

Strengthening the Implementation of the UN Plan of Action on the Safety of Journalists and the Issue of Impunity

Consultation outcome document, August 16, 2017

In March 2017, UNESCO and the UN Office of the High Commission on Human Rights (OHCHR) began a consultation process on ways to strengthen the UN Plan of Action on the Safety of Journalists and the Issue of Impunity (hereafter “the UN Plan”).

Responses from multiple actors to an open-ended questionnaire were aggregated into a [report](#)¹ that summarized the achievements, challenges and lessons learnt, as well as suggestions for the way forward. Thereafter, a draft outcome document was produced and circulated for comments ahead of a Multistakeholder Consultation event on 29 June at the Palais de Nations in Geneva. A second version, incorporating feedback from this event, was then circulated. This final version takes account of further comments received. Appreciation is expressed for all contributions.

In developing this final outcome of the consultation process, the remit has been retained on the issues of safety and impunity, although some comments ranged wider than these concerns. The intention was not to reinvent the UN Plan, but to strengthen its implementation by drawing on the experience and collective wisdom of stakeholders. The focus has been on points of consensus and also creativity, as well as respect for the autonomy and different roles of different sectoral actors. The options outlined are voluntary steps which the range of actors may wish to consider in terms of their ongoing contributions to implementing the UN Plan. These are set out in terms of stakeholder groups, with general points initially, followed by more specific options thereafter.²

UNESCO and OHCHR commends this outcome document to stakeholders with the hope that the consultation exercise has been a valuable contribution to strengthening the future work to secure the safety of journalists and end impunity for crimes against them.³

¹ https://en.unesco.org/sites/default/files/draft_report_-_multi-stakeholder_consultation_21_june.pdf

² A complementary document will be produced with a thematic approach that aggregates options, not on the basis of stakeholder group delineation, but in terms of the specific strategic objectives of the UN Plan.

³ For the purposes of this document, the term “journalist” includes journalists and other media workers, as well as those social media producers who generate a significant amount of public interest journalism. This follows the UNESCO Executive Board (decision 201 EX/SR.10), as well as various decisions by the International Programme for the Development of Communication. It also follows the UN Human Rights Council position that journalism is “a function shared by a wide range of actors, including professional full-time reporters and analysts, as well as bloggers and others who engage in forms of self-publication in print, on the Internet or elsewhere.” (CCPR/C/GC/34, para. 44). See A/HRC/20/17, paras. 3-5; A/HRC/20/22, para. 26; A/HRC/24/23, para. 9; A/HRC/27/35, para. 9; A/69/268, para. 4; A/HRC/16/44, para. 47.

In general, the document also uses the term “safety” to encompass not only threats and attacks on journalists, but also the problem of impunity whereby perpetrators are not brought to justice for such crimes.

1. ROLE OF THE UNITED NATIONS:

1.1 Options for the UN system:

1. **Take steps** through UNESCO, in cooperation with OHCHR and the UN Secretary-General's designated focal point on safety of journalists, to help ensure greater co-ordination and implementation by UN actors of the UN Plan, including in emergency cases,
2. **Continue** to promote the normative framework, including with regard to the gender dimensions, as set out in UN resolutions (e.g. UN General Assembly, UN Security Council and UN Human Rights Council) and UN human rights instruments, and *keep the issue* high on the international agenda,
3. **Respond** to relevant new developments as they emerge, such as in global reporting on the Sustainable Development Goals (SDGs),
4. **Dedicate** adequate financial and human resources for the implementation of the UN Plan.

In particular:

- i. *Consider*, at the Chief Executives Board of the UN, re-establishing the system of focal points for safety of journalists at senior levels of relevant UN entities, and developing clear terms of reference for them,
- ii. *Raise awareness* about and *advance* implementation of the UN Plan and SDG 16.10 throughout the UN, including through the Development Operations Coordination Office (DOCO) and UN Resident Coordinators, along with UN Country Teams, with the aim of integrating the safety of journalists into development plans and UN Development Assistance Frameworks,
- iii. *Raise awareness* about all mechanisms existing within the UN system to advance the safety of journalists and address impunity,
- iv. *Support* and *assist* relevant national and regional institutions and courts to advance the safety of journalists,
- v. *Support* work on safety of journalists through relevant UN funding mechanisms,
- vi. *Allocate* more financial and human resources within UN entities for implementation of the UN Plan.

1.2 Options for OHCHR:

5. **Continue** to promote and raise awareness about the international human rights framework applicable to the safety of journalists and the avenues available to advance the safety of journalists, including the Human Rights Council (HRC), the Universal Periodic Review (UPR), Special Procedures⁴ and human rights treaty bodies,
6. **Encourage** greater engagement of relevant Special Procedures and human right treaty bodies on the issue of safety of journalists,
7. **Continue** the development of SDG indicator 16.10.1 and encourage enhanced global reporting on the indicator.

⁴ "The special procedures of the Human Rights Council are independent human rights experts with mandates to report and advise on human rights from a thematic or country-specific perspective"
<http://www.ohchr.org/EN/HRBodies/SP/Pages/Welcomepage.aspx>

In particular:

- i. *Provide* technical assistance to Member States to enhance the safety of journalists and the systematic measurement of progress on the issue, including through mainstreaming safety into the UPR.
- ii. *Continue* to support and encourage the engagement of relevant Special Procedures (including Special Rapporteurs) of the Human Rights Council, with the issue such as through communication procedures, thematic reports and joint missions, as well as coordination with Special Rapporteurs of regional mechanisms,
- iii. *Continue to support* increased engagement by human rights treaty bodies with the issue of safety of journalists, in particular through consideration of States' parties periodic reports, individual complaints and country inquiries,
- iv. *Consider* developing a compilation of existing international human rights law and international humanitarian law standards and principles relevant to the safety of journalists,
- v. *Ensure*, as custodian agency for SDG indicator 16.10.1, improved global reporting on this indicator, and, in collaboration with UNESCO and other stakeholders, *broaden* the scope of monitoring journalists' safety beyond cases of killing to include enforced disappearance, torture, arbitrary detention and kidnapping.

1.3 Options for UNESCO:

7. ***Continue and enhance leadership of the UN Plan by expanding scale, outreach, partnerships and technical assistance, especially at national level, and by increasing engagement with UN entities, UNESCO National Commissions, regional institutions and courts, governments, national human rights institutions, national statistics agencies, the judiciary, law enforcement and security forces, civil society, media, internet companies and academia, as relevant in each context,***
8. ***Continue and expand support to Member States, upon request, such as with regard to law reform and other forms of capacity building, research, monitoring and reporting.***

In particular:

- i. *Continue* to strengthen and improve UN's normative work on safety of journalists, such as through providing leadership on themes for commemorations of relevant international days and publicising UNESCO's statistics on safety and impunity; and *ensure* attention in safety issues to gender and SDG 5, and to digital dimensions,
- ii. *Expand* the scale of provision of technical advice to Member States in terms of draft laws, media law reform and national mechanisms dealing with safety issues which address monitoring, prevention, protection and prosecution,
- iii. *Increase* partnerships for capacity-building efforts regarding safety issues with all actors in the media community, journalism schools, judges, parliamentarians, prosecutors, law enforcement agents including security forces, public officials and other local actors,
- iv. *Continue* partnerships for research on emerging issues regarding the safety of journalists, and create synergies with the work carried out by NGOs, academia, journalists' associations and other relevant stakeholders,

- v. *Continue* and *enhance* roll-out of Journalists' Safety Indicators studies in more countries,
- vi. *Build* national capacities upon request by a Member State and *strengthen* reporting and responses to the UNESCO Director-General's requests for information from Member States on judicial follow-up to killings of journalists.
- vii. *Deepen* work with OHCHR in developing comprehensive safety reporting on SDG indicator 16.10.1 as per terms of the indicator, and assist Member States in their own monitoring in this area,
- viii. *Strengthen* UNESCO's convening role in reporting on SDG indicator 16.10.2, which is relevant to public access to information and transparency concerning official information on journalist safety and related impunity issues.

2. ROLE OF MEMBER STATES

2.1 Options for Member States with regard to joint actions:

- 9. ***Enhance* multilateral engagement and coordination on the safety of journalists, and give priority to translating the standard-setting framework of the UN Plan into national law, policies and practices,**
- 10. ***Encourage* reporting by Member States on the safety of journalists, including within the frameworks of the SDGs, UN human rights bodies and UNESCO's monitoring of judicial follow-up to killings.**

In particular:

- i. *Encourage* effective implementation by all States of their human rights obligations pertaining to safety of journalists as well as resolutions adopted by UN bodies and regional intergovernmental organisations; and *consider* co-sponsoring and supporting further resolutions to advance the safety of journalists, that demonstrate the responsibility of States in promoting the safe practise of journalism, and in addressing the issue of impunity,
- ii. *Encourage* the Groups of Friends of Safety of Journalists to enhance their co-ordinating role, further *develop* their expertise, and designate focal points to share information between each of the Groups in New York, Geneva and Paris,
- iii. *Consider* greater inclusion of the issue of the safety of journalists in the processes of the relevant UN human rights bodies, including the UPR, Special Procedures, treaty bodies, Special Procedures and SDG reporting processes,
- iv. *Welcome* the commitment of those Member States who demonstrate their interest in ending impunity for killings of journalists through their co-operation with the UNESCO reporting mechanism on judicial follow-up to such killings,
- v. *Consider* increasing engagement with UNESCO's reporting mechanism on judicial follow-up to killings, including by strengthening support and accountability for the Member States not providing information to UNESCO regarding this judicial follow-up; *encourage* increased quantity and quality, and transparency, of Member States' responses in this area; and *encourage* those Member States who do respond to make their responses publically available; and *request* those Member States who do not respond to make public their reasons why.

2.2 Options for each individual Member State:

11. **Ensure respect, protection and fulfilment of the right to freedom of expression and other relevant human rights in accordance with their obligations under international human rights law, including through the development and review of law, policies and practices aimed at ensuring the safety of journalists, and consider signing and ratifying any relevant human rights instruments not yet signed and/or ratified,**
12. **Take steps or continue to take steps to ensure a safe and enabling environment for press freedom and access to information so that journalists can perform their work independently and without undue interference,**
13. **Acknowledge, and implement accordingly, the role of the State in ensuring the safety of journalists; as well as for ensuring the State's role in prompt, independent and effective investigations for each attack against journalists; and continue to recognise that impunity for crimes against journalists is a root problem of continued attacks,**
14. **Integrate safety of journalists into national development frameworks under the 2030 Development Agenda,**
15. **Upgrade information-gathering and monitoring systems on the safety of journalists to serve as a knowledge base for strengthening national law and policy as well as for reporting to relevant UN mechanisms such as the UPR,**
16. **Give particular attention to the specific attacks on women journalists, and on the basis of comprehensive gender analysis, put in place gender-sensitive measures that do not prevent them from carrying out their journalistic tasks but which enhance their safety and enable them to fully carry out their profession,**

In particular:

- i. *Repeal or amend* any legislation inconsistent with the Member State's obligations on the safety of journalists under international human rights law, and *introduce or strengthen* laws and policies, including those pertaining to freedom of information and other laws which create a safe and enabling environment for seeking information and which promote transparency with regard to state monitoring and practice on safety and impunity issues,
- ii. *Ensure or continue to ensure* the safety of journalists through gender-sensitive laws, policies and practices aimed at their protection, accountability for violations against them, and *enable* related aspects such as securing confidentiality of journalistic sources, and respecting journalists' freedom of movement,
- iii. *Adopt or maintain* labour legislation, in line with international labour standards, aimed at promoting freedom of association, collective bargaining, regulation of employment relationships, social protection, decent working conditions, and effective occupational safety and health for all workers, including journalists.
- iv. *Consider*, in the light of SDG 16.10, developing a national plan for safety of journalists, that includes establishing multistakeholder protection and/or accountability mechanisms that may include dedicated units for monitoring, investigation and prosecution, and *provide* adequate resources to this end,

- v. *Encourage*, in the context of the UPR and where applicable, the State under Review to ensure the safety of journalists, to ensure accountability in connection with violations committed against journalists and to report on progress on these issues at its next review,
- vi. *Consider adopting* an all-of-government approach to the issue of safety of journalists to avoid fragmentation or poor co-ordination, especially between ministries for law enforcement and security, human rights, justice, information/media/communications, gender, and foreign affairs, and *ensure liaison* with independent Human Rights institutions including relevant ombudspersons,
- vii. *Designate* a focal point at senior level of government to liaise with other stakeholders, including other Member States, UNESCO, OHCHR, regional organisations, media and civil society, and all relevant SDG and UN human rights bodies' processes, and who can facilitate uptake of relevant technical and financial resources of the UN and other stakeholders,
- viii. *Ensure*, in situations of armed conflict, the protection of journalists in accordance with international humanitarian law, and *respect* the status of war correspondents accredited to the armed forces as provided for in Article 4 A (4) of the Third Geneva Convention,
- ix. *Undertake* training of law enforcement, judicial and other public officials to ensure full understanding of relevant international human rights and international humanitarian norms and standards and the requisite media and information literacy, including a thorough understanding of the work of journalists on and offline, and the importance of the safety of journalists to society; as well as *adopt* protocols for their operating procedures in this area; and *strengthen* their capacities to ensure effective protection, and investigation and prosecution of violations against journalists,
- x. *Implement* recommendations of human rights bodies and regional court judgements and *share* relevant international and regional jurisprudence with relevant domestic authorities including judiciaries and legislatures,
- xi. *Ensure* investigation into, and where required prosecution of, all attacks on journalists, including attacks against their family members, even after a lapse of years in the light of UNESCO Resolution 29/29 "Condemnation of Violence Against Journalists" (1997), which called on Member States to remove any statute of limitations on crimes against person when such crimes are perpetrated to prevent the exercise of freedom of information and expression or when their purpose is the obstruction of justice,
- xii. *Advance* monitoring and reporting on SDG 16.10.1; *respond* to UNESCO's requests on judicial follow-up to killings, *engage* with UN human rights mechanisms, in particular the UPR; *strengthen* related data collection including through partnerships with UN entities, civil society and other stakeholders; *consider* using SDG indicator 16.10.1 as part of national monitoring and reporting on journalist safety issues; and *ensure* that monitoring and reporting efforts include the digital, physical and psychological safety of journalists, and incorporate gender-sensitive analysis,
- xiii. *Take action* against discrimination and violence against women journalists, including sexual violence, online and offline, and ensure training and awareness-raising, including within government and law enforcement and security agencies, the

judiciary and the media, and *promote* women's rights and the role of women journalists in exercise of freedom of expression and access to information,

3. ROLE OF REGIONAL INTERGOVERNMENTAL ORGANISATIONS, CIVIL SOCIETY, MEDIA, INTERNET COMPANIES AND ACADEMIA

3.1 Options for Regional Intergovernmental Organisations:

- 16. *Intensify* efforts in standard setting, awareness-raising, and capacity-building of Member States and other stakeholders to ensure the effective implementation of existing international and regional norms and standards relevant to the issue of safety of journalists,**
- 17. *Bring awareness* of the UN Plan to regional constituencies, including in regions where there is a lack of regional intergovernmental structures working on the safety of journalists.**

In particular:

- i. *Nominate* senior intergovernmental officials to serve as focal points for engagement with other actors in the UN Plan,
- ii. *Enhance* the sharing of good practices and joint capacity building exercises, especially on data collection, monitoring and guidelines,
- iii. *Encourage* regional entities that have not yet done so to create protection mechanisms for the safety of journalists within the framework of human rights protection, including by appointing a Special Rapporteur with a mandate covering this area,
- iv. *Urge* country-specific Special Rapporteurs to address the issue of safety of journalists as part of their mandate, and, in doing so, to collaborate and coordinate where possible with relevant UN Special Rapporteurs, most particularly the UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression.

3.2 Options for Civil Society:

- 18. *Strengthen* internal cooperation and co-ordination within civil society through information exchanges, especially on a south-south basis, and joint projects including missions and advocacy,**
- 19. *Enhance* external coordination and synergies with other stakeholders, particularly with regard to training, monitoring and reporting, establishing national protection and/or accountability mechanisms for the safety of journalists, national implementation of the UN Plan, and mobilizing additional sources of funding.**

In particular:

- i. *Promote* harmonization of efforts within civil society, including through using the same or comparable categories for monitoring, in light of frameworks such as the Journalists' Safety Indicators and the SDG indicator 16.10.1,
- ii. *Continue* to maintain, and develop, means of monitoring attacks against journalists and systems of alerts,
- iii. *Make better use* of UN reporting processes and mechanisms, such as UNESCO's annual reports on killings and judicial follow up, and the mechanisms supported by OHCHR,
- iv. *Continue* to support capacity-building for Member States and the media to improve the safety of journalists; and increase communication about the availability of resources (financial, technical, knowledge-based, etc.),
- v. *Continue* to strengthen networks for journalists who have suffered attacks or are suffering attacks, and provide emergency support, including where possible relocation of journalists under threat,
- vi. *Increase* the use of strategic litigation, including use of right to information laws, by mobilizing members of the legal community; and *encourage* the implementation of national and regional landmark judgments at national level, through coalitions and campaigns,
- vii. *Intensify* work around the issues of women journalists, freelancers and actors outside the media industry who produce significant amounts of journalism,
- viii. *Diversify* and *enhance* sources of funding to support civil society's national and international efforts to foster journalist safety and address impunity.

3.3 Options for media actors:

20. ***Instill a greater culture of safety of journalists, taking into account the specific attacks on women journalists, among media owners and news managers, including on the basis of their duty to protect their staff and to recognize particular threats to women journalists,***
21. ***Establish effective newsroom safety protocols that include procedures for promptly and effectively addressing any attacks and providing for legal support and assistance to the victims***
22. ***Improve digital safety and develop strategies to address online violence and harassment of journalists, particularly women journalists, including through cooperation with internet companies, so as to obtain immediate responses to threats made on these platforms,***
23. ***Pool efforts by developing industry-wide co-operation and campaigns, and take a full part in coalitions for journalists' safety,***
24. ***Strongly and publicly counter all forms of discrimination against journalists, such as those based on race, colour, sex, language, religion, political or other opinion, national or social origin, property or birth, or gender, sexual orientation, or other status; encourage and enhance a policy of gender equality inside media institutions, and counter social, cultural and other obstacles to equality between male and female journalists.***

In particular:

- i. *Ensure* updated and internally well-publicized newsroom safety policies and protocols, and designated focal points, for the protection of journalists, including freelancers and associated media personnel, and *ensure* that the physical, psychological and digital dimensions of safety are covered,

- ii. *Train* journalists to ensure they have comprehensive knowledge and understanding of their rights, as well as the competencies to mitigate risks and deal with threats, particularly in environments where journalists have been previously killed and where impunity is rife,
- iii. *Increase awareness* within the profession as to how the media industry can better utilise existing laws and policy (e.g. official channels to make complaints and lay charges, freedom of information requests, etc.) to enhance the safe practice of journalism,
- iv. *Develop* reporting systems for threats and attacks against journalists, including protocols for involving the police, taking into account gender-specific threats and violence, and *increase* real-time exchange of alerts between focal points in different newsrooms and in coordination with civil society as appropriate,
- v. *Encourage* media owners to provide training on safety issues as well as for tailored insurance and social protection cover,
- vi. *Strengthen* collaboration with media associations/unions and humanitarian organisations on the safety of journalists,
- vii. *Expand* media coverage of attacks against journalists, including by publishing front page stories, including but not limited to coverage on 3 May, World Press Freedom Day, and 2 November, the International Day to End Impunity for Crimes Against Journalists; *develop* professional training on how follow-up reportage of attacks with a view to informing the public about the impunity issue; and *improve* public engagement by explaining the overall public interest in ending attacks against journalists,
- viii. *Support* and *initiate* litigation that helps to ensure that governments give appropriate attention to protecting journalists and undertakes investigations and, where required, prosecutions of all those allegedly responsible for attacks against journalists,
- ix. *Consider* conducting independent investigations into attacks against journalists especially whenever state institutions fail to do so; and *co-operate* in order to complete investigative stories left unfinished by the killing of a journalist, or otherwise rendering him or her unable to complete the story,
- x. *Bridge gaps* with civil society media support groups, and take up their offers of training, such as on first aid and digital defence; and *communicate* that safety measures are more effective and stand a better chance of being implemented when elaborated by and/or in cooperation with news media institutions,
- xi. *Increase awareness*, of emergency mechanisms, such as the ICRC's hotline for journalists on dangerous assignments, the Press SOS hotline of Reporters without Borders and the press freedom hotline of the Committee to Protect Journalists,
- xii. *Strengthen* networks of safety officers in news media institutions, and *replicate* these, as appropriate, in regions where these do not exist.

3.4 Options for Internet companies:

- 24. ***Elaborate* more consistent and increased engagement with UN Plan stakeholders across a range of areas, such as support, training, research, advocacy, transparency and awareness-raising, and *develop* monitoring systems with regard to specific online threats.**

In particular:

- i. *Recognise*, through public statements and internal policy, the risk to society and to their own business models, of online attacks directed against journalists, including hacking, Distributed Denial of Service (DDOS) attacks on websites, cyberbullying, trolling, doxxing and illegal surveillance,
- ii. *Recognise* and *monitor* the specific situation of threats to and attacks against women journalists on their platforms and services, and *develop* effective mechanisms to respond to harassment and attacks online while ensuring compliance with international standards for legitimate limitations on freedom of expression,
- iii. *Designate* senior staffers as focal points to liaise on safety issues with and the other stakeholders in the UN Plan,
- iv. *Coordinate* better with news media organisations to identify effective technical measures and standard operating procedures that can provide solutions to emergency as well as medium-term challenges.

3.5. Options for Academia:

25. ***Promote* closer engagement and joint research initiatives with other stakeholders, including UNESCO, explaining the roles and resources of academia, and publicising new research results and where to find them.**

In particular:

- i. *Expand* the Journalism Safety Research Network (JSRN) by encouraging other academic researchers to enter the field and share knowledge, including on the gender dimensions of safety, such as through organising seminars and publishing research,
- ii. *Take up* the opportunities for research available through the Journalists' Safety Indicators, and make use of UNESCO and UN data on safety and impunity,
- iii. *Develop* specific courses as part of the core curriculum in all journalism schools, including adapting specialised teaching resources that have been produced by UNESCO and others; *invite* practising journalists to share practical safety experience with journalism students; and *contribute* to teaching the importance of journalist safety and the role of journalism in society at all educational levels.

4. Options for all stakeholders in awareness-raising:

26. ***Continue* and *heighten* awareness of the existence of the UN Plan, its Implementation Strategy and ongoing activities aligned to its framework; and *highlight* how the initiative encourages multi-stakeholder co-operation at global, regional and national levels,**
27. ***Make use* of innovative and creative communications, including entertainment formats and Internet memes, to reach out to a variety of audiences as well as the general public.**

In particular:

- i. *Engage* academics more closely, through more systemic involvement of academia in the continued development and implementation of the UN Plan of Action and through addressing specific questions to the JSRN and national or local universities so as to expand academic research in this area,
- ii. *Build* media and information literacy that enhances critical thinking and access to information by conducting awareness-raising about the linkage that journalistic safety has to sustainable development, rule of law, human rights and democracy; *show* how a free and safe media can contribute to more peaceful societies; *highlight* the existence of self-regulatory and other systems that provide channels for dissatisfied persons to voice any concerns with media; and *advocate* for media and information literacy in both formal and informal settings,
- iii. *Ensure* that sensitisation strategies include both campaigns for the general public, as well as campaigns with more targeted relevant groups such as media leaders, parliamentarians, law enforcement agencies, prosecutors and judges, UN entities, UN Country Teams, Internet companies, etc., and *highlight* good practices by key actors (e.g.; judges, law enforcement, public officials etc.),
- iv. *Encourage* prominent personalities to speak out and function as ambassadors for the right to freedom of expression and for the safety of journalists,
- v. *Highlight* particular cases beyond the statistics, in order to create public awareness about the importance of journalistic safety, e.g. by publicising the status of the judicial investigations into specific instances of murdered or missing journalists, and explaining the wider significance entailed,
- vi. *Capitalise* on key dates for partnerships in awareness-raising, such as 3 May (World Press Freedom Day) and 2 November (International Day to End Impunity for Crimes Against Journalists), as well as 13 February (World Radio Day), 28 September (International Day for Universal Access to Information), 9 December (International Human Rights Defenders Day), 10 December (Human Rights Day), and 29 November (International Women Human Rights Defenders Day),
- vii. *Bring* this outcome document to the attention of all Member States and other stakeholder representatives, including Groups of Friends of Safety in New York, Geneva and Paris, UN Resident Coordinators, the UN Chief Executives Board, regional organisations, media, civil society networks, academia, and Internet companies.