsible for the crime.

In the second case, *Lohé Issa Konaté versus Burkina Faso*, the Court studied the appeal of the journalist Konaté, who was sentenced to prison and ordered to pay a fine because a judge had filed a complaint for defamation against him. The Court ordered Konaté's release and found that the penalty was not appropriate and violated his right to freedom of expression.

Mr Andris Mellakauls, Director of the Committee on Media and Information Society of the Council of Europe, said it was important to demystify the conception of Europe as the region where freedom of expression is respected everywhere and where institutions protected this right with diligence. Half of European countries did not guarantee access to public information. In addition, several countries currently had journalists in jail.

Even though in Europe there are far fewer deaths, in contrast with other regions such as Latin America or the Middle East, the problems that journalists face are subtler. It is most often the state that set up barriers, which make it difficult to practice the profession. Of particular importance is the situation in Eastern Europe. The Committee on Media and Information Society is working with most of countries in the region to extend the protection of journalists and media professionals to include bloggers, social media users and human rights activists.

According to Mr Rodriguez-Rescia, one of the essential contributions of the UN Human Rights Committee has been the criticism of limitations of freedom of expression on the basis of national security.

Mr Rodríguez-Rescia stated that the adherence to international instruments has always been a voluntary decision, never mandatory. In the 1960s, many countries did not know exactly what the consequences of ratifying some treaties would be. Furthermore, many countries now used the inviolability of their own constitutions as an excuse to ignore them. However, Article 26 of the Vienna Convention on the law of treaties clearly states that every treaty in force is binding upon the parties to it and must be performed by them in good faith (“*Pacta sunt servanda*”), while Article 27 specifies that a party may not invoke the provisions of its domestic law as justification for its failure to adhere to a treaty. This rule is without prejudice to Article 46.

Mr Rodriguez-Rescia further explained that the decisions and recommendations of the Human Rights Committee are not groundbreaking; they are just a reminder of the assumed international obligations of each state. On this note, he considered that the Committee is more often than not too shy and moderate. It does not apply *lura novit curia* either, whereby the parties in a litigation do not need to prove that the law applies to their case, since it is assumed the judge knows the laws and applies them accordingly. States that ignored the recommendations of the Committee weakened the overall institution.

According to Mr Roberto F. Caldas, Vice President of the Inter-American Court of Human Rights, there is another problem for international courts of justice, namely the pace of justice. He considers that in 80 per cent of cases analyzed by the court, there are violations of Articles 8 and 25 for not rendering jurisdictional services effectively or in due time.

Mr Caldas stressed that the Convention has had a positive impact on domestic jurisdictions. Thanks to the jurisprudence of the Inter-American Court, Brazil has introduced a procedure called the “custody hearing”, in which a detained individual must be brought before a judge within 24 hours of his/her detention. For legal professionals, it is not debatable that national sovereignties must abide by international jurisdiction. Adhering to a treaty is always a voluntary action, and the benefits it provides, once signed and ratified, are just one side of the coin. The other is the obligation to adhere to the decisions of these international institutions. It was also stressed that states must guarantee freedom of expression in all contexts and forms, and make public and accessible all information regarding institutional operations and resource management.

Mr Horsley asked for Mr Caldas’s opinion on the words expressed by the former President of the Federal Court of Brazil, who stated that corruption is ingrained in the political and judiciary powers of the state. This is a circumstance that hinders the fight

against impunity. Mr Caldas asserted that each country has a particular set of problems that must be addressed within and outside its borders.

**Panel 5 - *The importance of comparative legal studies and knowledge sharing on jurisprudence***

Jurisprudence allows us to know what was done in similar cases, and through the study of jurisprudence, we can apply judicial solutions of the same type on a global scale. This was the subject of the fifth panel, which included: Mr Toby Mendel, Executive Director, Center for Law and Democracy (Canada); Ms Marcia Aguiluz, Director, Program Director for Central America and Mexico, Center for Justice and International Law (CEJIL); Ms Taís Gasparian, Expert, Global Freedom of Expression, Columbia University (USA); and Judge Athar Minallah of the Islamabad High Court (Pakistan).

Ms Ona Flores, panel moderator and Senior Attorney/Human Rights Specialist from the Office of the IACHR Special Rapporteur for Freedom of Expression, pointed out that it is necessary to establish a regional dialogue between countries in order to make the fight against impunity for crimes against journalists more effective. She stated that judges and human rights defenders could make better use of comparative law in order to protect freedom of expression and fight impunity more effectively.

The issue of violence against journalists is a problem that dates back to the very inception of the profession. Societies today are more aware of the power of information, although violence is still a persistent problem.

According to Mr Mendel, the problem and solutions have not changed much since 2005. Nevertheless, given that national and international groups are now more aware of the problem, investment in efforts to end violence have increased. The Center for Law and Democracy and UNESCO have joined forces to research protection mechanisms that consider the peculiarities of crimes against journalists. Mr Mendel said that a protection mechanism requires the support of specific criminological studies. Research has found that in countries like Canada, which has a conviction rate for all types of crimes of 75 per cent, around 75 per cent of crimes are committed under the influence of alcohol or drugs. Identifying patterns in crimes against journalists through research would help to investigate them. In order to eradicate violence, law enforcement and judiciary bodies should be able to determine the origin of the issue.

The current line of action among institutions that defend freedom of expression is to raise the alarm and send the message that impunity needs to end. This strong stance should have a deterrent effect, thus decreasing the number of murdered professionals. Protection mechanisms with insufficient political will to deal with the problem and limited resources are destined to fail. In contrast, Colombia yielded positive results when it had the support of civil society

Ms Aguiluz stated that the establishment of precautionary measures is an effective way to prevent crimes. Thanks to the measures granted by the Inter-American Court of Human Rights, the Honduran TV station Canal 36 could continue broadcasting during the coup d'état of 2002, when the government ordered the confiscation of all the station's equipment and to the shutdown of the station.

Courts are becoming more and more specialized as jurisprudence is spread through domestic legislation. Judge Minallah of the Islamabad High Court said that his country was one of the first states to provide an effective and specific quick response mechanism to judge crimes that violate the foundations of the state, with the establishment of a court specialized in terrorism and attacks on media. Moreover, the government, in its parliamentary activity, assigns specific cases to ad-hoc committees. This work resulted in the creation in 2013 of a counter terrorism prosecution manual. This manual can empower trainers to equip and motivate prosecutors towards the proactive conviction of terrorists with speed, surety and certainty, from pretrial to post-trial, and to take all steps in ensuring the best care and attention to victims and survivors.

Judge Minallah further advocated for the inclusion in the category of safeguards for freedom of expression, the protection of all those who are not journalists by trade, but who still sacrifice their personal integrity to defend this right. The case of Malala Yousafzai serves as a prime example. She was the youngest person ever to receive the Nobel Peace Prize for her defense of her right to go to school. Two years earlier, members of the Taliban had shot her in the head. Ultimately, she survived the attack. Eight of the ten people allegedly involved were acquitted after being found guilty in a secret trial. There have been many voices that demand the need to shed light on this flawed judicial process.

To have in-depth knowledge of processes and sentences can contribute to a correct administration of justice. Jurisdictional decisions are progressively more applicable, regardless of where they come from or where they will be applied. Taís Borja Gasparian, from Columbia University's Global Freedom of Expression project, announced the launch of the online Global Database of Freedom of Expression Case Law, which gathers a repertoire of judicial decisions on freedom of expression. The site counts on the participation of lawyers from different countries and promotes critical analysis and thinking, as well as providing access to reports, blogs and journals.

The database currently hosts more than 400 case analyses from 60 countries. The cases go through a strict process of standardization to facilitate quick searches. Each analysis includes a summary of the case and its outcome, facts, an overview of the decision, relevant information, the direction of the decision (whether it expands or restricts a right), the significance of the case, and a reflection on the influence of the case. In addition, the



official documents of the case can also be consulted. These documents are attached in the language they were originally written. The case selection is made by Columbia University's community of contributors.

The database allows the attorneys and judges to examine prior cases and to compare them when necessary. This platform is an invaluable source for studying the jurisprudence of an issue, which allows for the establishment of parameters that guarantee the exercise of freedom of expression. Taís Borja also stressed the importance of use of the site by the media, which occasionally misinterpret some cases.

In the debate that followed, the interventions of each panelist suggested that misinterpretations could be a product of capacity of media professionals but also a consequence of the syntax and terminology used in many decisions. On that note, Judge Baltasar Garzón told a story in the next session about how decisions are written. He decided to change his way of writing decisions, when in 1984 he had to comfort a woman, who, after winning a case over which he had presided, thought she had lost it because she did not understand the decision. This event made him reflect on the fact that if citizens were unable to understand judicial decisions, then justice as a concept would fail to be universal. This change of approach led to his admonition of the Spanish High Court of Justice, who revoked the style he was adopting until it became common practice in Spain.

**Panel 6 - *Successful cases in ending impunity***

The main subjects discussed in this session included the need to implement efficient systems of protection, the concern over the lack of actual separation of powers in states that violate freedom of expression, the importance of working independently in the media industry, and the observance of ethical codes.

The professionals that participated in this panel included the Spanish Judge Baltasar Garzón, President of the International UNESCO Centre for Human Rights Promotion (CIPDH); Mr João Bosco, member of the Federal Prosecutor's Office of Brazil; Mr Mohammed Ayat (Morocco), former Senior Legal Advisor to the Prosecutor of the United Nations International Criminal Tribunal for Rwanda (UNICTR); and Mr Bach Avezdjanov, Program Officer for Global Freedom of Expression, Columbia University.

Panel moderator Mr Ernest Sagaga, Human Rights and Safety Officer, International Federation of Journalists (IFJ), opened the session by speaking about his experience as a journalist and a lawyer. Being a part of each side helped him to have a better understanding of media professionals' situation and how the judiciary power can assist them. Mr Sagaga worked for CNN after joining the International Criminal Court, an organization that actively fights impunity for war crimes and crimes against humanity. In the last 25 years, the IFJ has issued annual reports on journalists and media staff killed in

the line of duty. Levels of violence against journalists are excessively high, and the solution to this violence lies in the enforcement of local and global protection measures. To do so, it is necessary to acknowledge the magnitude of the problem and to involve the highest possible number of agents.

Judge Garzón said that if the media are too docile towards power, then they lose their *raison d'être*, because they forget their social function as they would be at the disposal of particular interests. In the same way as there exist corrupt politicians, businessmen and judges, there also are journalists that cause damage to the profession if they opt to be at the service of a region's economic, political or criminal powers.

Judge Garzón said that it was necessary to develop robust protection mechanisms, avoiding endless debates in the process. A specific measure would be to modify an article of the Treaty of Rome to consider crimes against journalists as crimes against humanity. As terrorism is fought globally, this problem should be fought the same way, because it is a universal problem as well. Garzón also pointed out that it is not a strong requirement to have a concise and widely accepted definition of journalism. What must be addressed are the actions against freedom of expression, regardless of whether the person who suffers the attack is a certified journalist or simply a civilian.

An example of impunity in crimes against journalists can be found in the killing of a Spanish cameraman in the Palestine Hotel in Iraq in 2003. During the invasion of Iraq, the international press was based at this hotel. Both sides of the armed conflict were fully aware of this situation. However, on 8 April 2003, a US Army tank opened fire on the journalists and media professionals that were recording. The attack killed two journalists, and caused injuries to another three. The case was presented before a Spanish court, which issued an arrest warrant against Sergeant Gibson, Captain Wolford and Lieutenant Phillip DeCamp. Finally, in 2009 and as a product of diplomatic pressure, the Spanish legislature enacted an amendment to the principle of universal jurisdiction, limiting its application to those offenses committed by or against Spaniards, or where the perpetrators were on Spanish soil. In accordance with this law, the case against these American soldiers was dropped.

According to Bach Avezdjanov, a successful case was the prosecution of Ilya Goryachev of the Russian Federation, where there was political will to arrest the real and intellectual masterminds of the killings of noted members of Russian civil society, among them anti-fascists, a journalist and a lawyer. In Avezdjanov's opinion, the case succeeded because of a combination of factors. These included the use of international legal tools, such as the extradition process; political will; and the joint work of the government and the judiciary power. A conviction of this type would have been unlikely if Goryachev's targets had been journalists from small media groups who were critical of the government.

Mohammed Ayat noted that in his home country of Morocco, there are many restrictions on the right of freedom of speech, especially when dealing with topics related to morality, homosexuality, or opposing the government. Defending some rights under the protection of the law in a state without a clear separation of powers is an uphill task. Judges and other judicial officers rarely question the decisions made by the executive power. Mr Ayat noted that freedom of expression is not an absolute right in Morocco, which means it can be suspended at the state's discretion. This circumstance can be used as an excuse to restrain the rights of citizens.

The incorrect application of the right to reputation might also limit freedom of expression. Self-censorship is also an issue, given that journalists might restrain themselves from investigating certain stories out of fear of reprisal. There are very few cases in which the right to freedom of expression is successfully defended.

Mr Bosco expressed his concerns about one of the biggest problems in Brazil: the rise of violence in the last 35 years. He stated that it was the police and politicians of small towns who systematically perpetrate such violence. Similar to the situation in Colombia, journalists working in isolated areas in Brazil need special protection. Brazil is one of the most dangerous places for journalists in Latin America, and unlike Mexico and Colombia, Brazil has not implemented any type of protection mechanism.

Mr Sagaga closed the session highlighting that the *raison d'être* of both journalists and judges is to search for truth and justice. Whereas the former focus on raising the alarm and identifying the problem, the latter take all necessary measures to solve the problem. Therefore, if either of these two agents cannot do their job, it will be difficult to seek out truth and justice.

**Panel 7 - *The importance of capacity building for judges***

The panelists in this session discussed measures for improvement that can be implemented in the judicial sphere to fight impunity for crimes against journalists more effectively. They also reviewed the most important cases of violent deaths of journalists in Latin America.

Participating in this panel were: Mr Guilherme Canela, Regional Advisor for Communication and Information, UNESCO Office in Montevideo; Mr José María Costa, Advisor at the Supreme Court of Justice of Paraguay; Ms Lena White, Advisor to the President of the Supreme Court of Costa Rica; and Ms Vivienne Harris, Justice of the Supreme Court of Jamaica.

Panel moderator Mr José Thompson, Executive Director, Inter-American Institute for Human Rights, praised the work of the Inter-American Court for Human Rights. The Court, since its very first advisory opinions, has always supported journalists, as they

embody the concept of freedom of expression. In addition, the Court deems that attacks directed towards journalists affect not only people from the profession, but the society as well. Consequently, the collective right to information is severely damaged.

Mr Canela emphasized the significance of holding international forums, since they serve as a meeting point for key agents of the judiciary. These events represent an invaluable opportunity for the highest representatives of justice to assess what core ideas need to be addressed. He noted that journalists sometimes receive excessive sentences under the pretext of having committed a crime such as defamation or libel.

Mr Canela also observed that many judges are not prepared for the implications of the free expression of ideas on the internet. For that reason, UNESCO has promoted a plan for online capacity building for judges so that they are prepared to fill the gaps presented in the legislation regarding freedom of expression, safety of journalists and the Internet. An online course using a platform hosted by the University of Texas has been first tested in Mexico in cooperation with the Supreme Court with the goal of developing the content. In two weeks, 2,000 people applied for the course. The programme has surpassed expectations, and due to this success, is set to be translated into other languages.

Mr José María Costa agreed that capacity building is required, and he added that the Paraguayan judiciary is aware of the challenge. In his position as a consultant to the Supreme Court of Justice of Paraguay, he is committed to promoting internal training activities, correcting the mismatch that many judiciary schools face in regard to subjects related to freedom of expression. He is also committed to working to guarantee access to public information, and providing transparency and protection of journalists.

Mr José María Costa talked about two of the most relevant cases of journalists killed in Paraguay. The first is the case of Pablo Medina, who worked for the newspaper ABC Color. At the time of his murder, he was working on a story about the connection between the political power and the narco-traffic gang in the small town of Ypejhú. He received threats against his life and his family's lives after the publication of several stories. Eventually, he was gunned down. The case was prosecuted, putting the alleged material and intellectual perpetrators on trial. The former mayor of Ypejhú, Vilmar Acosta Marqués, accused of ordering the murder of the journalist, was extradited from Brazil to Paraguay thanks to close cooperation between these two countries.

The second case mentioned by Mr José María Costa was the murder of Santiago Leguizamón by contract killers hired by a narco-traffic gang at the Brazilian-Paraguayan border. The crime took place in 1991, during the transition to democracy. This case remains unsolved because the State of Paraguay failed – by omission – to locate and prosecute those responsible for this horrific crime.

Ms Lena White, from the Supreme Court of Costa Rica, said that the situation in Costa Rica was different from that of its neighbors and other Latin American countries. However, there have been cases within Costa Rican borders, including one that resulted in a fatality. Costa Rica, he noted, had not recorded any murders of journalists in recent years. The last case dates from 2001, when a Colombian radio journalist, working in Costa Rica was killed while conducting an investigation into the activities of different powerful organizations. On 19 December 2007, the Supreme Court of Costa Rica, in what is the longest trial to date in the history of the country, convicted three persons. In addition to this case, from 2004 to 2015, there were 16 other complaints for crimes against journalists according to the records of the criminal analysis unit of the Costa Rican judiciary power.

Constitutionally-speaking, there had recently been several important verdicts. One important case involved the punishment of agents working for the Ministry of Public Safety for using excessive force against journalists and camera crews. In another case, the General Director of the Judicial Investigation Department and the Deputy District Attorney, who specialized in cases of organized crime, were convicted for violating the right to privacy and confidentiality when they ordered the tracking of phones with the purpose of determining the identity of the judiciary officers who were the source for the publication of a series of stories.

Ms Vivienne Harris, from the Supreme Court of Jamaica, stated that her country is peaceful, and the rights of journalists are usually respected. Justice is delivered efficiently, and the judiciary operates independently from other branches of government.

In 2002, a law on public information was passed in Jamaica, which provided protections and defense of press freedom and free expression. In the last 15 years, there have been changes in the legislation to adapt to principles of the defense of human rights. Although there have been no reported murders of journalists in Jamaica, this Caribbean country continues to face numerous other problems. In addition to justices and judges taking capacity building courses, everyone involved in the legal system should be required to take these courses as well. The best way to defend human rights is to create a culture in which they are respected by all spheres of society.

Mr Thompson, the moderator remarked that justice officials are not only in charge of protecting journalists, they also can guarantee that the right to freedom of expression is rightfully exercised. Furthermore, this duty should apply not only to media professionals, as the right to freedom of expression for all citizens needs to be equally protected by the judiciary power.

In Paraguay, Mr Thompson noted, the Inter-American Court of Human Rights directly inspired the passing of an access to information law. States should consider international organizations not just as corrective bodies, but as a mean to reinforce national legislation.

Regarding mandatory membership in a professional journalists' association, he stated that it was precisely the Inter-American Court that ruled against this idea, as it violated freedom of expression. Justices and judges should undertake capacity building activities focused on the relationship between new technologies and freedom of expression. Moreover, such activities create spaces in which judges can share knowledge and jurisprudence. Mr Thompson also added that judges are not exempt from receiving social and political pressure that could make their work difficult. Therefore, judges need to exercise their duties in a climate favorable to the rule of law.

**Panel 8 - *Presentation of the experience of civil society organizations with the fight against impunity for crimes against journalists***

The eighth session addressed the problem of violence from a closer standpoint by giving a voice to those who had suffered firsthand and to civil society organizations that intimately know the cases and government actions.

Criticism towards governments was unanimous. The panelists held governments responsible for the difficult situations civilians have faced in Latin America and in the rest of the world. Governments show a lack of willingness to create protection mechanisms and solve crimes. Speakers were: Ms Sonali Samarasinghe, former journalist and editor in exile from Sri Lanka; Ms Sahar Habib Ghazi, Pakistan, Global Voices; Mr Marcelo Träsel, Director of the Brazilian Association of Investigative Journalism (ABRAJI); Ms Adriana Arce, International Center for the Promotion of Human Rights (CIPDH, a UNESCO Category II Center); Mr Darío Ramírez, Director of ARTICLE 19 Mexico and Central America; and Mr Pedro Vaca, Executive Director of the Foundation for Press Freedom (FLIP).

Ms Samarasinghe recounted an extreme case of violence against journalists. On 8 January 2009, her husband was murdered by forces linked to the government. Shortly after his murder, Samarasinghe had to leave Sri Lanka out of fear for her own life. In January 2015, she finally could return. She remarked how important it is to know the story behind each case. If civil society could empathize with cases of attacks on journalists, then it would be easier to fight for freedom of expression because the masses have power to put pressure on government institutions.

If states decide not to respect human rights, then international organizations must provide a strong and unified response. In Sri Lanka, the judicial institutions were dated and the political power was in the hands of the military, so all the powers of the state were under the same agent. According to the CPJ, since 1992, 19 journalists have been murdered in Sri Lanka, and 10 of those murders occurred in the last decade.

Ms Ghazi recounted the difficulties of protecting journalists in Pakistan. In some places it is particularly difficult, such as the city of Karachi. A murder case was actively prosecuted by the Court of Justice leading to the arrest of six people, even though the prosecution came three years later. In the meantime, six witnesses, two police officers and a lawyer were killed. The case Sahar Habib Ghazi referred to was the murder of Wali Khan Babar, a Pakistani journalist of GEO News who was killed by a gunman in the city of Liaquatabad, Karachi. The perpetrators, Saulat Mirza and Faisal Mota, were sentenced to death in March 2015. Despite this, the masterminds of the murder have not been convicted, let alone prosecuted, according to Ms Ghazi.

Another case cited was the March 2014 attempted murder of the columnist, political analyst and journalist Raza Ahmad Rumi. While he survived the attack, his driver was killed. The prosecution of this case proved difficult, as the main witness, the driver's brother, has received many threats. Even Raza Ahmad Rumi has been forced to relocate to the United States in order to safeguard his life. These types of cases showed the deficiencies of a system unable to deliver justice or to protect those who are threatened.

According to Ms Ghazi, a solution is to involve society, and in particular the media companies that have a strong influence on politics and the economy. In Pakistan, there are 84 private TV stations, which make a large profit. It should be mandatory for these companies to assign part of their revenue to the development of protection programmes, as well as to fund research or to fund the creation of awareness campaigns.

For Mr Pedro Vaca, Executive Director of the Foundation for Press Freedom (FLIP), the social alarm that follows the murder of a journalist is a powerful weapon to fight impunity. During the 1990s, few people in Colombia would have been taken aback by a case of such nature. However, things are different in 2015, as demonstrated by the case of Flor Alba Núñez. The death of this journalist has provoked reaction from all corners of society.

Violence against journalists in Colombia has decreased over the years, mostly due to the protection mechanism implemented. The positive trend, however, comes at a price. Today there are still 15 journalists under protection, which not only entails a public expense of 7 million dollars a year, but also restricts the freedom of movement of these individuals.

Mr Vaca also suggested that an effective solution requires the involvement of the government and the civil society. To allow the kin of the murdered to actively participate in the prosecution of the accused provides some kind of restitution, as it relieves the profound frustration they feel. Moreover, it could also serve as proof that the institutions and the population form a united front against violence.

According to Mr Träsel, there are no protection mechanisms in place in Brazil. The only option is for those who are threatened to enter into the witness protection programme. In his view, this is not an efficient solution. Impunity in Brazil affects the collective of media professionals and journalists. The Brazilian police do not adequately investigate many of the homicides, and in cases they do investigate, only two per cent of them lead to a conviction, according to data provided by Mr Träsel. To compound this issue, many cases of violence are perpetrated by police officers. According to Mr Träsel, the political authorities do not have a real willingness to solve the problem. Since 1992, 33 journalists have been murdered in Brazil, and 22 of these cases remain unsolved. According to investigative journalism association ABRAJI, in the last two years, 220 journalists had suffered attacks while working. Law enforcement agents perpetuated 174 of these attacks while the rest were committed by civilians.

Furthermore, Mr Träsel mentioned the death of cameraman Santiago Andrade, which occurred during a confrontation between protesters and police in February 2014. Andrade was covering a rally against public transport fare rises at Rio's Central Station. Anarchist protesters were held responsible for the crime.

Mr Darío Ramírez, Director of ARTICLE 19 Mexico and Central America, agreed on the issue of a lack of political will. He was very skeptical about some of the initiatives undertaken by the Mexican Government, and he said that it is important to take into account that Mexico is one of the countries in Latin America with the highest rate of murdered journalists. In his opinion, the government is pretending it is doing something and not effectively tackling the problem.

Mr Ramírez used harsh words towards the implementation of the witness protection programme by the Mexican Government. To his understanding, these mechanisms should come into force only as temporary measures. The ultimate goal of a government is to guarantee total safety. In the fight against violence, simply saying that there are already protection mechanisms in place is not enough; it would be like applying a bandage on a severe hemorrhage. Furthermore, journalists have no reason to believe in these mechanisms, as they have been proven ineffective. Just 2 million dollars are destined for the creation and implementation of protection mechanisms, which seems very small for a country the size of Mexico. Mr Ramírez also reviewed the inconsistencies of some of these tools and stated that “in recent years 54 cases have been addressed; 34 panic buttons that do not work when pressed, 22 emergency numbers seldom respond, 17 CCTV stations in which the CPUs get stolen [...]”

Ms Arce continued the panel discussion with an analysis of the evolution of freedom expression in Argentina, from dictatorship until today. Nearly 200 journalists disappeared, were killed or threatened during the years of the dictatorship. Even with measures such as the revision of the Audiovisual Communication Services Law, which



opened broadcasting licensing to universities, cooperatives and other organizations, monopolistic groups were still in control. It is evident that organized crime is integrated into the daily life of many states, to the point that it is not rare to find deep connections between organized crime and the political, economic and military spheres.

Panel moderator Mr Giancarlo Summa, UN Department of Public Information (DPI), emphasized that Brazil was the only country among the states in the region with a high rate of crimes against journalists that had not implemented a protection mechanism. According to a report elaborated by the Secretariat for Human Rights of the Cabinet of Brazil, most of the cases of violence against journalists were perpetrated by members of the state, politicians or law enforcement agents. This is obviously a serious and undesirable circumstance that makes the situation even more difficult. In order to solve the issue, states must create a violence monitoring body and mechanisms that prevent violence. Violence will never end if these two measures are not taken.

**Panel 9 - *Wrap-up, recommendations and conclusions***

This session brought concluding thoughts on the content presented in the more than 30 contributions to this conference. It included: Ms Pilar Álvarez, UNESCO Representative in Costa Rica and Director of the UNESCO Cluster Office in San José; Mr Edison Lanza, OAS Special Rapporteur for Freedom of Expression; Mr Augustino Ramadhani, President, African Court of Human and Peoples' Rights; and Mr Roberto F. Caldas, Judge, Vice President of the Inter-American Court of Human Rights.

Each of the panelists analyzed the key points in the fight against impunity. Ms Álvarez proposed honoring all the journalists killed with a standing ovation. After paying tribute to the victims, Ms Álvarez listed some of the points needed to achieve the goals set in each session. She noted that the state must guarantee the safety of all of its citizens, paying special attention to those who play an important role in the defense of justice and protection of human rights. States should consider the standards devised by international organizations, listen to their advice and comply with their judgements. Public prosecution services and investigative units must be aware of the underlying problems of violence against journalists. With that knowledge, they need to be able to develop a plan of action that deals with the root causes, also considering the solutions suggested by other civil and professional organizations. In addition, the efficiency of protection mechanisms must be improved.

Mr Lanza stated that the individuals responsible for the implementation protection mechanisms should be invited to future conferences. He also noted that much work has to be done in the region, as only six countries have such mechanisms and five of them are in Latin America. Most of the solutions or approaches suggested in this forum were aimed at the creation of, or improvement of, systems for the defense of media staff. For Mr

Lanza, it is very important that all ideas discussed during the conferences have a practical purpose.

In order to ensure that all the ideas presented in the panels of this international forum do have real impact, Mr Lanza suggested a series of questions to be considered. The first of is to reflect on the true meaning of the International Day to End Impunity for Crimes against Journalists. Not only do international organizations need to be mindful of this day; societies and media outlets should contribute to the task initiated by UNESCO. All journalists that never received the justice they deserved should be remembered, while trying to prevent these situations now and in the future. Mr Lanza's second point addressed capacity building. The project launched by UNESCO and the University of Austin for justice administrators was commended.

Mr Caldas stated that all censorship measures, together with impunity, create a climate of self-censorship that effects media professionals and weakens society as a whole. Journalists under these circumstances can be considered direct defenders of human rights, and it is likely that wherever they can work safely, human rights are respected. Mr Caldas also observed that institutions such as the Inter-American Court of Human Rights, the European Court of Human Rights, the African Court of Human and Peoples' Rights and institutions from other regions are the homes of the people they represent and the place where their rights must be defended. The creation of similar organizations elsewhere would arrive soon. The African Court of Human and Peoples' Rights, for instance, is an organization that was recently founded. Its President, Justice Ramadhani, requested the help of the justices and members of international institutions to persuade more African countries to ratify the protocol and issue the mandatory statement to join the Court.

It was essential that these institutions have more and more power to act effectively all over the world. Even though the Universal Declaration of Human Rights has proven its effectiveness for more than 60 years, most people in the world do not know the real power of these rights. Freedom of speech in virtually every case is violated by groups of people or states that directly attack these fundamental rights. A society with freedom of speech not only grants the correct functioning of a democracy, it also guarantees the fulfillment of basic human rights.

### **Findings and conclusions**

The presentations of more than 30 panelists from more than 20 countries illustrated that the search for solutions should effectively integrate all the social actors. Therefore, international and national organizations, personnel of the judiciary power, journalists and civil society play an important role in defending freedom of expression and the safety of journalists, online and offline.

The fight against impunity is not only a restorative measure, but a preventive one as well. Perpetrators feel emboldened when they realize their actions are not and will not be punished, thus encouraging them or others to keep attacking the right to freedom of expression. In addition, impunity presents another consequence: it dissuades journalists from investigating or reporting inconvenient truths out of fear for their own lives.

Hence, impunity not only fuels violence, it also creates a climate of self-censorship. There are many media groups that decide not to cover some topics, citing safety reasons. This paves the way for those who violate, or intend to violate, national and international laws, setting up an insurmountable obstacle for others who decide to exercise their right to freely express their ideas and opinions.

A fact widely discussed in the conference was the involvement of government officials in the cases of violence against journalists. In many cases, the line between criminals and governments is so thin that it is impossible to discern between them. This aggravates the issue, as it remains unclear in deciding who has the responsibility to solve the problem.

It is the international and national courts of justice that ultimately must protect the human rights of the individuals of every country. In order to protect individuals and their rights, institutions rely on the legitimacy of the international treaties voluntarily accepted by most countries. However, this can be a long and uphill task. Even though some examples of success were discussed in the panels, the reach of such success is limited because courts can initiate a proceeding only after an application has been filed. In addition, courts require personnel and resources. These factors affect the length and complexity of judicial processes, which tarnishes the concept of timely delivery of justice. Lastly, states sometimes argue that judgements issued by international courts contravene their constitutions. Therefore, they refuse to comply with them. International pressure is vital to make signatory states follow the decisions of international courts. The power of these institutions is weakened if states do not take a stand and exercise diplomatic and political pressure. However, the contribution of civil society organizations is also very critical. In conclusion, the task of promoting and safeguarding freedom of expression is hindered if there is not a multi-dimensional contribution.

The UN Plan of Action on the Safety of Journalists and the Issue of Impunity, which acknowledges the importance of having a strong political will to protect freedom of expression, urges states to take the necessary measures to guarantee the right.

One of the measures some countries have implemented is the development of protection mechanisms. Since this measure was implemented in Colombia, the number of journalist deaths decreased. The mechanisms include cautionary measures, panic buttons, assistance and protection centers, and the creation of bodies specialized in the prosecution of these types of crimes. The panelists were pleased with the measures, but emphasized that these

mechanisms must be backed up with political commitment, social support and sufficient funding and specialized staff. If the above is lacking, the mechanisms serve only to give the short-term impression that the issue is being addressed.

It is also critical that these tools have a process of professionalization, creating specific police and investigative divisions that are devoted to investigating attacks against journalists. Another solution discussed in the conference was the creation of specific district attorney offices. In many cases the root of the problem and the agents who attack freedom of expression are closely related. To identify patterns through analysis and research would help to find those responsible more quickly and make the precautionary measures more efficient. In line with having organizations prepared to manage complex information, it is critical to promote capacity building in the judiciary power so that judges can be prepared to face any legal issue regarding freedom of expression, especially in the realm of new technologies. Judges need to know firsthand the legal implications of using Internet as a means of expression, and how to protect the rights of users.

Attacks on free expression and information come not only in the form of direct violence. There are subtler ways of censorship that can also produce damage. Limitations on broadcast licensing, the application of the penal code in cases of defamation, and the misapplication of national security laws are some of the ways used to violate these rights.

The goal is not just to promote sanctioning and correcting measures against these bad practices, but to encourage democratic states to enact positive legislation in support of safety, transparency and free access to information. The fight for freedom of expression is a worldwide problem, and it takes place in more than just war zones or dictatorships.

For each region to provide more protection for the right to freedom of expression, it must identify its own challenges and develop initiatives to accomplish its goals. In order to be successful, all social groups need to take part in the process. The isolated response of national and international courts is not enough to address a problem of this complexity. Only when a society acknowledges that the murder of a journalist is a violation of the individual and collective right to freedom of expression in all its dimensions, can solutions be created. Those who do not respect the right to freedom of expression are attacking the very essence of a democratic system, and the outcome is an uninformed society. As more international conferences are held and experiences shared, so violence against journalists can move towards becoming eradicated in all parts of the world.

**Annex 1**  
**Programme of the Conference**

Day 1: Friday, 9 October

08h-09h – Participants registration

Session 1

09h-10h – Opening: Protocol ceremony: Esteban Montanar, IACHR

- Pilar Álvarez, UNESCO Director and Representative, Costa Rica
- Zarela Villanueva, President of Supreme Court of Costa Rica
- Alejandro Solano Ortiz, Deputy Minister of Foreign Affairs, Ministry of Foreign Affairs of Costa Rica
- Humberto Sierra Porto, President, Inter-American Court of Human Rights, Costa Rica

Session 2

10h-11h30 – Keynote Speakers: The role of the Judiciary Power in Protecting and Promoting Freedom of Expression

Moderator: Lorena Pinto, UNESCO Chair Human Rights, University La Salle, Costa Rica

Claudio Grossman, President of the Inter-American Institute of Human Rights, Costa Rica, and Dean of American University Washington College of Law, USA (video session)

Diego García Sayán, Judge, Inter-American Court of Human Rights (IACHR), Costa Rica

Edison Lanza, Special Rapporteur on Freedom of Expression, OAS, Washington D.C.

11h30 – 11h45 Coffee Break

Session 3

11h45-13.00 Problem diagnosis: the dimensions of violence against journalists and the issue of impunity.

This session will contextualize the issue in terms of international standards and UN resolutions on the subject of impunity, and why the case of journalists in particular is of special concern – including in the Sustainable Development Agenda. The session will analyze causes and trends in combating impunity.

Moderator: José Luis Saca, Vice-President, International Association of Broadcasting (IAB/AIR), Uruguay

- Sylvie Coudray, UNESCO Paris
- Joel Simon, Committee to Protect Journalist CPJ, USA
- Emmanuel Combié, Reporter without Borders RSF, Brazil
- Germán Rey Beltrán, The Gabriel García Márquez New Iberoamerican Journalism Foundation, Colombia

- Daniela Pastrana, Independent Journalist, Periodistas de a Pie, Mexico
- Roberto Rock, Vice-President, Commission against impunity, Inter-American Press Association (IAPA)

13h00 – 14h30 LUNCH

Session 4

14h30–16h30 Case law of regional and universal human rights protection bodies

In this session information will be shared about cases involving freedom of expression, and the human rights standards set out by international human rights regional courts, and by the universal human rights protection system.

Moderator: William Horsley, Centre for Freedom of the Media (CFOM), University of Sheffield

- Fitzgerald Haney, American Ambassador in Costa Rica
- Roberto F. Caldas, Judge, Inter-American Court of Human Rights, Costa Rica
- Augustino Ramadhani, President, African Court of Human and Peoples' Rights, Arusha
- Lena White Curling, Assessor at Presidency, Supreme Court of Costa Rica
- Victor Manuel Rodriguez-Rescia, Costa Rica, member UN Human Rights Committee UNHRC
- Andris Mellakauls, Steering Committee on Media and Information Society, Council of Europe

16h30-16h45 Coffee Break

Session 5

16h45-18h15 The importance of comparative legal studies and knowledge sharing on jurisprudence.

This session will interrogate how jurisprudence on impunity may be relevant to different situations, and how legal information relevant to the subject can be better shared. It will review different legal regimes which provide particular penalties for crimes against journalists and other human rights defenders.

Moderator: Ona Flores, Senior Attorney/Human Rights Specialist, Office of the Special Rapporteur for Freedom of Expression, Washington D.C.

- Toby Mendel, Center for Law and Democracy, Canada
- Athar Minallah, Justice, Islamabad High Court, Pakistan
- Taís Borja Gasparin, Global Freedom of Expression and Information, Columbia University, USA
- Marcia Aguiluz, Director, Program for Central America and México, Center for Justice and International Law (CEJIL)

## END OF DAY ONE

20h-22h Welcome Reception (Radisson Hotel)

Day 2: Saturday, 10 October

### Session 6

09h-10h30 Successful cases in ending impunity

Although the resolution rate of cases is very low, there are specific instances that may represent good practice. Issues to be considered, however, are whether justice is timely and transparent, and whether not just the trigger-men but also the commissioning agents of an attack are brought to book. Further, if cases are to be resolved, resources need to be mobilized, which depends on public opinion and on the positions of public officials and representative bodies such as the OAS Permanent Council and the Committee of Ministers of Europe. The role of these organs in relation to end impunity is significant, and can strengthen the rule of law in regard to attacks on journalists.

Moderator: Ernest Sagaga, Human Rights and Safety Officer, International Federation of Journalists (IFJ), Brussels

- Baltasar Garzón, President, International Centre for Human Rights Promotion (CIPDH), UNESCO Center II, Spanish Judge
- João Bosco, Federal Prosecutor Office, Brazil
- Mohammed Ayat, Marocco, former staff at UNICTR Rwanda
- NN, Global Freedom of Expression and Information, Columbia University, USA

10h30 – 10h45 Coffee Break

### Session 7

10h45 – 12h45 The importance of capacity building for judges.

This session will examine what areas of capacity could be strengthened, for what judicial and other actors (such as prosecutors and police), and through what mechanisms (workshops, online courses, judicial college curriculum, etc).

Moderator: José Thompson, Executive Director, Inter-American Institute for Human Rights, Costa Rica

- Ileana Guillén Rodríguez, Director, School of Judges in Costa Rica and Centre for Capacity Building of Judges in Central America
- José Maria Costa, Justice, The Supreme Court of Paraguay
- Vivene Harris, Justice, The Supreme Court of Jamaica
- Guilherme Canela, Regional Adviser for Communication and Information, UNESCO Montevideo

12h45 - 14h Lunch

### Session 8

14h00-15h30 Presentation of the Experience of Civil Society Organizations with the Fight against Impunity for Crimes against Journalist

Civil society groups, for example from Mexico, Colombia, Brazil and Guatemala, will discuss their role in awareness raising and their work in strengthening the effectiveness of mechanisms to protect journalists and to end impunity.

Moderator: Giancarlo Summa, UN Department of Public Information (DPI), de Janeiro, Brazil

- Marcelo Träsel, Director, Brazilian Association of Investigative Journalism, (ABRAJI), Brazil
- Darío Ramírez, Director, Article 19, Mexico and Central America
- Mariclaire Acosta, Director, Freedom House México
- Adriana Arce, Internacional UNESCO Centre for the Promotion of Human Rights, CIPDH, Argentina
- Pedro Vaca, Director Ejecutivo, Foundation for Press Freedom (FLIP), Colombia
- Sahar Habib Ghazi, Pakistan, Global Voices
- Sonali Samerasingh, former journalist and editor in exile, Sri Lanka

15h30-16h00 Coffee Break

Session 9

16h00-17h00 Wrap-up, Recommendations and Conclusions

Protocol ceremony: Esteban Montanar, IACHR

- Pilar Álvarez, UNESCO Director and Representative, San José
- Edison Lanza, OAS Special Rapporteur for Freedom of Expression, Washington D.C.
- Roberto F. Caldas, Judge, Inter-American Court of Human Rights



## Annex 2

### **PARTNERS AND SUPPORTERS OF THE CONFERENCE INTER-AMERICAN COMMISSION ON HUMAN RIGHTS (IACHR)**

Inter-American Court of Human Rights is UNESCO's main partner, also  
With Special Rapporteur for Freedom of Expression, Inter-American  
Commission on Human Rights of Organization of American States, and:

Article 19;

Centre for Freedom of the Media (CFOM), University of Sheffield;

Center for Justice and International Law (CEJIL);

Committee to Protect Journalists (CPJ);

Costa Rican National Commission for UNESCO;

European Lawyers' Union (UAE);

Freedom House;

Global Freedom of Expression and Information, Columbia University;

Inter-American Press Association (IAPA/SIP);

International Association of Broadcasting (IAB/AIR);

International Association of Lawyers (UIA)

International Center for the Promotion of Human Rights (CIPDH);

International Federation of Journalists (IFJ/FIP)

International Freedom of Expression Exchange (IFEX);

Media Legal Defense Initiative (MLDI);

Office of the High Commissioner on Human Rights Panamá (OHCHR Panamá)

Open Society Foundations (OSF)

World Association of Newspapers and News Publishers (WAN-IFRA)

The participation of several experts was supported by the USA.

#### **OFFICE OF SPECIAL RAPPORTEUR FOR FREEDOM OF EXPRESSION**

<http://www.oas.org/en/iachr/expression>

The Office of Special Rapporteur has a general mandate to carry out activities for the protection and promotion of the right to freedom of thought and expression. This includes the following activities:

- Advise the IACHR in evaluating cases and requests for precautionary measures, as well as in preparing reports.
- Carry out promotional and educational activities on the right to freedom of thought and expression.

- Advise the IACHR in conducting on-site visits to OAS member countries to deepen the general observation of the situation and/or to investigate a particular situation having to do with the right to freedom of thought and expression.
- Conduct visits to OAS Member States.
- Prepare specific and thematic reports.
- Promote the adoption of legislative, judicial, administrative, or other types of measures that may be necessary to make effective the exercise of the right to freedom of thought and expression.
- Coordinate with ombudsmen's offices or national human rights institutions to verify and follow up on conditions involving the exercise of the right to freedom of thought and expression in the Member States.
- Provide technical advisory support to the OAS bodies.
- Prepare an annual report on the situation regarding the right to freedom of thought and expression in the Americas, which will be considered by the full Inter-American Commission for its approval and inclusion in its Annual Report to the General Assembly.
- Gather all the information necessary to prepare the aforementioned reports.

## **INTER-AMERICAN COURT FOR HUMAN RIGHTS**

**San José, Costa Rica**

<http://www.corteidh.or.cr/index.php/en>

The Inter-American Court of Human Rights is a judicial organ of the Organization of American States (OAS) that enjoys autonomy from the other organs. Headquartered in San José, Costa Rica, its purpose is to apply and interpret the American Convention on Human Rights and other human rights treaties under the Inter-American system of international protection of human rights.

## **UNESCO**

<http://en.unesco.org/>

UNESCO is the mandated agency within the UN agency that promotes freedom of expression and freedom of the press. The Organization has taken the lead in coordinating the development and implementation of the UN Plan of Action on the Safety of Journalists and the Issue of Impunity. UNESCO works in cooperation with stakeholders and actors across the various UN agencies, and leading global and regional NGOs promoting press freedom and freedom of expression, as well as cooperation with national authorities and national media houses.

## **OPEN SOCIETY FOUNDATIONS**

<https://www.opensocietyfoundations.org>

The Open Society Foundations work to build vibrant and tolerant societies whose governments are accountable and open to the participation of all people. In particular, they seek to strengthen the rule of law; respect for human rights, minorities, and a diversity of opinions; democratically elected governments; and a civil society that helps keep government power in check.

In addition Open Society helped to shape public policies that assure greater fairness in political, legal, and economic systems and safeguard fundamental rights,

- Implement initiatives to advance justice, education, public health, and independent media; and
- Build alliances across borders and continents on issues such as corruption and freedom of information.

## **GOVERNMENT OF SWEDEN**

<http://www.government.se/>

The Government of Sweden's democracy and human rights policy has five focal points: high and more equal electoral participation; broader and equal participation in elected assemblies; enhanced opportunities for influence, transparency and participation between elections; increased democratic awareness; and protecting democracy against violent extremism. Sweden has acceded to international human rights agreements. This means that the Government has committed itself to ensuring that these commitments under international law are followed and are reflected in legislation and other public undertakings.

## **ARTICLE 19**

<https://www.article19.org/>

ARTICLE 19 is an independent human rights organization that works around the world to protect and promote the right to freedom of expression. It takes its name from the corresponding article of the Universal Declaration of Human Rights that is the foundation of journalism. Founded in 1987 through a proposal developed by Martin Ennals, former director of Amnesty International, its essence is to defend this right as a guarantee for democracy, good governance and development.

ARTICLE 19 works to defend freedom of expression anywhere in the globe that may be threatened. To this end, this organization maintains a constant monitoring of oppressive

governments that regulate in excess free press, annihilating the independence and plurality.

**CENTRE FOR FREEDOM OF THE MEDIA (CFOM),  
UNIVERSITY OF SHEFFIELD**

<http://www.cfom.org.uk/>

The Centre for Freedom of the Media is an interdisciplinary research center based at the Department of Journalism Studies at the University of Sheffield, UK. Its studies cover press freedom and the standards of the media. It was founded with the goal of promoting media freedom and analyzing the independence and veracity of media.

CFOM's course of action is to work with external groups of interests that evaluate the effective contribution of media towards achieving and maintaining political and civil liberties around the world. CFOM aims to strengthen existing legal and political activities that protect journalists, fight impunity in violations of the right to freedom of expression.

**CENTER FOR JUSTICE AND INTERNATIONAL LAW (CEJIL)**

<https://cejil.org/en>

The Center for Justice and International Law is a non-governmental non-profit organization whose main mission is to protect human rights in the Americas through the strategic use of the tools provided by the International Law of Human Rights. In its work, CEJIL uses strategic litigation and is supported by the American Human Rights system to address serious human rights violations in the region. In that sense, the organization gives priority to paradigmatic cases of endemic violations of fundamental rights and works with the most discriminated and excluded peoples of the hemisphere.

The attention to victims is crucial to CEJIL as well as cooperative work with human rights defenders and partner organizations, with which it joins efforts and shares accomplishments.

**COMMITTEE TO PROTECT JOURNALISTS (CPJ)**

<https://cpj.org/>

The Committee to Protect Journalists promotes press freedom worldwide and defends the right of journalists to report the news without fear of reprisal. CPJ ensures the free flow of news and commentary by taking action wherever journalists are attacked, imprisoned, killed, kidnapped, threatened, censored, or harassed. CPJ was founded in 1981 by a group

of U.S. correspondents who realized they could not ignore the plight of colleagues whose reporting put them in peril on a daily basis.

The idea that journalists around the world should come together to defend the rights of colleagues working in repressive and dangerous environments led to CPJ's first advocacy campaign in 1982.

### **COSTA RICAN NATIONAL COMMISSION FOR UNESCO**

<http://comisionunesco.cr/>

The Costa Rican National Commission for Cooperation with UNESCO is a legal entity, which can be considered as the link between UNESCO and the Government of Costa Rica, which allows coordinate actions at the national level to promote education, science and culture in society through an integrative approach.

Founded in 1949, the Costa Rican National Commission for Cooperation with UNESCO supports implementation UNESCO programmes in the country. Other functions include fostering participation and integration of institutions in the development and implementation of UNESCO projects. Another role of the National Commission is to provide advice to the Costa Rican Government on issues related to UNESCO, or mediate between the UNESCO Secretariat and other organizations involved in the development of joint plans.

### **THE EUROPEAN LAWYERS' UNION (UAE)**

<http://www.uae.lu/>

The European Lawyers' Union (UAE) brings together the practicing lawyers within the European Union, with a view to achieving common action for Promoting the professional practice of law within the European Union, as well as the education and continuous training of lawyers; and advancing the right of establishment and the freedom to provide services of lawyers in the European Union;

For this purpose, the UAE and its regional delegations and commissions organize numerous conferences, seminars and other events across the European Union, frequently in cooperation with other professional associations and bodies and with EU and national authorities. The association promotes the publication of the most relevant contributions to its events, and intervenes on matters of common concern for the practice and the rule of law in Europe.

## **FREEDOM HOUSE**

<https://freedomhouse.org/>

Freedom House is a non-governmental organization based in Washington DC and with offices in 12 countries, it was founded in 1941 with the objective of building grassroots support for US involvement in World War II and after that resulted in the US facing battles against the rest of totalitarian regimes of the twentieth century. Its main task is to conduct research and promote democratic and human rights values.

Since 1972 the organization has measured the state of political rights and civil liberties in all countries, including the 35 countries of the Americas, through its annual publication “Freedom in the World” as well as the state of press freedom through Freedom of the Press. In addition, Freedom House published a study of democratic governance in 60 countries including 15 Latin American countries.

## **GLOBAL FREEDOM OF EXPRESSION COLUMBIA UNIVERSITY**

<https://globalfreedomofexpression.columbia.edu/>

Global Freedom of Expression at Columbia University seeks to advance understanding of the international and national norms and institutions that best protect the free flow of information and expression in an inter-connected global community with major common challenges to address. To achieve its mission, Global Freedom of Expression undertakes and commissions research and policy projects, organizes events and conferences, and participates in and contributes to global debates on the protection of freedom of expression and information in the 21st century.

The online Global Database of Freedom of Expression Case Law is supported by a network of international experts. It surveys jurisprudence around the world, critically reviews exemplary cases, engages in comparative analysis, and aims to identify national, regional and global trends. By focusing on the role of the institution of Justice, the project aims to determine the extent to which the Justice Institutions are referencing international norms and standards, and approaching information and expression as global in nature and right.

## **INTER AMERICAN PRESS ASSOCIATION (IAPA)**

<http://www.sipiapa.org/en/>

The Inter American Press Association is a non-profit organization bringing together owners, publishers and editors of newspapers, periodicals and news agencies of the Americas, representing more than 1300 members.

Created in Havana in 1943, its objectives are to defend the rights of people doing journalism and promoting broad knowledge and a greater exchange of information on societies of the Americas, among others.

Among the most important activities of the organization are: the constant monitoring of violations against freedom of expression in each country, public campaigns through publications on issues of press freedom and denouncements of crimes against journalists, and promoting the creation of national and supra-national jurisprudence to protect the right of access to information.

### **INTERNATIONAL ASSOCIATION OF BROADCASTING (IAB/AIR)**

<http://www.airiab.com/en/>

The International Association of Broadcasting works with institutional and individual members representing television and radio stations. In 1945 the Uruguayan broadcaster Don Lorenzo Balerio Sicco proposed the idea of organizing a congress of private broadcasters in one country in the Americas, with the goal of unifying ideas and strengthening the role of private broadcasting in the Americas as a universal culture, consolidating the principle of freedom of thought and expression, and the union between people from different parts of the world.

IAB is a non-governmental organization with the official status as a UNESCO Associate Member. It permanently defends freedom of expression of thought, by supporting cooperation between broadcasters on those actions that work to help social service and public interests. It aims to contribute to the cultural development of peoples and advocates for the establishment of uniform standards of legal protection for their activities.

### **INTERNATIONAL ASSOCIATION OF LAWYERS**

<http://www.uianet.org/en>

The International Association of Lawyers (UIA - *Union Internationale des Avocats*) brings together over 2,000 individual members and 200 bar, federation and association members, from more than 110 countries. The UIA is open to all the world's lawyers, both general practitioners and specialists. Its members also include legal professionals, judges, law students and teachers.

The UIA is a multilingual and multicultural organisation, and is the only major international lawyers' organisation to have adopted French, English and Spanish as its working languages. The UIA's membership has extensive expertise in legal matters, which means the UIA can initiate high-level legal debates within its technical commissions and working groups, as well as adopt resolutions on current problems faced by the legal profession throughout the world.

**INTERNATIONAL CENTER FOR THE PROMOTION  
OF HUMAN RIGHTS (CIPDH), UNESCO CATEGORY II CENTER**

<http://cipdh.gov.ar/>

The UNESCO International Center for the Promotion of Human Rights (CIPDH) emerged in 2007 from an initiative by the Argentinian Government and UNESCO.

The CIPDH was the first UNESCO Category II Center dedicated to human rights. Its overall objective is to promote the deepening of democracy, the consolidation of human rights and the spread of human rights, liberty and human dignity, in particular expanded in the Mercosur region, UNESCO Member States and other international organizations.

The center aims to promote strategic institutional relations, strengthening the exchange of experiences and knowledge, with emphasis on cooperation among developing countries. It also promotes research on human rights and the systematization of such knowledge, and supports networks working on the same goal.

**INTERNATIONAL FEDERATION OF JOURNALISTS (IFJ)**

<http://www.ifj.org/>

The International Federation of Journalists promotes international action to defend press freedom and social justice through strong, free and independent trade unions of journalists. The IFJ does not subscribe to any given political viewpoint, but promotes human rights, democracy and pluralism. The IFJ is opposed to discrimination of all kinds and condemns the use of media as propaganda or to promote intolerance and conflict.

The IFJ believes in freedom of political and cultural expression and defends trade union and other basic human rights. The IFJ is the organization that speaks for journalists within the United Nations system and within the international trade union movement.

The IFJ supports journalists and their unions whenever they are fighting for their industrial and professional rights and has established an International Safety Fund to provide humanitarian aid for journalists in need.



## **IFEX**

<https://www.ifex.org/>

IFEX is a global network founded in 1992 by 95 non-governmental organizations, connected by a shared commitment to the defense of freedom of expression as a fundamental human right. IFEX uses its website as a tool for communication and dissemination of certain stories and events that attack freedom of expression, and thus an effect of mobilization and action against censorship is achieved, focusing on the regulation that prevents free expression, criminal defamation, political media concentration.

IFEX in its work covers 65 countries, with more than two-thirds located in the Global South, and each with its respective areas of expertise. The common denominator of its members is that they work to defend journalists, news media and all those people who want to exercise their freedom of expression, as cyber-dissidents, academics and artists. The network brings together organizations that operate at local, regional, national or international levels, which work together in coalitions to improve international understanding of the issues, create job opportunities for the promotion of freedom of expression, and raise awareness by supporting and strengthening action groups.

## **MEDIA LEGAL DEFENSE INITIATIVE (MLDI)**

<http://www.mediadefence.org/>

MLDI is a non-governmental organization created in 2008 to provide legal assistance to journalists (regardless of the medium used, whether in the field of printed press, radio, TV, or internet) and independent media.

The organization works to offer legal cover to ensure journalists' defense and bear the costs of the judicial process if it is necessary, ensuring the defense of the legitimate right to freedom of expression. MLDI promoting the exchange of information, tools and strategies for litigation for lawyers working on cases related to media freedom.

MLDI assists around the world without geographical restrictions. It provides financial assistance programmes for the legal defense of media and direct support for broadening knowledge on media legislation.

**OFFICE OF THE HIGH COMMISSIONER ON  
HUMAN RIGHTS PANAMÁ (OHCHR PANAMÁ)**

<http://www.oacnudh.org/>

The Central America Regional Office of the Office of the High Commissioner for Human Rights (OHCHR), with headquarters based in Panama since 2007, carries out its activities in Belize, Costa Rica, El Salvador, Nicaragua, Panama and the Dominican Republic. In addition, joint actions are coordinated with the Country Office of Guatemala and the Human Rights Advisor in Honduras. Among the areas of focus for the office are: Fighting poverty and inequality, promoting social and cultural rights; Fighting discrimination, with an emphasis on Afro-descendants and indigenous peoples and other groups that suffer from exclusion in the region, including women, LGBT people and migrants; Influencing policies to fight insecurity and violence, including violence against women, and promoting human rights training for the police force; and Strengthening the rule of law and fighting impunity, in compliance with international human rights legal standards.

**UNIVERSITY FOR PEACE**

<https://www.upeace.org/>

Headquartered in Costa Rica, the United Nations-mandated University for Peace was established in December 1980 as a Treaty Organization by the UN General Assembly. As determined in the Charter of the University, the mission of the University for Peace is: “to provide humanity with an international institution of higher education for peace with the aim of promoting among all human beings the spirit of understanding, tolerance and peaceful coexistence, to stimulate cooperation among peoples and to help lessen obstacles and threats to world peace and progress, in keeping with the noble aspirations proclaimed in the Charter of the United Nations.”

**THE WORLD ASSOCIATION OF NEWSPAPERS  
AND NEWS PUBLISHERS (WAN-IFRA)**

<http://www.wan-ifra.org/>

The World Association of Newspapers and News Publishers, or WAN-IFRA, is the global organization of the world’s press, representing more than 18,000 publications, 15,000 online sites and over 3,000 companies in more than 120 countries. The organization was created by the July 2009 merger of the World Association of Newspapers and IFRA, the

research and service organization for the news publishing industry. The two organizations have a 110-year history between them as the global representatives of the world's press.

The mission of the organization is simple: “To be the indispensable partner of newspapers and the entire news publishing industry worldwide, particularly our members, in the defence and promotion of press freedom, quality journalism and editorial integrity and the development of prosperous businesses and technology.”