Conserving Journalism: Ensuring Freedom of the Press and Protecting Journalists

Overview

Journalists and the press are under assault in 2019 like never before. With the spread of fake news and disinformation campaigns globally, the press is seen as the enemy to many states. A free and impartial press is considered one of the hallmarks of a stable and consolidated democracy. States are repressing the work of journalists across the world, and many journalists live in fear of publishing the wrong article and offending the wrong people. Even more daunting, journalists around the world have been arrested, jailed, and even murdered for attempting to bring light to the crises and corrupt leaders of the world. As the world continues to connect and integrate further with the expansion of the internet, it is more important than ever to ensure the freedom of the press and protecting journalism. The United Nations must set an example and send a clear message: that journalists are to be protected and allowed to report on news as it develops freely. Many countries within the UN have different policies and different standards of protection for the press, yet a global consensus on press freedom has never been established.

Historical Background/Context

Freedom of the press is a relatively new phenomenon in the field of fundamental human rights. The first legislation for the protection of press freedom passed on December 2nd, 1766 in Sweden. This law, entitled the Freedom of the Press Act, abolished the Swedish government’s role as a censor of printed matter, and allowed for the official activities of the government to be published. Also, it codified into law the idea that individual citizens should be able to disseminate information without fear of reprisal. In 1789, the Declaration of the Rights of Man, which was a fundamental document that was produced during the French Revolution advocated for the Freedom of Speech of all men. The first amendment to the Constitution of the United States of America passed in 1791 reads, “Congress shall make no law respecting… abridging the freedom of speech, or of the press.” This marked another moment in the history of freedom of press laws and ignited two centuries of global acceptance of protecting the press and journalists. From this period to 1948, several countries that underwent democratic revolutions incorporated various degrees of the freedom of the press and the protection of journalists. In 1948, the Universal Declaration of Human Rights (UDHR) was written and passed by the newly formed

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3 Constitution of the United States of America
United Nations General Assembly (GA). In this, which laid out the fundamental rights that all humans were afforded regardless of their place of birth simply by being born human, one of the fundamental rights was the freedom of opinion and express and to impart information and ideas through any media and regardless of frontiers. From this, the various democratic revolutions that took place from the 1950s to the present day have all featured elements of increased protections of freedom and protections against journalists.

However, there have been several instances of press freedoms being revoked and attacks on journalists throughout history. Notably, several scientists throughout the ages have had their works silenced or dismissed because of the threats they posed to the ruling institution of the church. This silencing includes Galileo’s assertion of a heliocentric model of the universe, Charles Darwin’s theory of evolution that challenged the theory of creationism, and Iranian leader Ayatollah Khomeini’s issue of a fatwa against Salman Rushdie over the blasphemous content of his novel, The Satanic Verses. Throughout the oppressive authoritarian regimes of the post-WWII to the modern era, there have been numerous instances of silencing opposition against those speaking out against their repression. Aleksandr Solzhenitsyn wrote his infamous recollection of his time in a Soviet Gulag during Stalin’s rein in 1962. Entitled “One Day In the Life of Ivan Denisovich,” it earned him an exile from the USSR in 1974. In recent years, the world has seen an increase in violence as a result of publishing disparaging or “offensive” information or images surrounding Islam. In 2004, Dutch filmmaker Theo van Gogh was killed after releasing a movie that concerned violence against women in Islamic societies. In 2015, the French satirical newspaper, Charlie Hebdo was assaulted by two Islamic extremists against their publishing of images of the prophet Muhammed. The attacks left 12 dead and injured 11 others. With the rise of populist leaders across North America and Europe, there are increased rates of attacks on journalists and disparaging attitudes towards the press.

Current Situation

The current attacks on the press and journalists worldwide are nothing short of an assault on democracy itself. A free press and impartial media are the bedrock of a free and liberal democracy. Across the globe, journalists are threatened like never before, and people are rapidly losing faith in the ability of the press to accurately report and deliver the news. From Western Europe to Eastern, Central Asia to the Far East, across the African continent to the Middle East, journalism must be protected. To understand the status of press freedom, it is worthwhile to approach the topic from a regional perspective.

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4 Universal Declaration of Human Rights
5 Smith and Torres, “Timeline: a history of free speech”, https://www.theguardian.com/media/2006/feb/05/religion.news
**Americas**: The United States in recent years has seemed to abandon its commitment to the first amendment and the protection of the press. Under President Donald Trump, certain aspects of the media have been labeled as enemies of the state, and robust declarations of “fake news” fly throughout tweets and media reports. Although no journalists or journalist aides have been killed in the United States, there is still a recession in press freedom. Despite this, press freedom remains sharp and clear as journalists continue to report on the administration. To the South, press freedom in Latin America has faced some challenges. Venezuela, in particular, has cracked down on journalists, as the Maduro regime continues to oppress the people and consolidate power. Laws have been passed that makes any subservient comments punishable by up to 20 years in prison. Other countries, including Bolivia, have struggled due to their weakened economy and a government struggling to hold onto power. President Evo Morales has closed down media outlets that criticize his regime, and the government harasses journalists who are left. Journalists in Central America and Mexico did not fare much better. One journalist was killed in Honduras in 2017, and 11 were killed in Mexico, the second deadliest country for journalists behind only war-torn Syria. In Brazil, the fallout from the carwash scandal, the most massive political scandal in history by dollar amount, has resulted in a tense political situation with a new administration that has not prioritized press freedom. In summary, in the countries of Latin America, there remains much progress to be made.

**Europe (Including Eurasian countries):** Countries in Europe have seen a decline in press freedoms overall, as progress is hampered by countries experiencing right-wing populism revivals. Hungary, in particular, has seen some of the most egregious regression of press freedom. The ruling Fidesz party under PM Viktor Orban has suppressed journalists through purchasing independent newspapers. They have taken control of the leading online newspaper and all regional newspapers, all without objection from the Hungarian Competition Authority or the Media Council. In Serbia, the paper Danas saw a rapid cancelation of its advertising contracts after it failed to endorse victorious president Aleksandar Vucic’s candidacy. Pro-government newspapers, in contrast, were filled with front-page advertisement purchased by the

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9 Ibid.
ruling party. In Slovakia, journalist Jan Kuciak and his fiancée Martina Kusnirova were killed after Kuiak began investigating Italian organized crime activity. The first assassination of a Slovakian journalist, it remains prevalent in the mind of many Europeans. In the Russian Federation, six journalists were killed, two in Azerbaijan, and five in Ukraine. Western Europe has also seen violence against journalists increase. In Italy, 19 alerts against journalism and press freedom were raised in 2018, the same number as Russia. Mafia and various organized crime families in Italy present the most considerable challenges to journalism, with three journalists faced death threats, and 21 Italian reporters who are threatened by the mafia live under permanent police protection. Europe must address its declining press freedom issues.

Africa: Press freedom in Africa has been a contentious issue. From the age of decolonization in the 1950s and 1960s, Africa has struggled to establish an independent and free press, capable of advocating for human rights on the troubled continent. There are many differences in the rankings across the continent, due in part to the 54 different countries, but also because of regional conflicts and different approaches to human rights. Six countries, Libya, Egypt, Sudan, Eritrea, Djibouti, and Somalia, are ranked by Reporters Without Borders as a “very serious situation,” the worst ranking for press freedom. Of all the countries in Africa, there is not a single country that is ranked as a “good situation,” the best ranking possible. There are a few that a ranked as “satisfactory” including, Burkina Faso, Ghana, and South Africa. Some states have improved, Ethiopia jumped 40 places and is now ranked 110th in the world because they freed all of their detained journalists. The Gambia also jumped 20 spots after a change in government resulted in more favorable conditions.

President John Magufuli of Tanzania who has oppressed journalists in his country.

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10 Ibid.
conditions for press freedom. Journalists across Africa struggle to report on human rights abuses, especially in the field of investigative journalism. In Tanzania, the President does not allow for criticism against his regime and has taken steps to silence any opposition. In countries currently ravaged by civil war, journalists face increased threats against their lives. The NGO Journalists in Danger (JED), documented 121 cases of abuse against the media in 2017, including attacks, arbitrary arrests, and media closures. With little guidance from the Africa Union on how to protect the freedom of the press, Africa struggles to increase protections against a journalist and ensuring the media is protected.

Asia: Across Asia, there are many different standards for press freedom. Some countries, like Singapore and Taiwan, have fairly advanced press freedoms and protections for journalists, while other countries like the Philippines and Thailand, have abysmal records. In the Philippines, President Duterte has cracked down on any opposition against his tightly run regime. One journalist, Maria Ressa, was arrested six times in two months for running her newspaper, Rappler, which is highly critical of Duterte. Some of the charges against her and her paper include accusations of illegal foreign ownership, tax evasion, and cyber-libel. Even in countries with emerging democracies, press freedom and journalism are under attack. In Myanmar, a country which recently emerged from decades of military control, two journalists were sentenced to seven years behind bars for breaking the official secrets act. These two journalists were investigating the ongoing genocide against the Muslim Rohingya’s in Myanmar, which is being carried out by the government. Journalism is essential for protecting the rights of those who are most oppressed, and in Myanmar, journalists struggle to report on the blatant human rights violations. In Thailand, which was once lauded for their independent media, the military junta government that has ruled since 2014 has strangled the free media and silenced critics. Many journalists have faced arrests and prosecution for their critical coverage of the military. They have been charged under Thailand’s computer crimes act, or under the draconian lese majeste act, which prevents any criticism of the monarchy. China is notorious for its

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censorship activities. The “Great Firewall of China” blocks thousands of websites that the CCP deems subservience to their rule, including Facebook, Twitter, Google, Instagram, Snapchat, and Wikipedia. Also, China currently has 47 journalists behind bars, a number that has increased dramatically since information about the persecution of the Uighur people’s in Western China has made its way to the rest of the world. Asia is struggling to uphold the essential freedoms of the press and protecting journalists from violence and suppression.

Misinformation

The rise of misinformation has recently captured the attention of journalists and citizens across the world but is hardly a new phenomenon. For as long as the news was created and shared, people have misconstrued and altered the information to meet their own private goals. From major propaganda campaigns during wartime to journalists writing articles to discredit political opponents, misinformation has always existed. The newest form of this is known as “fake news,” as made infamous by President Trump’s constant tweets and attacks on the media. The misinformation campaign was in full effect during the 2016 Presidential election, with accusations that Russia interfered with the election by purposefully running false articles and posts across social media platforms. As more and more of the world is connected through social media platforms and the internet, it becomes easier to share information. This is important because it allows people to share their opinions and information, but also dangerous as fake news sources can easily be shared and reshared across the world. Various websites, to include social media ones have tried various approaches to dealing with fake news. Facebook has received much of the criticism over the fake news epidemic, with the vast majority of fake news spread on that website. To combat this, Facebook has rehired journalists to examine the news that is shared on their website, to ensure its accuracy and reliability. Especially in the United States, accusations of bias against certain political parties and fake news has resulted in attacks against social media platforms. What is especially dangerous about misinformation is that it reduces faith and trust in actual media. Understandably, elected officials protest against the spread of misinformation, especially if it is discouraging to their presidency. However, blatant attacks to discredit the media and encourage others

to not believe in their reporting is dangerous and undermines democracy. From October 2018 to March 2019, Facebook removed 3.4 billion fake accounts, which were caught by artificial intelligence and more human monitoring\textsuperscript{22}. Although this is a step in the right direction, there is still much work to be done in countering fake news and misinformation. In other websites across the web, fake news and misinformation reigns. As the United States gears up for another presidential election in 2020, this type of misinformation will likely rise again to confuse voters.

**Involved Actors**

**Committee to Protect Journalists:** An NGO that is dedicated to promoting press freedom globally. They are committed to defending the right of journalists to report the news without fear of violence. CPJ has been active in the fight for journalists for 30 years. Forty experts across the world make up the organization and report on violations in repressive countries, conflict zones, and in established democracies. Link: [https://cpj.org](https://cpj.org)

**Reporters without Borders (Reporters sans frontiers):** A French organization that also has a substantial US presence, they are the biggest NGO that specializes in defense of media freedom. RSF defends both professional and non-professional journalists across all views and spectrums of political affiliations, so long as they are committed to reporting reality as they see it independently. RSF publishes reports and statistics on journalist incarnation rates covering media-independent, condemning abuses, and protecting sources. Also, each year, they publish a barometer on the global status of press freedom. Link: [https://rsf.org/en](https://rsf.org/en)

**Global Freedom of Expression at Columbia University:** A department of Columbia University that researches global freedom of expression. Particularly useful is their collection of additional NGOs and non-profits that help to monitor global freedoms. Link: [https://globalfreedomofexpression.columbia.edu/non-governmental-organizations/](https://globalfreedomofexpression.columbia.edu/non-governmental-organizations/)

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the articles, article 19, specifically relates to freedom of opinion and expression and freedom from violence because of those opinions. The text is found below:

Article 19: “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.

World Press Freedom Day: Held annually in early May, this day is dedicated to raising awareness and support for the activities of journalists and the global status of press freedom. Events are centered in one city, but there are often dozens of correlating events across the globe. The most recent Press Freedom Day was held on May 3rd in Addis Ababa, Ethiopia.

(A/C.3/72/L.35/Rev.1)- A resolution is dealing with the safety of journalists and the issue of impunity. This resolution, in particular, is crucial because it includes the rights of journalists in the digital age and protecting journalists online. The resolution goes on to further condemn the attacks on journalists, specifically women journalists that have been happening at an increased rate. It calls upon states to implement more effective legal frameworks for dealing with violence against journalists.

Full text: https://undocs.org/A/C.3/72/L.35/Rev.1

GA Resolution 70/162- A resolution that deals with the safety of journalists and the issues of impunity. It emphasizes the role of international cooperation and recalls that journalists and media workers are at an increased level for attacks because of their job.

**First-Person Account**

The issue of press freedom and the protection against journalists was brought to the forefront with the murder of Saudi Journalist Jamal Khashoggi in 2018. Here is the last column he wrote before his murder.

“As I was recently online looking at the 2018 “Freedom in the World” report published by Freedom House and came to a grave realization. There is only one country in the Arab world that has been classified as “free.” That nation is Tunisia. Jordan, Morocco and Kuwait come second, with a classification of “partly free.” The rest of the countries in the Arab world are classified as “not free.”

As a result, Arabs living in these countries are either uninformed or misinformed. They are unable to adequately address, much less publicly...
discuss, matters that affect the region and their day-to-day lives. A state-run narrative dominates the public psyche, and while many do not believe it, a large majority of the population falls victim to this false narrative. Sadly, this situation is unlikely to change.

The Arab world was ripe with hope during the spring of 2011. Journalists, academics and the general population were brimming with expectations of a bright and free Arab society within their respective countries. They expected to be emancipated from the hegemony of their governments and the consistent interventions and censorship of information. These expectations were quickly shattered; these societies either fell back to the old status quo or faced even harsher conditions than before.

My dear friend, the prominent Saudi writer Saleh al-Shehi, wrote one of the most famous columns ever published in the Saudi press. He unfortunately is now serving an unwarranted five-year prison sentence for supposed comments contrary to the Saudi establishment. The Egyptian government’s seizure of the entire print run of a newspaper, al-Masry al Youm, did not enrage or provoke a reaction from colleagues. These actions no longer carry the consequence of a backlash from the international community. Instead, these actions may trigger condemnation quickly followed by silence.

As a result, Arab governments have been given free rein to continue silencing the media at an increasing rate. There was a time when journalists believed the Internet would liberate information from the censorship and control associated with print media. But these governments, whose very existence relies on the control of information, have aggressively blocked the Internet. They have also arrested local reporters and pressured advertisers to harm the revenue of specific publications.

There are a few oases that continue to embody the spirit of the Arab Spring. Qatar’s government continues to support international news coverage, in contrast to its neighbors’ efforts to uphold the control of information to support the “old Arab order.” Even in Tunisia and Kuwait, where the press is considered at least “partly free,” the media focuses on domestic issues but not issues faced by the greater Arab world. They are hesitant to provide a platform for journalists from Saudi Arabia, Egypt and Yemen. Even Lebanon, the Arab world’s crown jewel when it comes to press freedom, has fallen victim to the polarization and influence of pro-Iran Hezbollah.

The Arab world is facing its own version of an Iron Curtain, imposed not by external actors but through domestic forces vying for power. During the Cold War, Radio Free Europe, which grew over the years into a critical institution,
played an important role in fostering and sustaining the hope of freedom. Arabs need something similar. In 1967, the New York Times and The Post took joint ownership of the International Herald Tribune newspaper, which went on to become a platform for voices from around the world.

My publication, The Post, has taken the initiative to translate many of my pieces and publish them in Arabic. For that, I am grateful. Arabs need to read in their own language so they can understand and discuss the various aspects and complications of democracy in the United States and the West. If an Egyptian reads an article exposing the actual cost of a construction project in Washington, then he or she would be able to better understand the implications of similar projects in his or her community.

The Arab world needs a modern version of the old transnational media so citizens can be informed about global events. More important, we need to provide a platform for Arab voices. We suffer from poverty, mismanagement and poor education. Through the creation of an independent international forum, isolated from the influence of nationalist governments spreading hate through propaganda, ordinary people in the Arab world would be able to address the structural problems their societies face.”


**Questions to Consider**

What is your country's opinion on press freedom? What rules and procedures does your country have in place to deal with press freedom? How has your country dealt with the rise of misinformation? Is press freedom a severe concern to those in your country? Can the UN do anything to protect journalists further? What can the UN do differently besides the resolutions they have already passed? Should protecting journalists be a responsibility of the UN? How can the UN address regional differences across the world in terms of press freedom and misinformation?