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**IPDC** THE INTERNATIONAL PROGRAMME  
FOR THE DEVELOPMENT OF COMMUNICATION

**THE SAFETY OF JOURNALISTS AND  
THE DANGER OF IMPUNITY  
REPORT BY THE DIRECTOR-GENERAL**

**INTERGOVERNMENTAL COUNCIL OF THE IPDC**

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## **SUMMARY**

This document is being submitted as a follow-up to the Decision on the Safety of Journalists adopted at the 27<sup>th</sup> session of the Intergovernmental Council of the IPDC, held in March 2010. It provides an overview as well as background information on the killings of journalists condemned by the UNESCO Director-General in the last biennium (2010-2011). In total, the Director-General condemned the killings of 127 journalists – 65 of which occurred in 2010 and 62 in 2011. This report also provides updated information on the responses received by UNESCO's Director-General from the Member States concerning the status of the judicial inquiries conducted into each of the killings condemned during the 2006-2007 and 2008-2009 biennia. In line with the Decision taken in 2010, this report also includes for its discussion and endorsement the draft of the United Nations Plan of Action on the Safety of Journalists and the Issue of Impunity (including contributions from Member States in Annex 2), and an updated IPDC Decision on The Safety of Journalists and the Issue of Impunity which recommends that the IPDC continue monitoring the investigations of killings condemned by the Director-General of UNESCO.

**Decisions required:** Pages 29 and 40.



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## Introduction

1. Since 2006, when the Director-General of UNESCO began submitting the report on The Safety of Journalists and the Issue of Impunity to the Intergovernmental Council of the International Programme for the Development of Communication (IPDC), 372 journalists and media workers have lost their lives carrying out their professional duties. Aside from those killed, many more were victims of abduction, hostage-taking, harassment and intimidation. The majority of these attacks did not occur during situations of active conflict but in peacetime, mostly while covering dangerous assignments or reporting on corruption, organized crime and other illegal activities. As a consequence of these attacks many journalists have been forced to resort to self-censorship in an effort to protect themselves rather than lose their lives. In other cases, large numbers of journalists have found themselves in prison, with many others forced to flee their countries.

2. The primary aim of guaranteeing the safety of journalists, and striving to combat impunity of the perpetrators of crimes committed against journalists, are both essential to preserving the fundamental right to freedom of expression, ensured by Article 19 of the *Universal Declaration of Human Rights*, as well to promote democracy. During times of both peace and conflict, journalists are central to ensuring that the space for freedom of expression is kept open in order to build democratic societies which are just and participatory. Journalists play a vital role in this process. A safe working environment for journalists should therefore be guaranteed. Attempts by State and non-State actors to silence or restrict journalists not only deny journalists their rights but also jeopardize the fundamental right of society at large to be kept informed.

3. Perhaps of even greater concern is the fact that most of these abuses remain unpunished. States must therefore ensure that the perpetrators of crimes and acts of violence against media professionals and associated personnel are brought to justice, while also taking preventative measures to ensure that such crimes are not committed in the first place. Achieving this goal requires the active involvement of the media industry and a number of other parties, including professional associations and unions, NGOs specializing in this issue, as well as the United Nations system, and in particular UNESCO, which is the sole UN agency with the mandate to defend and promote freedom of expression and its corollary press freedom. .

4. In light of the above, a number of measures have been adopted by the United Nations (UN) to strengthen legal frameworks and enforcement mechanisms designed to ensure the safety of journalists in both conflict and non-conflict areas, the more recent of which are the biennial UNESCO Director-General Report on The Safety of Journalists and the Danger of Impunity submitted to the Intergovernmental Council of the IPDC in 2008 and 2010 and the draft of a common UN Plan of Action on the Safety of Journalists and the Issue of Impunity.



**PART ONE:  
REPORT ON THE SAFETY OF  
JOURNALISTS AND THE DANGER  
OF IMPUNITY**



## **Background**

1. UNESCO's Constitution explicitly states that the Organization's mission is "to promote the free flow of ideas by word and image" In this regard, UNESCO has undertaken a large number of steps in promoting the safety of journalists and the fight against impunity surrounding the crimes committed against them. It has also played a key role in enriching the international legal framework in this area by endorsing resolutions and declarations which have, in some cases, served as catalysts for the advancement of a climate in which journalists are safe and citizens are consequently provided easier access to quality information.

2. The importance of both the safety of journalists and the fight against impunity were addressed in 1997 by the adoption of Resolution 29 by UNESCO's General Conference, which condemns violence against journalists and calls on its Member States to uphold their obligations to prevent, investigate, and punish crimes against journalists. Since 1997, the Director General has publicly condemned each killing of a journalist or media worker, as well as widespread and repeated violations of press freedom, urging the competent authorities to discharge their duties in preventing, investigating and punishing such crimes, as stated in Resolution 29.

3. Furthermore, the Medellin Declaration, issued in 2007 in conjunction with World Press Freedom Day, reiterated the call upon Member States to focus on securing the safety of journalists and combating impunity in both conflict and non-conflict situations. This was in addition to the Belgrade Declaration of 2004, which focused on supporting media in violent conflict-zones and countries in transition.

4. UNESCO has also undertaken a number of activities designed to raise awareness about journalists' safety and the issue of impunity. Its flagship activities in this area include World Press Freedom Day, celebrated every year on May 3rd, and the UNESCO/Guillermo Cano World Press Freedom Prize, intended to honour the work of an individual or organization defending or promoting freedom of expression anywhere in the world, especially in dangerous conditions.

5. In addition, UNESCO has taken a number of decisive actions in the area freedom of expression, often in collaboration with other entities, including the provision of support to a number of organizations in order to deliver safety and risk awareness training for journalists and media workers, and also by publishing guidelines and publications that provide practical safety information to journalists and media workers.

6. Finally, the International Programme for the Development of Communication (IPDC) has in recent years assumed an important role in promoting the safety of journalists and combating impunity. Aside from developing media capacities in the field, IPDC has, since 2008, encouraged Member States to submit information, on a voluntary basis, on the status of the judicial inquiries conducted into each of the killings condemned by UNESCO, for inclusion in a public report submitted every two years to the IPDC Council by the Director-General.

7. In 2006, the safety of journalists was the subject of a thematic debate conducted during the 25<sup>th</sup> session of the Intergovernmental Council of the IPDC. Two years later, at its 26<sup>th</sup> session, the UNESCO Director-General presented the first report on The Safety of Journalists and the Danger of Impunity to the IPDC Intergovernmental Council as a follow-up to the thematic debate on the killings of journalists which occurred during the 2006-2007 biennium.

8. At this meeting in 2008, the Council adopted the first Decision on the Safety of Journalists and the Issue of Impunity, which gave IPDC a central role in monitoring the investigation of killings condemned by UNESCO's Director-General. This Decision urges Member States "to comply with the relevant obligations under international law to end impunity" and "to inform the Director-General of UNESCO, on a voluntary basis, of the actions taken to prevent impunity and to notify the Director-General of the status of the judicial inquiries conducted on each of the killings condemned by UNESCO".

9. The Report, presented to the IPDC Council at its 27<sup>th</sup> session in March 2010, refers to the 2008-2009 biennium. The responses concerned the judicial inquiries conducted into journalists killed over the period 2006-2007. The focus of the 2010 report was based on the fact that the great majority of victims were not international war correspondents but local journalists working in their own countries, mostly during peacetime, covering local stories. With regard to the action taken by Member States in connection to these killings, of the 29 countries and territories where the killings of journalists were condemned in 2006-2007, 15 provided detailed information on the judicial follow-up.

10. In 2010, the IPDC Council unanimously adopted the second Decision on the Safety of Journalists and the Issue of Impunity reiterating its request for governments to report to the UNESCO Director-General on their investigations into the killings of journalists. This Decision additionally requested "the Director-General of UNESCO to consult with Member States on the feasibility of convening an inter-agency meeting of all the relevant UN agencies with a view to formulating a comprehensive, coherent, and action-oriented approach to the safety of journalists and the issue of impunity."

11. On the basis of the responses received following a consultation with Member States, the Director-General of UNESCO, organized the first UN Inter-Agency Meeting on The Safety of Journalists and the Issue of Impunity, which took place at UNESCO Headquarters in Paris in 13-14 September 2011. Representatives of United Nations agencies, programmes and funds met at UNESCO to draft an Action Plan to improve the safety of journalists and combat impunity.

12. The Meeting saw UNESCO bring together a wide range of international and regional institutions, professional organizations, NGOs and Member States to provide the UN family with recommendations to formulate a coherent and results-oriented UN plan of action on the safety of journalists and the issue of impunity, with the view of preserving the fundamental right to freedom of expression.

13. The Draft Plan of Action is presented in this report (part two) for its endorsement to the Council of UNESCO's International Programme for the Development of Communication (IPDC) at its 28<sup>th</sup> session in March 2012. This plan forms part of the third UNESCO Director-General Report on The Safety of Journalists and the danger of Impunity which also analyses the killing of journalists during the 2010-2011 biennium, as well as the responses received from Member States concerning the judicial inquiries conducted into the killings of journalists from 2006 to 2009.

## **The killing of journalists spread worldwide**

14. According to the UNESCO Director-General's condemnations<sup>1</sup> on the killings of journalists during the 2010-2011 biennium, 127 journalists and media workers were killed. This figure revealed an increase of four victims compared to the previous 2008-2009 biennium during which the killings of 123 journalists were condemned, and an increase of five when compared to the first Report on The Safety of Journalists and the Danger of Impunity which covered the years 2006 and 2007 and reflected a total of 122 victims. In spite of this biennial increase, a yearly breakdown of the global figures for 2010 and 2011 of 65 and 62 killings respectively revealed that the record number of 77 journalists killed in 2009 has not been surpassed.

15. However, a more detailed analysis of the figures provided within the current report does in fact suggest a worrying trend since each of the two previous biennia included two particular situations which represented a large percentage of the total killings. In the 2006-2007 biennium, 62 out of the 122 media professionals were killed in Iraq, while in 2008-2009, 30 journalists were

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<sup>1</sup> The UNESCO Director-General's condemnations concern the killing of journalists and media workers who are killed in line of duty or targeted for murder because of their journalistic activities. UNESCO DG does not condemn accidental deaths.

killed in a single massacre in the Philippines. The current report, by contrast, does not include any particular case which can be singled out to account for the high numbers of media workers killed.

16. Figures confirm that most of the victims were not international war correspondents but local journalists covering local stories, a fact that it was already highlighted in the 2010 report. In most cases, these journalists were reporting on local conflicts, corruption and other illegal activities and many of these attacks were perpetrated by police and security personnel, militia as well as non-state actors, such as organized crime groups. As the World Association of Newspapers pointed out in its 2011 Report, “coverage of organised crime and corruption has put journalists in the line of fire”. Free and independent media play a key role in investigating and exposing corruption. But the risks associated with reporting on corruption can be very high, with journalists often subjected to threat, intimidation, use of physical force, and in the most extreme cases, loss of life. This leads to self-censorship, particularly in cases in which the right of journalists to seek, receive and impart information on issues of public interest, including corruption, is not adequately protected.

17. The number of journalists and media workers targeted for murder is noteworthy, and is relevant to at least 75% of the killings condemned by the Director-General. There is evidence that in most cases those journalists received threats before they were killed. Attacks on journalists also include, but are not limited to abductions, hostage-taking, harassment, intimidation, sexual attacks, illegal arrests and unlawful detention. Moreover, these acts of violence have not been limited to journalists and other media professionals. Social media producers, who generate a significant amount of public interest journalism have increasingly become the target.

18. Furthermore, the number of countries in which journalists were killed has increased. During 2006-07 and 2008-09, 29 and 27 countries, respectively, appeared on the list. In the last 2010-2011 biennium, however, a total of 37 countries witnessed the murders of media professionals. Those countries in which journalists were killed in the line of duty or targeted as a result of their journalistic activities, which feature on the list for the first time consist of the following: Angola, Bahrain, Bolivia, Bulgaria, Cameroon, Dominican Republic, Egypt, Greece, Libya, Peru, Rwanda, Syria, Tunisia, Uganda, Vietnam and Yemen.

**TABLE I: THE KILLINGS OF JOURNALISTS CONDEMNED BY UNESCO'S  
DIRECTOR-GENERAL BY BIENNIUM SINCE 2006**

<b>Country / area where killed</b>	<b>Biennium 2006-07</b>	<b>Biennium 2008-09</b>	<b>Biennium 2010-11</b>	<b>TOTAL</b>
<b>Afghanistan</b> , Islamic Republic of	5	6	4	15
<b>Angola</b> , Republic of	0	0	1	1
<b>Bangladesh</b> , People's Republic of	1	0	0	1
<b>Bahrain</b> , Kingdom of	0	0	2	2
<b>Bolivia</b> , Plurinational State of	0	0	1	1
<b>Brazil</b> , Federative Republic of	2	1	5	8
<b>Bulgaria</b> , Republic of	0	0	1	1
<b>Cameroon</b> , Republic of	0	0	1	1
<b>China</b> , People's Republic of	1	0	1	2
<b>Colombia</b> , Republic of	2	2	1	5
<b>Congo</b> , Republic of	0	1	0	1
<b>Croatia</b> , Republic of	0	2	0	2
<b>Democratic Republic of the Congo</b>	2	1	2	5
<b>Dominican Republic</b>	0	0	1	1
<b>Ecuador</b> , Republic of	2	0	0	2
<b>Egypt</b> , Arab Republic of	0	0	1	1
<b>El Salvador</b> , Republic of	1	1	1	3
<b>Georgia</b>	0	3	0	3
<b>Greece</b> , Hellenic Republic	0	0	1	1
<b>Guatemala</b> , Republic of	1	1	0	2
<b>Guyana</b> , Cooperative Republic of	1	0	0	1
<b>Haiti</b> , Republic of	1	0	0	1
<b>Honduras</b> , Republic of	0	1	13	14
<b>India</b> , Republic of	2	4	4	10
<b>Indonesia</b> , Republic of	1	0	1	2
<b>International Waters</b>	0	0	1	1
<b>Iraq</b> , Republic of	62	15	11	88
<b>Kazakhstan</b> , Republic of	0	1	0	1
<b>Kenya</b> , Republic of	0	1	0	1
<b>Kyrgyz Republic</b>	1	0	0	1
<b>Lebanon</b> (Lebanese Republic)	2	0	1	3
<b>Libya</b>	0	0	4	4
<b>Madagascar</b> , Republic of	0	1	0	1
<b>Mexico</b> (United Mexican States)	4	11	18	33
<b>Myanmar</b> , Republic of the Union of	1	0	0	1
<b>Nepal</b> , Federal Democratic Republic of	0	2	3	5
<b>Nigeria</b> , Federal Republic of	1	2	1	4
<b>Pakistan</b> , Islamic Republic of	2	6	16	24
<b>Palestine</b>	2	2	1	5
<b>Peru</b> , Republic of	0	0	3	3
<b>Philippines</b> , Republic of the	6	37	7	50
<b>Russian Federation</b>	3	7	5	15
<b>Rwanda</b> (Rwandese Republic)	0	0	1	1
<b>Somalia</b> (Somali Democratic Republic)	8	9	3	20
<b>Syria</b> (Syrian Arab Republic)	0	0	1	1
<b>Sri Lanka</b> , Democratic Socialist Republic of	4	2	0	6
<b>Sudan</b> , Republic of	1	0	0	1
<b>Thailand</b> , Kingdom of	0	2	2	4
<b>Tunisia</b> , Republic of	0	0	1	1
<b>Turkey</b> , Republic of	1	1	0	2
<b>Turkmenistan</b>	1	0	0	1
<b>Uganda</b> , Republic of	0	0	2	2
<b>Venezuela</b> , Bolivarian Republic of	1	1	1	3
<b>Viet Nam</b> , Socialist Republic of	0	0	1	1
<b>Yemen</b> , Republic of	0	0	3	3
<b>TOTAL</b>	<b>122</b>	<b>123</b>	<b>127</b>	<b>372</b>

19. More than one-third of these are situated in the Arab Region, and can be accounted for by the recent turmoil in this part of the world which has increased the death count for journalists there. Two media workers were killed in Bahrain, one in Egypt, four in Libya, one in Tunisia, one in Syria and three in Yemen as 31 December 2011. According to figures compiled by the NGO the Committee to Protect Journalists (CPJ), Tunisia and Syria featured on the list of countries in which journalists had been killed for the first time since CPJ began compiling detailed data on this subject two decades ago. Aside from those in the Arab Region, the remaining ten countries to appear on the list for the first time since the Director-General started to present this report all registered the killing of one journalist, with the exception of Peru and Uganda in which two journalists were killed.

20. The most heavily affected country in 2010-2011 was Mexico, where the Director-General condemned the killing of 18 journalists and media workers, most of whom were specialized in reporting on organized crime and corruption. These figures from the latest report reflect a significant rise when compared to those of the two previous biennia during which Mexico suffered a combined total of 15 killings, eleven in 2008-09 and four in 2006-2007. In its 2011 review of the state of press freedom, the Inter American Press Association (IAPA) concluded that “regarding violence being unleashed against journalists, in general carried out by drug traffickers and in many cases in collusion with corrupt officials, this has been one of the decade’s worst years for the countries of the Americas”.

21. The second most dangerous country for journalists is Pakistan, where 16 media professionals were killed in 2010-2011, a significant increase in comparison with the previous biennia during which eight journalists lost their lives in this country, six in 2008-2009 and two in 2006-2007. The report published by the International Federation of Journalists (IFJ) titled ‘Gunning for Media. Journalists and Media Staff Killed in 2010’, points out that that “the prevalence of conflict and financial hardship across Pakistan has a direct impact on the risks, and individuals are more prepared to take the dangerous jobs for which they might be paid”.

22. Honduras featured as the third most deadly country, with 13 media professionals killed, and is also the country which demonstrated the most marked increase, as over the course of the two previous biennia combined, when it registered a single victim. These figures highlight a significant deterioration in the environment for journalists working in Honduras. The NGO Article 19 has expressed concern that “harassment, attacks and killings of journalists, human rights defenders and political activists have ensued. Opposition media has been shut down, protesters face disproportionate use of force, and the websites of international media are blocked”.

23. Those countries which also ranked high worldwide for journalism-related fatalities were Iraq (11), the Philippines (7), Brazil (5) and the Russian Federation (5).

24. As mentioned, the most significant increase in the number of media staff killed or murdered compared to previous reports occurred in Honduras. Mexico also suffered an escalation of violence against journalists. A dramatic increase in the number of media staff killed in Pakistan was also demonstrated, from two and six killings registered in the two previous reports respectively, to 16 in 2010-11.

25. By contrast, the Democratic Republic of Somalia underwent the most significant decrease in number of journalists killed, from eight and nine in 2006-07 and 2008-09 respectively, to two in 2010-11. In spite of these apparently encouraging figures, however, NGO reports show that there is still much room for improvement. In this regard, the International Press Institute (IPI) voiced its concern about the treatment of journalists who are currently victims of detention and subjected to other forms of harassment.

26. Iraq also displayed a decline in the number of killings of journalists, although figures remained high (62 in 2006-07; 15 in 2008-09; and 11 in 2010-11).

27. For yet another consecutive year, almost 95% of the media professionals whose killings were condemned by UNESCO's Director-General were men. Nonetheless, there is substantial evidence that women journalists are facing increasing numbers of threats, particularly in the form of sexual attacks. According to a report released by CPJ, these crimes are rarely reported due to "broad cultural stigmas and a lack of faith that authorities would act upon complaints". Rodney Pinder, head of the International News Safety Institute (INSI), remarks that "women didn't want to encourage a situation in which male editors assigning stories might be reluctant to send a woman out into the field. They felt that it might affect them negatively if their employers or their assignment editors felt that they had to be given special care, attention, protection."

28. The in-depth analysis also revealed a worrying proportion of freelancers among the 2010-11 victims. Nearly 20% of the toll was composed of freelance journalists who faced more dangers than regular staff. The International Federation of Journalists commented on this trend, recalling that "in many countries the majority of journalists are freelancers", but it also pointed out that "some are journalists who would prefer traditional employment and have been forced into what we call 'fake freelance' positions by employers who break local rules on employment by using freelancers to fill full-time posts while avoiding state welfare and social charges".

**TABLE II: THE KILLINGS OF JOURNALISTS CONDEMNED BY UNESCO'S  
DIRECTOR-GENERAL BY YEAR SINCE 2006**

<b>Country /area where killed</b>	<b>2006</b>	<b>2007</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>TOTAL</b>
<b>Afghanistan</b> , Islamic Republic of	3	2	2	4	2	2	15
<b>Angola</b> , Republic of	0	0	0	0	1	0	1
<b>Bangladesh</b> , People's Republic of	1	0	0	0	0	0	1
<b>Bahrain</b> , Kingdom of	0	0	0	0	0	2	2
<b>Bolivia</b> , Plurinational State of	0	0	0	0	0	1	1
<b>Brazil</b> , Federative Republic of	1	1	0	1	1	4	8
<b>Bulgaria</b> , Republic of	0	0	0	0	1	0	1
<b>Cameroon</b> , Republic of	0	0	0	0	1	0	1
<b>China</b> , People's Republic of	1	0	0	0	1	0	2
<b>Colombia</b> , Republic of	2	0	0	2	0	1	5
<b>Congo</b> , Republic of	0	0	0	1	0	0	1
<b>Croatia</b> , Republic of	0	0	2	0	0	0	2
<b>Democratic Republic of the Congo</b>	1	1	1	0	1	1	5
<b>Dominican Republic</b>	0	0	0	0	0	1	1
<b>Ecuador</b> , Republic of	2	0	0	0	0	0	2
<b>Egypt</b> , Arab Republic of	0	0	0	0	0	1	1
<b>El Salvador</b> , Republic of	0	1	0	1	0	1	3
<b>Georgia</b>	0	0	3	0	0	0	3
<b>Greece</b> , Hellenic Republic	0	0	0	0	1	0	1
<b>Guatemala</b> , Republic of	0	1	0	1	0	0	2
<b>Guyana</b> , Cooperative Republic of	1	0	0	0	0	0	1
<b>Haiti</b> , Republic of	0	1	0	0	0	0	1
<b>Honduras</b> , Republic of	0	0	0	1	9	4	14
<b>India</b> , Republic of	2	0	4	0	2	2	10
<b>Indonesia</b> , Republic of	1	0	0	0	1	0	2
<b>International Waters</b>	0	0	0	0	1	0	1
<b>Iraq</b> , Republic of	29	33	11	4	6	5	88
<b>Kazakhstan</b> , Republic of	0	0	0	1	0	0	1
<b>Kenya</b> , Republic of	0	0	0	1	0	0	1
<b>Kyrgyz Republic</b>	0	1	0	0	0	0	1
<b>Lebanon</b> (Lebanese Republic)	2	0	0	0	1	0	3
<b>Libya</b>	0	0	0	0	0	4	4
<b>Madagascar</b> , Republic of	0	0	0	1	0	0	1
<b>Mexico</b> (United Mexican States)	3	1	4	7	9	9	33
<b>Myanmar</b> , Republic of the Union of	0	1	0	0	0	0	1
<b>Nepal</b> , Federal Democratic Republic of	0	0	1	1	3	0	5
<b>Nigeria</b> , Federal Republic of	1	0	1	1	0	1	4
<b>Pakistan</b> , Islamic Republic of	2	0	4	2	11	5	24
<b>Palestine</b>	0	2	1	1	0	1	5
<b>Peru</b> , Republic of	0	0	0	0	0	3	3
<b>Philippines</b> , Republic of the	6	0	3	34	3	4	50
<b>Russian Federation</b>	3	0	4	3	3	2	15
<b>Rwanda</b> (Rwandese Republic)	0	0	0	0	1	0	1
<b>Somalia</b> (Somali Democratic Republic)	1	7	2	7	2	1	20
<b>Syria</b> (Syrian Arab Republic)	0	0	0	0	0	1	1
<b>Sri Lanka</b> , Democratic Socialist Republic of	4	0	1	1	0	0	6
<b>Sudan</b> , Republic of	1	0	0	0	0	0	1
<b>Thailand</b> , Kingdom of	0	0	2	0	2	0	4
<b>Tunisia</b> , Republic of	0	0	0	0	0	1	1
<b>Turkey</b> , Republic of	0	1	0	1	0	0	2
<b>Turkmenistan</b>	1	0	0	0	0	0	1
<b>Uganda</b> , Republic of	0	0	0	0	2	0	2
<b>Venezuela</b> , Bolivarian Republic of	1	0	0	1	0	1	3
<b>Viet Nam</b> , Socialist Republic of	0	0	0	0	0	1	1
<b>Yemen</b> , Republic of	0	0	0	0	0	3	3
<b>TOTAL</b>	<b>69</b>	<b>53</b>	<b>46</b>	<b>77</b>	<b>65</b>	<b>62</b>	<b>372</b>

## **STATE OF RESPONSES RECEIVED FROM MEMBER STATES ON THE STATUS OF THE JUDICIAL INQUIRIES CONCERNING JOURNALISTS KILLED FROM 2006 TO 2009**

29. The question of the safety of media workers and how to combat impunity is a fundamental prerequisite for achieving freedom of expression and democracy, and one which must be addressed. The High Commissioner for Human Rights, Navi Pillay, stated in a video-message in September 2011 during the UN Inter-Agency Meeting on the Safety of Journalists that “when journalists are attacked, Governments often fail to meet their international obligations to investigate such attacks and to bring perpetrators to justice. Impunity for human rights violations against journalists perpetuates a climate of fear, leads to increased self-censorship and adversely impacts their ability to function professionally. States have an obligation to end impunity for attacks against journalists”.

30. Since the IPDC Decision on the Safety of Journalists and the Issue of Impunity was approved in 2008, the Director-General has requested Member States to inform, on a voluntary basis, “of the actions taken to prevent the impunity of the perpetrators and to notify the Director-General of the status of the judicial inquiries conducted on each of the killings condemned by UNESCO”. For the present report, Member States were requested to provide information on the killings of journalists which occurred from 2006 to 2007 if responses had not been provided to the previous request, or where responses had been provided but where the judicial inquiry was described as ongoing, as well as requesting information for the biennium 2008-2009.

31. Out of the 38 countries and territories concerned by the killings of journalists condemned in 2006-2007 and 2008-2009, 21 provided information on the judicial inquiries call for information. Among the 29 countries registered in 2006-2007, 18 responded to the Director General, and of the 27 countries included in the list of killings in 2008-2009, nine provided information on judicial follow-up.

32. Those which responded were Afghanistan, Bangladesh, Brazil, China, Colombia, Ecuador, El Salvador, Guatemala, Honduras, India, Indonesia, Kazakhstan, Kyrgyz Republic, Lebanon, Madagascar, Mexico, Myanmar, the Palestinian Authority, Philippines, the Russian Federation and Turkey. Two others, namely the Democratic Republic of the Congo and Haiti, acknowledged receipt of the Director-General’s letter seeking information on judicial follow-up. Those countries which provided detailed information on the judicial inquiries being carried out in connection with the killings of journalists condemned by UNESCO’s Director-General demonstrated their commitment to preventing the impunity of such crimes. Although carried out on a voluntary basis, the provision of such information is seen as a demonstration of Member States’ commitment to preventing the impunity of such crimes.

33. UNESCO's Director-General received information from Member States on 101 out of the 245 killings of journalists during the period 2006 to 2009, for which she requested information on the judicial follow-up. Nine of the 101 cases led to a conviction, according to the information provided.

34. The Director-General did not received responses on the judicial inquiries from the Republic of Congo, Croatia, Democratic Republic of Congo, Georgia, the Republic of Guyana, Haiti, Iraq, Kenya, Nepal, Nigeria, Pakistan, Somalia, Sri Lanka, Sudan, Thailand, Turkmenistan and Venezuela.

35. The last report presented to the Intergovernmental Council of the IPDC in March 2010 included a summary of the responses received from fifteen countries out of the 29 concerned by the UNESCO Director-General's condemnations in 2006-2007 (Bangladesh, Brazil, Colombia, Ecuador, El Salvador, Guatemala, India, Indonesia, Kyrgyz Republic, Lebanon, Myanmar, Palestinian Authority, Philippines, the Russian Federation and Turkey).

36. The current report therefore only includes the *updated* judicial inquiry information which was provided in connection with killings which occurred during 2006-2007, together with those responses received for the biennium 2008-2009. The Director-General did not request information about killing of journalists taking place in the biennium 2010-2011. This will be requested for the next report.

**TABLE III: RESPONSES RECEIVED FROM MEMBER STATES ON THE STATUS OF THE JUDICIAL INQUIRIES CONCERNING JOURNALISTS KILLED IN 2006-2009**

COUNTRIES HAVING RESPONDED TO DG's REQUEST	JOURNALISTS KILLED	INFORMATION PROVIDED BY MEMBER STATES
<b>Afghanistan</b> , Islamic Republic	<ul style="list-style-type: none"> <li>- Abdul Qodus (22 July 2006)</li> <li>- Christian Struwe (6 October 2006)</li> <li>- Karen Fischer (6 October 2006)</li> <li>- Zakia Zaki (5 June 2007)</li> <li>- Carsten Thomassen (14 January 2008)</li> <li>- Shokiba Sanga Amaaj (1 June 2008)</li> <li>- Abdul Samad Rohani (7 June 2008)</li> <li>- Jawed Ahmad (10 March 2009)</li> <li>- Janullah Hasimzada (24 August 2009)</li> <li>- Sultan Munadi (5 September 2009)</li> <li>- Michelle Lang (30 December 2009)</li> </ul>	Not judicial inquiries (See response)
<b>Bangladesh</b> , People's Republic of	- Bellal Hossain Dafadar (14 September 2006)	Ongoing
<b>Brazil</b> , Federative Republic of	<ul style="list-style-type: none"> <li>- Ajuricaba Monassa (24 July 2006)</li> <li>- Luis Carlos Barbon Filho (5 May 2007)</li> <li>- Jose Givonaldo Vieira (14 December 2009)</li> </ul>	Ongoing Convicted Ongoing
<b>China</b> , People's Republic of	- Xiao Guopeng (18 July 2006)	Convicted

<b>Colombia, Republic of</b>	<ul style="list-style-type: none"> <li>- Gustavo Rojas Gabalo (29 March 2006)</li> <li>- Milton Fabián Sánchez (9 August 2006)</li> <li>- Atilano Segundo Pérez (22 August 2006)</li> <li>- José Everardo Aguilar (29 April 2009)</li> <li>- Harold Humberto Rivas Quevedo (15 December 2009)</li> </ul>	<p>Ongoing Ongoing Ongoing Ongoing Ongoing</p>
<b>Ecuador, Republic of</b>	<ul style="list-style-type: none"> <li>- José Luis Desiderio (13 February 2006)</li> <li>- Saúl Suárez Sandoval (14 February 2006)</li> </ul>	<p>Ongoing Ongoing</p>
<b>El Salvador, Republic of</b>	<ul style="list-style-type: none"> <li>- Salvador Sánchez Roque (20 September 2007)</li> <li>- Christian Poveda (2 September 2009)</li> </ul>	<p>Convicted Convicted</p>
<b>Guatemala, Republic of</b>	<ul style="list-style-type: none"> <li>- Mario Rolando López Sánchez (3 May 2007)</li> </ul>	<p>Ongoing</p>
<b>Honduras, Republic of</b>	<ul style="list-style-type: none"> <li>- Gabriel Fino Noriega (3 July 2009)</li> </ul>	<p>Ongoing</p>
<b>India, Republic of</b>	<ul style="list-style-type: none"> <li>- Prahlad Goala (6 January 2006)</li> <li>- Aran Narayan Dekate (10 June 2006)</li> </ul>	<p>Ongoing Ongoing</p>
<b>Indonesia, Republic of</b>	<ul style="list-style-type: none"> <li>- Herlyanto (20 april 2006)</li> </ul>	<p>Ongoing</p>
<b>Kazakhstan, Republic of</b>	<ul style="list-style-type: none"> <li>- Gennady Pavlyuk (22 December 2009)</li> </ul>	<p>Convicted</p>
<b>Kyrgyz Republic</b>	<ul style="list-style-type: none"> <li>- Alisher Saipov (24 October 2007)</li> </ul>	<p>Ongoing</p>
<b>Lebanon, Republic of</b>	<ul style="list-style-type: none"> <li>- Sleiman Al Chidac (22 July 2006)</li> <li>- Layal Najib (22 July 2006)</li> </ul>	<p>Not judicial inquiries (See response)</p>
<b>Madagascar, Republic of</b>	<ul style="list-style-type: none"> <li>- Ando Ratovonirina (7 February 2009)</li> </ul>	<p>Convicted</p>
<b>Mexico</b>	<ul style="list-style-type: none"> <li>- Jaime Arturo Overa Bravo (9 March 2006)</li> <li>- Brad Will (27 october 2006)</li> <li>- Misael Tamayo Hernández (10 November 2006)</li> <li>- Amado Ramirez (8 April 2007)</li> <li>- Teresa Bautista Merino (7 April 2008)</li> <li>- Felicitas Martínez Sánchez (7 April 2008)</li> <li>- Alejandro Xenón Fonseca Estrada (23 September 2008)</li> <li>- Armando Rodriguez (13 November 2008)</li> <li>- Carlos Ortega Melo Samper (3 May 2009)</li> <li>- Eliseo Barrón Hernández (25 may 2009)</li> <li>- Ernesto Montañez Valdivia (14 July 2009)</li> <li>- Fabián Ramírez López (11 October 2009)</li> <li>- Jean Paul Ibarra Ramirez (13 February 2009)</li> <li>- José Emilio Galindo Robles (24 November 2009)</li> <li>- Vladimir Antuna García (2 November 2009)</li> </ul>	<p>Ongoing Ongoing Ongoing Convicted Ongoing Convicted Ongoing Ongoing Ongoing Ongoing Ongoing Ongoing Ongoing Ongoing Ongoing Ongoing Ongoing Ongoing Ongoing</p>
<b>Myanmar, Republic of the Union</b>	<ul style="list-style-type: none"> <li>- Kenji Nagai (27 September 2007)</li> </ul>	<p>Ongoing</p>
<b>Palestinian Authority</b>	<ul style="list-style-type: none"> <li>- Suleiman Abdul-Rahim (15 May 2007)</li> <li>- Mohammad Matar Abdo (13 May 2007)</li> </ul>	<p>Ongoing Ongoing</p>
<b>Philippines, Republic of the</b>	<ul style="list-style-type: none"> <li>- Rolly Cañete (20 January 2006)</li> <li>- Aquino Aquino (21 January 2006)</li> <li>- Albert Orsolino (16 May 2006)</li> <li>- Fernando "Dong" Batul (22 May 2006)</li> <li>- Armando Pace (18 July 2006)</li> <li>- Ponciano Grande (7 December 2006)</li> <li>- Robert Sison (30 June 2008)</li> <li>- Martin Roxas (7 August 2008)</li> <li>- Aresio Padrigao (17 November 2008)</li> <li>- Ernesto Rollin ( 23 February 2009)</li> <li>- Jojo Trajano (3 June 2009)</li> <li>- Crispin Perez (9 June 2009)</li> <li>- Godofredo Linao (27 July 2009)</li> </ul> <p>Journalists killed on 23 November 2009:</p> <ul style="list-style-type: none"> <li>- Alejandro Reblando</li> <li>- Andres Teodoro</li> </ul>	<p>Ongoing Ongoing Ongoing Ongoing Convicted Ongoing No information No information No information No information No information No information No information No information No information Ongoing</p>

	<ul style="list-style-type: none"> <li>- Arturo Betia</li> <li>- Bataluna Rubello</li> <li>- Benjie Adolfo</li> <li>- Bienvenido Legarte</li> <li>- Dohillo Eugene</li> <li>- Duhay Jhoy</li> <li>- Ernesto Maravilla</li> <li>- Fernando Razon</li> <li>- Gina de la Cruz</li> <li>- Hannibal Cachuela</li> <li>- Henry Araneta</li> <li>- Ian Subang</li> <li>- Joel Parcon</li> <li>- John Caniban</li> <li>- Lea Dalmacio</li> <li>- Lindo Lupogan</li> <li>- Marife Montaña</li> <li>- Marites Cablitas</li> <li>- Mark Gilbert Arriola</li> <li>- Napoleon Salaysay</li> <li>- Noel Decina</li> <li>- Rey Merisco</li> <li>- Reynaldo Momay</li> <li>- Romeo Jimmy Cabillo</li> <li>- Ronnie Perante</li> <li>- Rosell Morales</li> <li>- Santos Gatchalian</li> <li>- Victor Nunez</li> </ul>	
<b>Russian Federation</b>	<ul style="list-style-type: none"> <li>- Ilya Zimin (26 February 2006)</li> <li>- Yevgeny Gerasimenko (26 July 2006)</li> <li>- Anna Politkovskaya (7 October 2006)</li> </ul>	<ul style="list-style-type: none"> <li>Ongoing</li> <li>Ongoing</li> <li>Ongoing</li> </ul>
<b>Turkey, Republic of</b>	<ul style="list-style-type: none"> <li>- Hrant Dink (19 January 2007)</li> <li>- Cihan Hayirsevener (18 December 2009)</li> </ul>	<ul style="list-style-type: none"> <li>Convicted</li> <li>Ongoing</li> </ul>

37. The Islamic Republic of Afghanistan informed that a report on the killing of journalists is being prepared and it will be sent to the Director-General. The letter also pointed out that “Our sources reveal that the journalists who lost their lives in Afghanistan found themselves in extremely dangerous situations while exercising their jobs. The intergovernmental Council of the International Programme for the Development of Communication (IPDC) is well aware that it is in such situations that tens of thousands of Afghani soldiers, as well as soldiers belonging to the troops of partner countries, lost their lives, following attacks launched by the invisible enemy.” In this context, “there are certain acts that necessarily manage to avoid the normal practices of legal proceedings”.

38. The Permanent Delegation of Brazil to UNESCO sent a summary on the killing of three Brazilian journalists. The judgement of the case of Luis Carlos Barbon Filho (5 May 2007) resulted in the conviction of four people, three of which were members of the military police. Brazil also informed that the cases of Jose Givonaldo Vieira (14 December 2009) and Auro Ida (22 July 2011) are ongoing and stated that it has not yet been proven that these killings pertained to their journalistic activities. In addition, Brazil provided information about the measures taken by the government to promote and protect Human Rights, including freedom of expression, and made particular reference to the launching of the National Policy for the Protection of Human Right’s Defenders in February 2007. This programme includes, at present, the protection of 299

individuals, although this figure does not include any journalists. Nonetheless, the Brazilian government's letter informed that journalists would be able to request protection measures under this initiative.

39. The Permanent Delegation of the People's Republic of China to UNESCO stated that the journalist Xiao Guopeng killed on 18 July 2006 "has nothing to do with so called freedom of expression or democracy. It is a case of deliberate injury to death due to grievance caused by family affairs". In addition, the report informed that "the offender was sentenced to death with a two-year reprieve period".

40. The Foreign Ministry of Colombia sent a report providing information on the investigations concerning the deaths of Gustavo Rojas Gabalo (29 March 2006) and José Everardo Aguilar (29 April 2009). This also informed that an additional report will be sent concerning the deaths of Milton Fabián Sánchez (9 August 2006), Atilano Segundo Pérez (22 August 2006) and Harold Humberto Rivas Quevedo (15 December 2009).

41. A report prepared by the Government of Honduras informed that the case of Gabriel Fino Noriega (3 July 2009) is under investigation.

42. The information provided by the General Prosecutor's Office of the Republic of Kazakhstan regarding the criminal investigation into the murder of Kyrgyz journalist Pavlyuk Gennady Georgievich (22 December 2009) revealed that three people had been found guilty and convicted.

43. The Foreign Ministry of El Salvador submitted a report providing information on the investigations carried out and the judicial proceedings which led to the conviction of eleven people in March 2011 for the murder of the journalist Christian Poveda (2 September 2009).

44. The Permanent Delegation of Lebanon to UNESCO sent a letter concerning the deaths of Sleiman Al Chidiac and Layal Najib stating that those killings occurred due to the conflict situation prevailing in Lebanon in July 2006. The Lebanese Government explained that "the journalist Sleiman Al Chidiac died following an air raid carried out by the Israeli aviation on the broadcasting posts of the television channel for which he worked (LBC) and that the journalist Layal Najib died following the bombing of her car by the Israeli aviation, during the aggression of Lebanon by Israel in the months of July and August 2006." For the aforementioned reason, Lebanon requested that these killings do not form part of a list which includes journalists killed in a context of repression of freedom of expression. They informed that due to the nature of these killings, Lebanon is not in a position to conduct a criminal inquiry.

45. The Republic of Madagascar sent a report on the judicial inquiry into the killing of Ando Ratovonirina, which occurred on 7 February 2009. The letter sent by the Permanent Delegation of the Republic of Madagascar to UNESCO informed that investigations into Ratovonirina's killing began on 28 August 2010 and resulted in the conviction of 19 offenders.

46. The Government of Mexico sent a report including updated information on the actions taken to prevent the impunity of perpetrators. Concerning the killing of 15 journalists from 2006 to 2009, two deaths were followed by convictions: Amado Ramirez (8 April 2007) and Felicitas Martínez Sánchez (7 April 2008). The other following 13 are under investigation: Jaime Arturo Overa Bravo (9 March 2006), Brad Will (27 October 2006), Misael Tamayo Hernández (10 November 2006), Amado Ramirez (8 April 2007), Teresa Bautista Merino (7 April 2008), Felicitas Martínez Sánchez (7 April 2008), Alejandro Xenón Fonseca Estrada (23 September 2008), Armando Rodriguez (13 November 2008), Carlos Ortega Melo Samper (3 May 2009), Eliseo Barrón Hernández (25 May 2009), Ernesto Montañez Valdivia (14 July 2009), Fabián Ramírez López (11 October 2009), Jean Paul Ibarra Ramírez (13 February 2009), José Emilio Galindo Robles (24 November 2009) and Vladimir Antuna García (2 November 2009). The Mexican Government reported on legislative and institutional developments, such as the creation of the *Fiscalía Especial para la Atención de Delitos Cometidos en Contra de la Libertad de Expresión* (Special Prosecutor for Attention to Crimes Against Freedom of Expression) and the *Convenio de Colaboración para la Implementación de Acciones de Prevención y Protección a Periodistas*, (Agreement for the Implementation of Actions to Prevent and Protect Journalists) as well as the publication by the National Commission of Human Rights of a series of guidelines to prevent attacks against journalists.

47. The Permanent Delegation of the Republic of the Union of Myanmar to UNESCO provided an updated report concerning the killing of the Japanese photojournalist Kenji Nagai. The letter stated that his death occurred while he was among a “crowd of protesters”, and that it was of an accidental nature. It also stated that he had not applied for a journalist’s visa and had not informed the local authorities of his situation, and therefore “his safety could not be assured”. In this regard, the Permanent Delegation of the Union of Myanmar to UNESCO added that the inclusion of this case within this report “is inappropriate because Mr Nagai was accidentally killed in a crowd which did not have prior knowledge of his profession as a journalist”. The case was investigated and decreed by Section 176 of the Penal Code which refers to “Omission to give notice or information to public servants by persons legally bound to give it.”

48. The Permanent Delegation of the Republic of the Philippines submitted to UNESCO a detailed report on the ongoing investigations concerning the killing of 31 journalists on 23 November 2012 in Maguindanao, Philippines. The report included information on the actions taken by the Filipino Government to put an end to the culture of impunity. In this regard,

information was provided on the following measures adopted by the government: the Witness Protection, Security and Benefit Act, the Whistleblower Protection Act that “seeks to protect any person who has personal knowledge or access to data or information or event involving improper conduct by a public officer or public body”. Additional information was provided on the initiatives launched by the Philippine National Police including, among others, “the establishment of Human Right Desks at all police stations nationwide, incorporation of Human Rights Module in all mandatory career training courses, installation of video equipment in investigation rooms and the conduct of random inspections on various police lock-up cells”. The Department of Justice also adopted a series of measures such as the creation of task forces on Human Rights and Extra Judicial Killings and on Political Violence. The report also gave information on “the creation of a judicial body to direct provincial and city prosecutors to assign one prosecutor that will assist in the handling of political media killings within their areas of jurisdiction”.

49. The Permanent Delegation of Turkey to UNESCO sent a letter giving information on the assassination of two Turkish journalists. The case of Cihan Hayirsevener (18 December 2009) is ongoing but the murder of Hrant Dink (19 January 2007) led to a sentencing by the Istanbul 2nd Juvenile High Criminal Court.



**PART TWO:**  
**THE UNITED NATIONS PLAN OF ACTION**  
**ON THE SAFETY OF JOURNALISTS AND**  
**THE ISSUE OF IMPUNITY**



# FINAL DRAFT<sup>2</sup>: UN PLAN OF ACTION ON THE SAFETY OF JOURNALISTS AND THE ISSUE OF IMPUNITY

## 1. Introduction

*“Every journalist killed or neutralized by terror is an observer less of the human condition. Every attack distorts reality by creating a climate of fear and self-censorship”<sup>3</sup>*

- 1.1. In recent years, there has been disquieting evidence of the scale and number of attacks against the physical safety of journalists and media workers as well as of incidents affecting their ability to exercise freedom of expression by threats of prosecution, arrest, imprisonment, denial of journalistic access, and failures to investigate and prosecute crimes against them. This evidence has been repeatedly brought to the attention of the international community by inter-governmental organizations, professional associations, non-governmental organizations (NGOs) and other stakeholders.
- 1.2. Statistics gathered by UNESCO, as well as by other organizations such as the Committee to Protect Journalists (CPJ), Reporters Sans Frontières (RSF), the International News Safety Institute (INSI), the International Freedom of Expression Exchange (IFEX) and the Inter American Press Association (IAPA) all testify to the high number of journalists and media workers killed while performing their professional duties.
- 1.3. Furthermore, according to IFEX, in nine out of ten cases, the perpetrators of these crimes are never prosecuted. Impunity, which may be understood as the failure to bring perpetrators of human rights violations to justice, perpetuates the cycle of violence against journalists and must be addressed.
- 1.4. The safety of journalists and the struggle against impunity for their killers are both essential to preserve the fundamental right to freedom of expression, guaranteed by Article 19 of the *Universal Declaration of Human Rights*. Freedom of expression is an individual right, for which no one should be killed, but it is also a collective right, which empowers populations through facilitating dialogue, participation and democracy, and thereby makes autonomous and sustainable development possible.
- 1.5. Without freedom of expression, and particularly freedom of the press, an informed, active and engaged citizenry is impossible. In a climate where journalists are safe, citizens find it easier to access quality information and many objectives become possible as a result: democratic governance and poverty reduction; conservation of the

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<sup>2</sup> Contributions from Member States for its discussion and endorsement are included in annex II

<sup>3</sup> Barry James in *Press Freedom: Safety of Journalists and Impunity*. UNESCO Publications: 2002

environment; gender equality and the empowerment of women; justice and a culture of human rights, to name a few. Hence, while the problem of impunity is not restricted to the failure to investigate the murders of journalists and media workers,; the curtailment of their expression deprives society as a whole of their journalistic contribution and results in a wider impacts on press freedom where a climate of intimidation and violence leads to self censorship. In such a climate societies suffer because they lack the information needed to fully realize their potential. Efforts to end impunity with respect to crimes against journalists must be associated with the defence and protection of human rights defenders, more generally. In addition, the protection of journalists should not be limited to those formally recognised as journalists, but should cover others, including community media workers and citizen journalists and others who may be using new media as a means of reaching their audiences.

1.6. Promoting the safety of journalists and fighting impunity must not be constrained to after-the-fact action. Instead, it requires prevention mechanisms and actions to address some of the root causes of violence against journalists and of impunity. This implies the need to deal with issues such as corruption, organized crime and an effective framework for the rule of law in order to respond to negative elements. In addition, the existence of laws that cast a shadow over the right to freedom of expression (e.g. overly restrictive defamation laws), must be addressed. The media industry also must deal with low wages and improving journalistic skills which may lead for example to cases of freelance journalists taking excessive risks. To whatever extent possible, the public must be made aware of these challenges in the public and private spheres and the consequences from a failure to act. The protection of journalists should adapt to the local realities affecting journalists. Journalists reporting on corruption and organized crime, for example, are increasingly targeted by organized crime groups and parallel powers. Approaches that are tailored to local needs should be encouraged.

1.7. In light of the above, a number of measures have been adopted by the United Nations (UN) to strengthen legal frameworks and enforcement mechanisms designed to ensure the safety of journalists in both conflict and non-conflict areas. The UN's strengths and opportunities lie in the areas of building free, independent and pluralistic media as well as the legal frameworks and democratic institutions to support it.

1.8. At the international level, the UN Security Council adopted *Resolution S/RES/1738* in 2006, which established a coherent, action-oriented approach to the safety of journalists in armed conflicts. Since then, the UN Secretary-General has presented an annual report to the General Assembly on the implementation of this Resolution.

1.9. Additionally, the Office of the High Commissioner for Human Rights (OHCHR) plays an important role in raising awareness regarding the issue, including through its reports to

the Human Rights Council (HRC). It works in close cooperation with the United Nations Special Rapporteur on the Promotion and Protection of the Right to Freedom of Expression and Opinion and is mandated to: gather information relating to violations of freedom of expression; seek, receive and respond to relevant information from governments, NGOs and other parties; and make recommendations on how best to promote freedom of expression. A number of other Special Rapporteurs, including the Special Rapporteur on Extra-judicial, Summary or Arbitrary Execution; the Special Rapporteur on Violence Against Women; the Special Rapporteur on Torture and the Working Groups on Forced Disappearances and Arbitrary Detentions are also all relevant in this regard.

- 1.10. As the United Nations specialized agency with a mandate to ‘promote the free flow of ideas by word and image’<sup>4</sup>, the United Nations Educational, Scientific and Cultural Organization (UNESCO) has been an important player in the defence of freedom of expression through the promotion of the safety of journalists and the fight against impunity. Often in collaboration with other organizations, UNESCO has taken a number of decisive actions in this field. For example, it has been working together with Reporters Sans Frontières (RSF) to publish a regularly updated practical guide for journalists working in conflict zones, now available in ten languages. In 2008, UNESCO co-authored a UN Charter for the Safety of Journalists Working in War Zones or Dangerous Areas, which includes a commitment by the media, public authorities and journalists to systematically seek ways to reduce the risks involved. It has also supported a number of organizations to provide safety and risk awareness training for journalists and media workers
- 1.11. In addition to these practical steps, UNESCO has undertaken a number of activities designed to raise awareness about journalists’ safety and the issue of impunity. Among UNESCO’s flagship activities in this area are *World Press Freedom Day*, celebrated every year on May 3<sup>rd</sup>, and the *Guillermo Cano/UNESCO World Press Freedom Prize*, intended to honour the work of an individual or an organization defending or promoting freedom of expression anywhere in the world, especially in dangerous conditions. The importance of this issue was further highlighted by the *Medellin Declaration*<sup>5</sup> of 2007, which specifically focuses on securing the safety of journalists and combating impunity in both conflict and non-conflict situations, and the *Belgrade Declaration* of 2004, which focused on supporting media in violent conflict-zones and countries in transition. In line with Resolution 29, of the 29<sup>th</sup> session of UNESCO’s General Conference, the Director General has, since 1997, publicly condemned the killing of individual journalists and media workers, as well as massive and repetitive violations of press freedom and urged the competent authorities to discharge their duty of preventing, investigating and

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<sup>4</sup> UNESCO Constitution 1945, Article 1

<sup>5</sup> Read Medellin Declaration at <http://www.unesco.org/new/en/communication-and-information/flagship-project-activities/world-press-freedom-day/previous-celebrations/worldpressfreedomday2009000/medellin-declaration/>

punishing such crimes. Finally, the *International Programme for the Development of Communication* (IPDC) plays a crucial role in promoting the safety of journalists and combating impunity. As well as developing projects to address this issue in the field, IPDC has, since 2008, encouraged Member States to submit information, on a voluntary basis, on the status of the judicial inquiries conducted on each of the killings condemned by UNESCO, for inclusion in a public report submitted every two years to the IPDC Council by the Director-General.

- 1.12. International legal instruments represent one of the key tools that the international community, including the United Nations (UN), has at its disposal in the struggle for the safety of journalists and against impunity. These are internationally recognized and often legally binding. Relevant conventions, declarations and resolutions include the *Universal Declaration of Human Rights*; the *Geneva Conventions*; the *International Covenant on Civil and Political Rights*; *UN Commission on Human Rights Resolution 2005/81*; the *UN Security Council Resolution 1738 (2006)*.
- 1.13. Regional systems in the human rights context are also essential, instituted within the framework of regional and sub-regional organisations such as the Organization of American States (OAS) and the Union of South American Nations (UNASUR); the African Union (AU); the Association of South East Asian Nations (ASEAN), the League of Arab States, the Council of Europe (CoE) and the Organisation for Security and Cooperation in Europe (OSCE). Whilst there are many international legal instruments addressing human rights in general, only a small number are specifically concerned with the situation of journalists and their safety.
- 1.14. Some of the regional systems are also reinforced by monitoring bodies which observe the level of state compliance with their commitments, and call attention to violations when necessary. These include the Office of the Special Rapporteur for Freedom of Expression within the Inter-American Commission of Human Rights (IACHR), the Special Rapporteur on the Freedom of Expression and Access to Information within the African Commission on Human and Peoples' Rights in Africa, and the Special Representative on Freedom of the Media in the OSCE.
- 1.15. At the national level, many agencies, funds and programmes of the UN system are also working toward an approach which promotes the safety of journalists and addresses the issue of impunity. This is relevant to the UN strategic discussions and joint programming within the Delivering As One framework.

1.16. While recognizing that investigating crimes against journalists remains the responsibility of Member States, the acts of violence and intimidation (including murder, abduction, hostage-taking, harassment, intimidation and illegal arrest and detention) are becoming ever more frequent in a variety of contexts. Notably, the threat posed by non-state actors such as terrorist organizations and criminal enterprises is growing. This merits a careful, context-sensitive consideration of the differing needs of journalists in conflict and non-conflict zones, as well as of the different legal instruments available to ensure their protection. It also necessitates an investigation into how the dangers faced by journalists in situations that do not qualify as armed conflicts in the strictest sense (such as sustained confrontation between organized crime groups) may be dealt with.

1.17. Female journalists also face increasing dangers, highlighting the need for a gender-sensitive approach. In carrying out their professional duties, they often risk sexual assault, whether in the form of a targeted sexual violation, often in reprisal for their work; mob-related sexual violence aimed against journalists covering public events; or the sexual abuse of journalists in detention or captivity. Furthermore, many of these crimes are not reported as a result of powerful cultural and professional stigmas.<sup>6</sup>

1.18. There is a pressing need for the various UN agencies, funds and programmes to develop a single, strategic and harmonized approach to the issue of the safety of journalists and the impunity of perpetrators of crimes against them. In light of this, in March 2010, the Intergovernmental Council of the IPDC<sup>7</sup> called on the Director-General of UNESCO “to consult with Member States on the feasibility of convening an inter-agency meeting of all relevant UN agencies, funds and programmes in order to design a joint UN strategy on the Safety of Journalists and the Issue to Impunity.” On the basis of the responses received following this consultation, the UNESCO Director-General decided to organize a *UN Inter-Agency Meeting on the Safety of Journalists and the Issue of Impunity* in September 2011. The conclusions drawn from this meeting will be articulated in a Plan of Action, which will formulate a **comprehensive, coherent, and action-oriented UN-wide approach to the safety of journalists and the issue of impunity.**

## **2. Justification**

2.1. This Plan of Action is needed to uphold the fundamental right of freedom of expression and, in so doing, to ensure that citizens are well informed and actively participate in society at large. The United Nations agencies, funds and programmes are collectively

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<sup>6</sup>Lauren Wolfe, ‘The Silencing Crime: Sexual Violence Against Journalists’. Committee to Protect Journalists: 2011,  
<sup>7</sup> 27<sup>th</sup> IPDC Decision on the Safety of Journalist and the Issue of Impunity. Available at  
[http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CI/CI/pdf/ipdc2010\\_safety\\_decision\\_final.pdf](http://www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CI/CI/pdf/ipdc2010_safety_decision_final.pdf)

well-placed to address this issue. They possess long-established platforms through which to voice concerns and propose solutions and a vital network of partner organizations and UN offices in the field. In addition, as intergovernmental organizations they can encourage Member State cooperation and sharing of best practices, as well as exercise “quiet diplomacy” with Member States when necessary.

### **3. Principles**

The proposed Action plan is based on the following principles:

- 3.1. Joint action in the spirit of enhancing system-wide efficiency and coherence;
- 3.2. Building on the strengths of different agencies to foster synergies and to avoid duplication;
- 3.3. A results-based approach, prioritizing actions and interventions for maximum impact;
- 3.4. A human rights-based approach;
- 3.5. A gender-sensitive approach;
- 3.6. A disability-sensitive approach;
- 3.7. Incorporation of the safety of journalists and the struggle against impunity into the United Nation’s broader developmental objectives;
- 3.8. Implementation of the principles of the February 2005 *Paris Declaration on Aid Effectiveness* (ownership, alignment, harmonisation, results and mutual accountability);
- 3.9. Strategic partnerships beyond the UN system, harnessing the initiatives of various international, regional and local organizations dedicated to the safety of journalists and media workers;
- 3.10. A context-sensitive, multi-disciplinary approach to the root causes of threats to journalists and impunity;
- 3.11. Robust mechanisms (indicators) for monitoring and evaluating the impact of interventions and strategies reflecting the UN's core values.

## **4. Objective**

- 4.1. Working toward the creation of a free and safe environment for journalists and media workers in both conflict and non-conflict situations, with a view to strengthening peace, democracy and development worldwide.

## **5. Proposed Actions**

### *Strengthening UN Mechanisms*

- 5.1. Identify the role of UN agencies, funds and programmes in combating impunity surrounding attacks against journalists and its wider causes with a view toward establishing focal points in order to strengthen the specific contribution of each relevant UN actor by creating effective forms of intervention to achieve the goals set out in the Plan of Action beginning with regular inter-agency meetings, for example;
- 5.2. In order to enhance UN system-wide coherence, establish a coordinated inter-agency mechanism for follow-up and evaluating matters of concern on the issue of the safety of journalists and impunity, including regular reviews of progress at the national and international level and continuing to address the issue by supporting a joint message on the occasion of World Press Freedom Day on the situation of media freedom around the world, for example;
- 5.3. Incorporate the issues of the safety of journalists and of the impunity of attacks against them into UN strategies at country level. This would mean, for example, encouraging the inclusion of an indicator on the safety of journalists based on the UNESCO Media Development Indicators in country analysis and taking the findings into consideration in programming;
- 5.4. More generally, promote the inclusion of freedom of expression and media development goals, in particular the safety of journalists and impunity, within the wider UN development agenda;
- 5.5. Work toward strengthening the office of the UN High Commissioner for Human Rights, as well as the mandate and resources of the UN Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression, and of the Special Rapporteurs on Extra-judicial Summary or Arbitrary Executions, Violence Against Women and Torture.

### Cooperating with Member States

- 5.6. Assist Member States to develop legislation and mechanisms guaranteeing freedom of expression and information, including, for example, requirements that States effectively investigate and prosecute crimes against freedom of expression;
- 5.7. Assist Member States to fully implement existing international rules and principles, as well as to improve, where needed, national legislation on safeguarding journalists, media professionals and associated personnel in conflict and non-conflict situations;
- 5.8. Encourage Member States to take an active role in the prevention of attacks against journalists, and take prompt action in response to attacks by establishing national emergency mechanisms, which different stakeholders can adopt, for example;
- 5.9. Encourage Member States to comply fully with UNESCO General Conference *Resolution 29*<sup>8</sup>, entitled 'Condemnation of Violence against Journalists,' which calls upon Member States to adopt the principle that there should be no statute of limitations on persons guilty of crimes against freedom of expression; to refine and promote legislation in this field and to ensure that defamation becomes a civil, not a criminal action;
- 5.10. Encourage Member States to comply with the IPDC's Decisions on *the Safety of Journalists and the Issue of Impunity*, and submit information on the actions taken to prevent impunity for killings of journalists, and on the status of the judicial inquiries conducted on each of the killings condemned by UNESCO;
- 5.11. Encourage Member States to explore ways of broadening the scope of Security Council Resolution 1738, to include the promotion of the safety of journalists and the fight against impunity in non-conflict situations as well.

### Partnering with Other Organizations and Institutions

- 5.12. Reinforce collaboration between UN agencies and other intergovernmental organizations, at both international and regional levels, and encourage the incorporation of media development programmes, in particular on the safety of journalists, into their strategies;
- 5.13. Strengthen partnerships between the UN and civil society organizations and professional associations dedicated to monitoring the safety of journalists and media workers at national, regional and international levels. This could include sharing up-to-

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<sup>8</sup> Adopted by the UNESCO's General Conference on 12 November 1997.

date information and best practices with partner organizations and field offices and conducting joint missions and investigations into particular cases;

- 5.14. Whereas corruption can affect all sectors of society, in line with the principles of the UN Convention against Corruption, work with journalist organisations to develop good practices on reporting on corruption and jointly participate at the International Anti-Corruption Day (9 December).

#### Raising Awareness

- 5.15. Sensitize Member States on the importance of freedom of expression and the dangers that impunity for crimes against media professionals represents for freedom and democracy;
- 5.16. Sensitize journalists, media owners and policy-makers on existing international instruments and conventions, as well as various existing practical guides on the safety of journalists;
- 5.17. Sensitize news organizations, media owners, editors and journalists on the dangers confronting their staff, particularly those faced by local journalists;
- 5.18. Sensitize all the above parties to the growing dangers posed by all actors and work against hostage-taking, sexual violence, kidnapping, wrongful arrest and other forms of punishment and other emerging threats to media professionals, including non-state actors;
- 5.19. Sensitize the general public on the importance of the safety of journalists and the fight against impunity, through promoting global awareness campaigns, such as UNESCO's World Press Freedom Day;
- 5.20. Encourage journalism education institutions in developing curricula, which include material relevant to the safety of journalists and impunity;
- 5.21. Disseminate best practices on the safety of journalists and counteracting impunity;

#### Fostering Safety Initiatives

- 5.22. Urge all stakeholders, and in particular the media industry and its professional associations, to establish general safety provisions for journalists, including but not limited to safety training courses, health care and life insurance, access to social protection and adequate remuneration for free-lance and full-time employees;

- 5.23. Develop accessible, real-time emergency response mechanisms for groups and media organizations, including contacting and engaging available UN resources and missions and other groups working in the field;
- 5.24. Strengthen provisions for the safety of journalists in conflict zones, for example by encouraging the creation of so-called 'media corridors' in close cooperation with UN staff on the ground.

## **6. Follow-up Mechanisms**

- 6.1. Establishment of a network of focal points on issues about the safety of journalists in all relevant UN agencies, funds and programmes in order to develop effective measures to promote the safety of journalists and combat impunity, coordinate actions and exchange information and whenever possible also to publicize it.
- 6.2. Scheduling meetings of relevant UN agencies, funds and programmes on a regular basis, at international level and also at national level in cooperation with the UN Country Teams (UNCT), with participation of relevant professional associations, NGOs and other stakeholders.
- 6.3. Entrust overall coordination of UN efforts on the safety of journalists to UNESCO, in cooperation with other UN agencies, in particular with the Office of the High Commissioner for Human Rights (OHCHR) and the UN Secretariat in NY.
- 6.4. Present a finalised UN Plan of Action to the IPDC Council at its next session in March 2012, as well as the High Level Committee on Programmes (HLCP) and the Chief Executive Board (CEB) at their next meetings.

# **PART THREE: ANNEXES**

## ANNEX 1:

### **DRAFT DECISION ON THE SAFETY OF JOURNALISTS AND THE ISSUE OF IMPUNITY**

The Intergovernmental Council of IPDC,

1. ***Having discussed*** the report on the killings of journalists and media workers condemned by the Director-General of UNESCO;
2. ***Deeply concerned*** by the increased frequency of acts of violence against journalists, media professionals and associated personnel in many parts of the world, including in countries which are not considered as conflict areas;
3. ***Recalling*** Article 19 of the Universal Declaration of Human Rights, which states that “everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers”,
4. ***Recalling*** UNESCO Resolution 29 “Condemnation of Violence Against Journalists” adopted by the UNESCO General Conference at its 29th session on 12 November 1997, which called on Member States to remove any statute of limitations on crimes against persons when such crimes are “perpetrated to prevent the exercise of freedom of information and expression or when their purpose is the obstruction of justice” and which urged governments to “refine legislation to make it possible to prosecute and sentence those who instigate the assassination of persons exercising the right to freedom of expression” ;
5. ***Recalling*** Resolution 1738 adopted by the UN Security Council at its 5613th Meeting on 23 December 2006 in which the Security Council:
  - ***condemn[ed]*** intentional attacks against journalists, media professionals and associated personnel, as such, in situations of armed conflict, and called upon all parties to put an end to such practices”;
  - ***drew attention*** to “the Geneva Conventions of 12 August 1949, in particular the Third Geneva Convention of 12 August 1949 on the treatment of prisoners of war, and the Additional Protocols of 8 June 1977, in particular article 79 of the Additional Protocol I regarding the protection of journalists engaged in dangerous professional missions in areas of armed conflict”;
  - ***emphasiz[ed]*** the responsibility of States to comply with the relevant obligations under international law to end impunity and to prosecute those responsible for serious violations of international humanitarian law”;

- “**request[ed]** the Secretary-General to include as a sub-item in his next reports on the protection of civilians in armed conflict the issue of the safety and security of journalists, media professionals and associated personnel”;
6. **Taking into account** the United Nations Plan of Action on The Safety of Journalists and the Issue of Impunity endorsed by the Intergovernmental Council of the IPDC at its 28<sup>th</sup> session in March 2012.
  7. **Underlining** the importance for journalists, media personnel and media organizations to uphold the principles of neutrality, impartiality and humanity in their professional activities;
  8. **Requests** the Director-General of UNESCO to provide to the Intergovernmental Council of the IPDC, on a two-year basis at its biennial session, an analytical report on the Director-General's condemnations of the killings of journalists, media workers and social media producers who generate a significant amount of public-interest journalism who are killed in the line of duty or targeted for murder because of their journalistic activities. This report should include updated information on the basis of responses received from Member States concerned by the killings of journalists, and be made widely available.
  9. **Requests** all Member States concerned by the Director-General's condemnations of the killings of journalists:
    - (a) to comply with the relevant obligations under international law to end impunity and to prosecute those responsible for violations, where actions have not been taken;
    - (b) to inform the Director-General of UNESCO, on a voluntary basis, of the actions taken to prevent the impunity of the perpetrators and to notify her of the status of the judicial inquiries conducted on each of the killings of journalists, media workers and social media producers who generate a significant amount of public-interest journalism condemned by UNESCO;
  10. **Invites** the Bureau of the Intergovernmental Council of the IPDC to give priority to projects that support local capacity building in the safety and protection of journalists and media workers;

## **ANNEX 2:**

### **CONTRIBUTIONS FROM MEMBER STATES TO THE UN PLAN OF ACTION**

#### **AUSTRIA**

##### **General comments:**

**A.** Austria strongly welcomes the development of a UN Plan of Action on the Safety of Journalists and the Issue of Impunity as a very timely initiative by UNESCO. Austria shares the serious concerns about the scale and the number of attacks against journalists and media workers as well as other incidents affecting their ability to exercise freedom of expression. The increase in targeted killings is of particular concern to us.

**B.** We agree with the assessment that attacks against journalists are an especially grave and deplorable form of violence – not only from a human rights perspective but also from the point of view of democracy and the rule of law.

**C.** While States have a clear obligation under international law to protect journalists – an obligation that applies both in conflict as in times of peace - there are serious shortcomings in the implementation, which result in a wide protection gap.

**D.** The actions proposed in the final draft of the UN Action Plan, such as the strengthening of UN Mechanisms, the cooperation with Member States, the collaboration with other organizations, should be vigorously pursued in order to help close this protection gap.

**E.** Austria intends to contribute to such efforts to strengthen the protection framework for journalists, in particular through concrete initiatives at the Human Rights Council. We will focus on the fight against impunity as well as on preventing future crimes against journalists.

**F.** We hope that these efforts, which aim at promoting the safety of journalists in all settings, including in non-conflict situations, will be complementary to the overall initiatives of UNESCO in this field.

#### **BURKINA FASO**

##### **Proposed paragraphs regarding point 5. “Proposed measures / Under the heading of Cooperation with Member States”**

**G.** To build and strengthen the cooperative frameworks with Member States, through reinforcement of the guiding structural initiatives promoting the Communication and Information sector on a global level, as has been done with the African Communication Universities of Ouagadougou (UACO), in Burkina Faso, which stand as platforms for pluralism and the promotion of UNESCO’s work through the IPDC (conducting high-level workshops and/or

seminars on a regular basis, working with groups and targeted themes linked to the safety of journalists or other issues) ;

H. To organize, in collaboration with Member States, capacity-building sessions based around major themes linked to UNESCO's goals related to communication development, carried out through the work of IPDC for the benefit of journalists, media professionals, those who promote media, and human rights activists, as well as public, private and civil society bodies active in the promotion of such themes, etc.

## **CHINA**

### **Comment on Introduction. Paragraph 1.5**

I. From the point of view of practical *maneuverability*, the last sentence of 1.5 should be removed from the plan, since there are no unanimous definitions around the world on community media worker and citizen journalist. Besides, the enlargement of the scope of protection means the dilution of the protection of other journalists.

## **COLOMBIA**

### **General comment on Introduction**

J. No mention is made of the Member States that promote and work to guarantee freedom of the press, including in armed conflict situations, which implicate concrete actions to obtain the security of journalists. Concretely, in Colombia there is a Programme of Protection led by the Ministry of the Interior which has as one of its population focuses journalists (in 2011 a total of 211 journalists were under the Programme's protection). The figures also speak for themselves, in 2002 there were 10 homicide victims reported, while in 2010 and in 2011 there was one homicide reported each year.

### **General comments on Paragraph 5 “Proposed Actions” / Strengthening UN Mechanisms**

K. One must not forget that the UN must work with States, as it is they who are called upon to implement policies and actions that are considered pertinent. Isolated and unarticulated actions, which privilege verification, observation and follow-up do not have a positive effect.

L. In the area of cooperation, a more constructive vision should be considered, in relation to what States already implement regarding freedom of expression and the safety of journalists. Not all remains to be done. Important progress has been made which merits not only recognition but support as well, such as positive experiences that can also enrich other processes (in other States)

### **Comments on Paragraph 5.8**

M. The establishment of “an emergency mechanism”, although it appears as a mere example, should be deleted from the text, as it limits the option of States to deal with the question. It will depend on each State as well as on an analysis made jointly, the decision to adopt actions that are considered most pertinent given a particular context.

## **Comments on Paragraph 5.24**

**N.** On this point we suggest not mentioning conflict zones, rather to leave it open in order not to limit the range the forecast. In the same sense we suggest eliminating the example of “media corridors”, a situation/figure whose outreach is unknown.

## **MEXICO**

### **General comment:**

**O.** It would be useful to have more Information on the type of coordination mechanism proposed as well as its structure, composition, working method and its interaction with the Member States

## **NIGERIA**

### **General comment on Introduction**

**P.** It seems that in the introduction, the role of Member States regarding, for example the enacting of enabling legislations for the protection of journalists and for avoiding impunity, has received very little attention.

### **Comment on Introduction / Paragraph 1.3**

**Q.** The paragraph 1.3 will be improved by the removal of the following words which begin the second sentence “Impunity which may be understood as”. The paragraph would then read: *“Furthermore, according to IFEX, in nine out of ten cases, the perpetrators of these crimes are never prosecuted. Impunity, which may be understood as the failure to bring perpetrators of human rights violations to justice, perpetuates the cycle of violence against journalists and must be addressed.”* We find the tenuous description of impunity as an unnecessary intrusion which only weakens the sentence.

### **Comment on Introduction / Paragraph 1.6**

**R.** Finally in paragraph 1.6 we find the penultimate sentence rather open to misinterpretation: “The protection of journalists should adapt to the local realities affecting journalists”. This risks being interpreted as suggesting pandering to what is referred to as “local conditions” when considering action for the protection of journalists. You may want to put this in a language which clearly conveys what you mean and less likely to lead to confusion.

**ANNEX 3:****LIST OF JOURNALIST KILLINGS CONDEMNED BY UNESCO'S DIRECTOR-GENERAL IN 2010-2011**

	Name	Nationality	Country in which killed	Gender	Date
					<b>2010</b>
1	Bobi Tsankov	Bulgarian	Bulgaria	M	05/01/10
2	Rupert Hamer	British	Afghanistan	M	09/01/10
3	José Luis Romero	Mexican	Mexico	M	16/01/10
4	Jorge Ochoa Martinez	Mexican	Mexico	M	29/01/10
5	Jamim Shah	Nepali	Nepal	M	07/02/10
6	Ashiq Ali Mangi	Pakistani	Pakistan	M	17/02/10
7	Arun Singhaniya	Nepali	Nepal	M	01/03/10
8	Joseph Hernandez Ochoa	Honduran	Honduras	M	01/03/10
9	David Meza	Honduran	Honduras	M	11/03/10
10	Evaristo Pacheco Solis	Mexican	Mexico	M	12/03/10
11	Nahúm Palacios Arteaga	Honduran	Honduras	M	14/03/10
12	José Bayardo Mairena	Honduran	Honduras	M	26/03/10
13	Manuel Juárez	Honduran	Honduras	M	26/03/10
14	Patient Chebeya Bankome	Congolese	Democratic Republic of Congo	M	05/04/10
15	Hiroyuki Muramoto	Japanese	Thailand	M	10/04/10
16	Luis Antonio Chévez Hernández	Honduran	Honduras	M	13/04/10
17	Jorge Alberto Orellana	Honduran	Honduras	M	20/04/10
18	Ngota Ngota Germain	Cameroonian	Cameroon	M	22/04/10
19	Sheikh Nur Mohamed Abkey	Somali	Somalia	M	04/05/10
20	Sardasht Osman	Iraqi	Iraq	M	06/05/10
21	Ghulam Rasool Birhamani	Pakistani	Pakistan	M	10/05/10
22	Sayid Ibragimov	Russian	Russian Federation	M	13/05/10
23	Shamil Aliyev	Russian	Russian Federation	M	13/05/10
24	Fabio Polenghi	Italian	Thailand	M	18/05/10
25	Ejazul Haq	Pakistani	Pakistan	M	28/05/10
26	Cevdet Kılıçlar	Turkish	Palestinian Authority	M	01/06/10
27	Luis Arturo Mondragón Morazán	Honduran	Honduras	M	14/06/10
28	Desidario Camangyan	Philippines	Philippines	M	14/06/10
29	Joselito Agustin	Philippines	Philippines	M	15/06/10
30	Nestor Bedolido	Philippines	Philippines	M	19/06/10
31	Jean-Léonard Rugambage	Rwandan	Rwanda	M	24/06/10
32	Faiz Mohammad Khan Sasoli	Pakistani	Pakistan	M	27/06/10
33	Juan Francisco Rodríguez Ríos	Mexican	Mexico	M	28/06/10
34	María Elvira Hernández Galeana	Mexican	Mexico	F	29/06/10
35	Hem Chandra Pandey	Indian	India	M	01/07/10
36	Hugo Alfredo Olivera Cartas	Mexican	Mexico	M	06/07/10
37	Marco Aurelio Martínez Tijerina	Mexican	Mexico	M	10/07/10
38	Guillermo Alcaraz Trejo	Mexican	Mexico	M	10/07/10

39	Socrates Giolias	Greek	Greece	M	19/07/10
40	Vijay Pratap Singh	Indian	India	M	20/07/10
41	Devi Prasad Dhital	Nepali	Nepal	M	22/07/10
42	Assaf Abu Rahal	Lebanese	Lebanon	M	03/08/10
43	Magomedvagif Sultanmagomedov	Russian	Russian Federation	M	11/08/10
44	Ridwan Salamun	Indonesian	Indonesia	M	21/08/10
45	Barkhad Awale Adan	Somalian	Somalia	M	24/08/10
46	Israel Zelaya Diaz	Honduran	Honduras	M	24/08/10
47	Sayed Hamid Noori	Afghan	Afghanistan	M	05/09/10
48	Alberto Graves Chakussanga	Angolan	Angola	M	05/09/10
49	Riad al-Saray	Iraqi	Iraq	M	07/09/10
50	Safaa al-Khayat	Iraqi	Iraq	M	08/09/10
51	Paul Kiggundu	Uganda	Uganda	M	10/09/10
52	Dickson Ssentongo	Uganda	Uganda	M	13/09/10
53	Misri Khan Orakzai	Pakistani	Pakistan	M	14/09/10
54	Luis Carlos Santiago Orozco	Mexican	Mexico	M	16/09/10
55	Mujeebur Rehman Saddiqui	Pakistani	Pakistan	M	16/09/10
56	Tahrir Kadhim Jawad	Iraqi	Iraq	M	04/10/10
57	Francisco Gomes de Medeiros	Brazilian	Brazil	M	18/10/10
58	Abdul Hameed Hayatan	Pakistani	Pakistan	M	18/11/10
59	Mazen Mardan al-Baghdadi	Iraqi	Iraq	M	21/11/10
60	Abdul Wahab	Pakistani	Pakistan	M	06/12/10
61	Pervez Khan	Pakistani	Pakistan	M	06/12/10
62	Altaf Chandio	Pakistani	Pakistan	M	06/12/10
63	Omar Rasim al-Qaysi	Iraqi	Iraq	M	12/12/10
64	Muhammad Khan Sasoli	Pakistani	Pakistan	M	14/12/10
65	Sun Hongjie	Chinese	China	M	28/12/10
					<b>2011</b>
1	Ilyas Nizzar	Pakistani	Pakistan	M	05/01/11
2	Lucas Mebrouk Dolega	French	Tunisia	M	17/01/11
3	Umesh Rajput	Indian	India	M	23/01/11
4	Gerardo Ortega	Filipino	Philippines	M	24/01/11
5	Ahmed Mohammed Mahmoud	Egyptian	Egypt	M	04/02/11
6	Le Hoang Hung	Vietnamese	Vietnam	M	29/01/11
7	Hilal al-Ahmadi	Iraqi	Iraq	M	17/02/11
8	Abdost Rind	Pakistani	Pakistan	M	18/02/11
9	Ali Hassan Al-Jaber	Libyan	Libya	M	12/03/11
10	Jamal Ahmed al-Sharabi	Yemeni	Yemen	M	18/03/11
11	Mohammed al-Nabbous	Libyan	Libya	M	19/03/11
12	Marlina 'Len' Flores-Sumera	Filipino	Philippines	F	24/03/11
13	Sabah al-Bazee	Iraqi	Iraq	M	29/03/11
14	Taha Hameed	Iraqi	Iraq	M	08/04/11
15	Zakariya Rashid Hassan	Bahraini	Bahrain	M	09/04/11
16	Luciano Leitão Pedrosa	Brazilian	Brazil	M	10/04/11
17	Karim Fakhrawi	Bahraini	Bahrain	M	12/04/11
18	Vittorio Arrigoni	Italian	Palestinian Authority	M	15/04/11

19	Tim Hetherington	British/US	Libya	M	20/04/11
20	Chris Hondros	US	Libya	M	20/04/11
21	David Niño de Guzmán	Bolivian	Bolivia	M	21/04/11
22	Alfredo Antonio Hurtado	Salvadoran	El Salvador	M	25/04/11
23	Valério Nascimento	Brazilian	Brazil	M	03/05/11
24	Julio Castillo Narváez	Peruvian	Peru	M	03/05/11
25	Nasrullah Afridi	Pakistani	Pakistan	M	10/05/11
26	Yakhya Magomedov	Russian/Dagestani	Russian Federation	M	08/05/11
27	Wilfred Iván Ojeda	Venezuelan	Venezuela	M	17/05/11
28	Jyotirmoy Dey	Indian	India	M	11/06/11
29	Pablo Ruelas Barraza	Mexican	Mexico	M	13/06/11
30	Misael López Velasco	Mexican	Mexico	M	20/06/11
31	Miguel Angel López Velasco	Mexican	Mexico	M	20/06/11
32	Alwan al-Ghorabi	Iraqi	Iraq	M	21/06/11
33	Witness-Patchelly Kambale Musonia	Congo (DR)	Democratic Republic of Congo	M	22/06/11
34	Luis Eduardo Gómez	Colombian	Colombia	M	30/06/11
35	Angel Castillo Corona	Mexican	Mexico	M	04/07/11
36	Adan Benítez	Honduran	Honduras	M	04/07/11
37	Nery Jeremías Orellana	Honduran	Honduras	M	14/07/11
38	Auro Ida	Brazilian	Brazil	M	22/07/11
39	Ahmad Omed Khpalwak	Afghan	Afghanistan	M	24/07/11
40	Yolanda Ordaz de la Cruz	Mexican	Mexico	F	26/07/11
41	José Agustín Silvestre	Dominican Republic	Dominican Republic	M	02/08/11
42	Munir Shakar	Pakistani	Pakistan	M	14/08/11
43	Niel Jimena	Filipino	Philippines	M	23/08/11
44	Humberto Millán Salazar	Mexican	Mexico	M	25/08/11
45	Valderlei Canuto Leandro	Brazilian	Brazil	M	01/09/11
46	Ana María Yarce Viveros	Mexican	Mexico	F	01/09/11
47	Rocío González Trápaga	Mexican	Mexico	F	01/09/11
48	Pedro Alfonso Flores Silva	Peruvian	Peru	M	07/09/11
49	Hadi al-Mahdi	Iraqi	Iraq	M	08/09/11
50	Medardo Flores	Honduran	Honduras	M	08/09/11
51	José Oquendo Reyes	Peruvian	Peru	M	14/09/11
52	Farhad Taqaddosi	Iranian	Afghanistan	M	20/09/11
53	María Elizabeth Macías	Mexican	Mexico	M	24/09/11
54	Faisal Qureshi	Pakistani	Pakistan	M	07/10/11
55	Abdel Majid Al-Samawi	Yemeni	Yemen	M	03/10/11
56	Abdel Hakim Al-Nour	Yemeni	Yemen	M	04/10/11
57	Roy Bagtikan Gallego	Philippines	Philippines	M	14/10/11
58	Zakariya Isa	Nigerian	Nigeria	M	22/10/11
59	Ferzat Jarban	Syrian	Syria	M	20/11/11
60	Luz Marina Paz Villalobos	Honduran	Honduras	F	06/12/11
61	Hadzhimurad Kamalov	Russian	Russian Federation	M	15/12/11
62	Abdisalam Sheikh Hassan	Somali	Somalia	M	18/12/11

## **ANNEX 4:**

### **RESOLUTION 29 "CONDEMNATION OF VIOLENCE AGAINST JOURNALISTS" GENERAL CONFERENCE 29TH SESSION, PARIS, 1997**

#### ***The General Conference,***

***Recalling*** Article 19 of the Universal Declaration of Human Rights, which states that "everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers",

***Confirming*** that freedom of expression is a fundamental right of everyone and is essential to the realization of all the rights set forth in international human rights instruments,

***Also recalling*** the American Convention on Human Rights (Pact of San Jose, Costa Rica), the European Convention for the protection of Human rights and Fundamental Freedoms, the African Charter on Human Rights and Peoples' rights, and the International Covenant on Civil and Political Rights,

***Bearing*** in mind resolution 59(I) of the United General Assembly, of 14 December 1946, in which it is stated that freedom of information is a fundamental human right, General Assembly resolution 45/76 A of 11 December 1990 on information in the service of humanity, and resolution 1997/27, of the United Nations Commission on Human Rights, on the right to freedom of opinion and expression,

***Reaffirming*** that the rights to life and to liberty and integrity and security of person and also to freedom of expression are fundamental human rights that are recognized and guaranteed by international conventions and instruments,

#### ***Considering:***

that over the past ten years an increasing number of journalists have been assassinated for exercising their profession, a development denounced by various international organizations, and that the majority of these crimes still go unpunished, that this reality in the Americas, for example, has been corroborated by the Inter-American Press Association (IAPA) through investigations conducted in various countries and by special missions,

***Mindful*** that, as a consequence of the Hemisphere Conference on Unpunished Crimes against journalists convened by IAPA, several professional organizations have decided to engage in specific joint action to shed light on unpunished crimes against journalists,

***Conscious*** that the assassination of journalists goes beyond depriving people of their lives as it involves a curtailment of freedom of expression, with all that this implies as a limitation on the freedoms and rights of society as a whole,

#### ***1. Invites the Director-General:***

to condemn assassination and any physical violence against journalists as a crime against society, since this curtails freedom of expression and, as a consequence, the other rights and freedoms set forth in international human rights instruments;

to urge that the competent authorities discharge their duty of preventing, investigating and punishing such crimes and remedying their consequences;

#### ***2. Calls upon*** Member states to take the necessary measures to implement the following recommendations:

that governments adopt the principle that there should be no statute of limitations for crimes against persons when these are perpetrated to prevent the exercise of freedom of information and expression or when their purpose is the obstruction of justice;

that governments refine legislation to make it possible to prosecute and sentence those who instigate the assassination of persons exercising the right to freedom of expression;

that legislation provide that the persons responsible for offenses against journalists discharging their professional duties or the media must be judged by civil and/or ordinary courts.

*Resolution adopted on the report of Commission IV at the 27th plenary meeting, on 12 November 1997.*

## **ANNEX 5:**

### **SECURITY COUNCIL RESOLUTION 1738 (2006)**

#### ***The Security Council,***

***Bearing in mind*** its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security, and underlining the importance of taking measures aimed at conflict prevention and resolution,

***Reaffirming*** its resolutions 1265 (1999), 1296 (2000) and 1674 (2006) on the protection of civilians in armed conflict and its resolution 1502 (2003) on protection of United Nations personnel, associated personnel and humanitarian personnel in conflict zones, as well as other relevant resolutions and presidential statements,

***Reaffirming*** its commitment to the Purposes of the Charter of the United Nations as set out in Article 1 (1-4) of the Charter, and to the Principles of the Charter as set out in Article 2 (1-7) of the Charter, including its commitment to the principles of the political independence, sovereign equality and territorial integrity of all States, and respect for the sovereignty of all States,

***Reaffirming*** that parties to an armed conflict bear the primary responsibility to take all feasible steps to ensure the protection of affected civilians,

***Recalling*** the Geneva Conventions of 12 August 1949, in particular the Third Geneva Convention of 12 August 1949 on the treatment of prisoners of war, and the Additional Protocols of 8 June 1977, in particular article 79 of the Additional Protocol I regarding the protection of journalists engaged in dangerous professional missions in areas of armed conflict,

***Emphasizing*** that there are existing prohibitions under international humanitarian law against attacks intentionally directed against civilians, as such, which in situations of armed conflict constitute war crimes, and ***recalling*** the need for States to end impunity for such criminal acts,

***Recalling*** that the States Parties to the Geneva Conventions have an obligation to search for persons alleged to have committed, or to have ordered to be committed a grave breach of these Conventions, and an obligation to try them before their own courts, regardless of their nationality, or may hand them over for trial to another concerned State provided this State has made out a prima facie case against the said persons,

***Drawing*** the attention of all States to the full range of justice and reconciliation mechanisms, including national, international and "mixed" criminal courts and tribunals and truth and reconciliation commissions, and ***noting*** that such mechanisms can promote not only individual responsibility for serious crimes, but also peace, truth, reconciliation and the rights of the victims,

***Recognizing*** the importance of a comprehensive, coherent and action-oriented approach, including in early planning, of protection of civilians in situations of armed conflict,

***Stressing***, in this regard, the need to adopt a broad strategy of conflict prevention, which addresses the root causes of armed conflict in a comprehensive manner in order to enhance the protection of civilians on a long-term basis, including by promoting sustainable development, poverty eradication, national reconciliation, good governance, democracy, the rule of law and respect for and protection of human rights,

***Deeply concerned*** at the frequency of acts of violence in many parts of the world against journalists, media professionals and associated personnel in armed conflict, in particular deliberate attacks in violation of international humanitarian law,

***Recognizing*** that the consideration of the issue of protection of journalists in armed conflict by the Security Council is based on the urgency and importance of this issue, and recognizing the valuable role that the Secretary-General can play in providing more information on this issue,

1. **Condemns** intentional attacks against journalists, media professionals and associated personnel, as such, in situations of armed conflict, and calls upon all parties to put an end to such practices;
2. **Recalls** in this regard that journalists, media professionals and associated personnel engaged in dangerous professional missions in areas of armed conflict shall be considered as civilians and shall be respected and protected as such, provided that they take no action adversely affecting their status as civilians. This is without prejudice to the right of war correspondents accredited to the armed forces to the status of prisoners of war provided for in article 4.A.4 of the Third Geneva Convention;
3. **Recalls** also that media equipment and installations constitute civilian objects, and in this respect shall not be the object of attack or of reprisals, unless they are military objectives;
4. **Reaffirms** its condemnation of all incitements to violence against civilians in situations of armed conflict, further reaffirms the need to bring to justice, in accordance with applicable international law, individuals who incite such violence, and indicates its willingness, when authorizing missions, to consider, where appropriate, steps in response to media broadcast inciting genocide, crimes against humanity and serious violations of international humanitarian law;
5. **Recalls its demand** that all parties to an armed conflict comply fully with the obligations applicable to them under international law related to the protection of civilians in armed conflict, including journalists, media professionals and associated personnel;
6. **Urges States** and all other parties to an armed conflict to do their utmost to prevent violations of international humanitarian law against civilians, including journalists, media professionals and associated personnel;
7. **Emphasizes** the responsibility of States to comply with the relevant obligations under international law to end impunity and to prosecute those responsible for serious violations of international humanitarian law;
8. **Urges** all parties involved in situations of armed conflict to respect the professional independence and rights of journalists, media professionals and associated personnel as civilians;
9. **Recalls** that the deliberate targeting of civilians and other protected persons, and the commission of systematic, flagrant and widespread violations of international humanitarian and human rights law in situations of armed conflict may constitute a threat to international peace and security, and *reaffirms in this regard its readiness* to consider such situations and, where necessary, to adopt appropriate steps;
10. **Invites** States which have not yet done so to consider becoming parties to the Additional Protocols I and II of 1977 to the Geneva Conventions at the earliest possible date;
11. **Affirms** that it will address the issue of protection of journalists in armed conflict strictly under the agenda item "protection of civilians in armed conflict";
12. **Requests** the Secretary-General to include as a sub-item in his next reports on the protection of civilians in armed conflict the issue of the safety and security of journalists, media professionals and associated personnel.

