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A special representative of the UN Secretary General for the safety of journalists

Various UN bodies have adopted resolutions in the past decade – including Security Council Resolutions 2222 adopted in 2015 and 1738 in 2006, and General Assembly Resolutions 68/163 (2014), 69/185 (2015), 70/162 (2016) - with the aim of protecting journalists and combating impunity for those responsible for violence against journalists.

This progress at the legal level has not been reflected in the reality on the ground, if we are to judge by the number of journalists killed each year. That is why Reporters Without Borders urges the United Nations General Assembly to adopt a resolution recommending the Secretary General to appoint a Special Representative for the safety of journalists (SRSJ).

Without effective protection of journalists, the right to information cannot be guaranteed. While digital technology offers new ways to spread propaganda, the fight against violent extremism cannot be led without information collected from journalists acting in a safe environment that protects from attacks.

A concrete mechanism to enforce international law

787 journalists and media personnel were killed while exercising their profession over the last 10 years, according to Reporters Without Borders. Despite the adoption of binding texts by international bodies, exactions against journalists have not decreased. In the year 2015 alone, the numbers reflect 67 journalists killed worldwide. In conflict zones, such as Syria where 55 professional journalists were killed since the beginning of the civil war in 2011, journalists were deliberately targeted, murdered, and executed in public. In areas not in “armed conflict”, the violence journalists face has increased. **In 2015, two thirds of the deaths were in countries “at peace.”**

Despite the resolutions adopted by the United Nations, the fight against impunity for those responsible for crimes of violence against journalists has seen no significant progress either. The international community must provide journalists with more effective protection and, to this end, the tools available must be strengthened. As stated in the UN Plan of Action on the Safety of Journalists and the Issue of Impunity and coordinated by UNESCO: ***“There is a pressing need for the various UN agencies, funds and programs 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.”***

At a UN Human Rights Council panel on the safety of journalists in June 2014, Getachew Engida, UNESCO’s deputy director, Dunja Mijatovic, the OSCE’s representative for media freedom, and Frank La Rue, the then UN special rapporteur on freedom of opinion and expression, all agreed that governments had failed to respect their obligations.

The United Nations Secretary General Ban Ki-moon in his last annual report on the safety of journalists and the issue of impunity published in August 2015 doesn’t hesitate to speak of failure: ***“I am deeply concerned about the failure to reduce the frequency and scale of targeted violence that journalists face and the near absolute impunity for such crimes,”*** adding ***“the international legal framework for the protection of journalists and media workers is in place,”*** but ***“the major challenge remains to ensure compliance with this framework.”***

Role of the Special Representative for the safety of journalists

Giving the Special Representative of the UN Secretary General for the safety of journalists (SRSJ) a **central and permanent position under the UN Secretary General (UNSG) aegis** would significantly **empower all UN efforts** on this issue lead by UNESCO, the Office of the High Commissioner for Human Rights (OHCHR), the Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression, the Security Council, and the General Assembly, as well as reinforce the regional and national actions.

Appointed and mandated by the United Nations Secretary General (UNSG), the Special Representative for the safety of journalists (SRSJ) responsibilities would include:

- **Collecting information** on threats to the safety of media professionals, specifically **within the UN system** and with specialized non-governmental organizations.
- Acting as a **systematic and rapid alert mechanism** for the UNSG by drawing his attention to the most serious violations affecting news providers, **in both conflicts and non-conflict situations**. This will allow the UNSG to react as quickly as possible when journalists are threatened, particularly by setting official and informal diplomatic mechanisms in motion directly with the Member States concerned.
- Performing the function of “**immediate emergency reaction mechanism accessible to groups and information bodies**”, the creation of which is called for in the UN Plan of Action on the safety of journalists and the issue of impunity.
- Through the UNSG, **servicing as a warning mechanism to the Security Council (UNSC), allowing for the rapid implementation of the UNSC’s tools for action**: establishing mediation mechanisms, ordering a fact-finding mission, establishing an international commission of inquiry, thus offering rapid solutions to emergency situations.
- Suggesting to different UN bodies that **protective measures be taken, and prevention mechanisms be created**, which is requested in the Plan of Action.
- **Monitoring compliance by Member States with their obligations under UNSC Resolution 2222 and submitting to the UNSC an annual report**. UNSC Resolutions 1738 and 2222 do not create any mechanism to ensure compliance. Furthermore, the UN Plan of Action does not establish a mechanism to monitor compliance by Member States of their obligations.

Existing mechanisms do not have the role of ensuring compliance with UNSC resolutions.

- **Monitoring compliance by Member States with their obligations under UNGA Resolution 70/162 and informing, helping and advising the UNSG on the drafting of his annual report to the General Assembly on the safety of journalists and the issue of impunity**, as well as drafting the section relating to the safety of journalists, media professionals and associated personnel, in his upcoming reports on the protection of civilians in times of armed conflict (in accordance with resolution 2222).
- **Empowering the actions of existing UN mechanisms, especially the [UN Plan of Action](#)** on the Safety of Journalists and the Issue of Impunity in its mission to establish a coordinated inter-agency mechanism and to assist countries to develop legislation and mechanisms favorable to freedom of expression and information, and support their efforts to implement existing international rules and principles.
- **Empowering the Special Rapporteur on freedom of expression** by relaying his recommendations, reports, calls to Member States and requests for State visits with regard to the safety of journalists, directly through the UNSG and through the network of focal points in all the UN agencies, funds and programs that are concerned.
- **Complementing the actions of the Human Rights Committee**, with a more specific mandate focused on the safety of journalists, by ensuring compliance by Member States of their obligations.
- **Developing and encouraging the adoption of a unique and harmonized strategy** for all UN organs, funds and programs on the issue of the safety of journalists and impunity for the perpetrators of crimes against journalists. The Plan of Action insists upon the urgency of adopting such a strategy.
- **Coordinating the network of focal points** on issues about the safety of journalists in all relevant UN agencies, funds and programs, as recommended by the UN Plan of Action, thanks to his central position within the UN system.
- **Encouraging the adoption of resolutions on the issue of safety of journalists**; proposing that specific argument be highlighted in a resolution.
- **Making recommendations pertaining to the safety of journalists in the context of peacekeeping operations.**
- **Undertaking investigations** into acts of violence against journalists, media professionals and associated personnel. Making **on-site visits** and meeting victims and witnesses. The SRSJ can approach local support missions, peacekeeping missions, UN special envoys and collaborate with them in a given country. He can **request a special mandate from the UNSC**, and appointed to this effect, directly and personally undertake on-site investigations.

A mandate modeled on the Special Representative for Children and Armed Conflict

The Special Representative to the UNSG for Children and Armed Conflict is a **joint mechanism combining the Human Rights Council, the General Assembly (GA), and the UNSC**. The Special Representative presents reports to these three bodies.

It was created by a 1997 GA resolution, which asks the UNSG to create a Special Representative with the mandate to report to the GA and the Human Rights Council. The AG resolution (A/Res/51/77) which recommends that the UNSG create a Special Representative for Children and Armed Conflict also asked the UNSG *“to ensure that [the special representative] will have all the means necessary to fulfill its mandate.”* This resolution also encouraged *“UNICEF, the UNHCR, the office of the OHCHR and the Center for Human Rights to support the Special Representative,”* and committed *“States and various interested organisms to contribute voluntary donations to this end.”*

In 1999, the UNSC decided to integrate this mandate and to endorse the resolution that created it. The Special Representative now presents reports and drafts recommendations to the UNGA, the UNSC and the HRC as well.

→ The model of the Special Representative to the UNSG on Children and Armed Conflict, due to its central position in the UN system, is the best placed to address both concerns about efficiency and reactivity.

Since 1997, the Special Representative on Children and Armed Conflict has promoted world wide awareness on the gravity of this issue and made possible the implementation of concrete actions: specifically, the adoption of a series of UNSC resolutions on themes specific to this issue, and the creation of a protocol to the Convention on the Rights of the Child, adopted by the UNGA in 2000, ratified today by 156 States. Furthermore, the Special Representative on Children and Armed Conflict was able to promote the adoption and the effective application of national legislations.

Frequently Asked Questions

I. Why a new mechanism?

- To respond to the current “failure », as highlighted by Ban Ki-moon, on enforcing the international legal framework regarding the safety of journalists.
- To fill a void and ensure that Member States comply with their obligations with the existing legal framework with regard to the safety of journalists, resulting from UNGA, UNSC and HRC resolutions, as well as with recommendations from the Human Rights Committee on the subject.
- To coordinate and give real political weight to UN efforts on the safety of journalists through the office of a Special Representative who would have the status of Under-Secretary-General.

II. How the SRSJ will reinforce the UN Plan of Action?

UNESCO is tasked as the overall coordinator of the implementation of the UN Plan of Action. As underlined in the UN Plan of Action, *“the promotion of the safety of journalists and the fight against impunity must not be limited to acting after the fact. These objectives require prevention mechanisms and actions designed to treat certain root causes of violence against journalists and impunity.”* The UN Plan of Action calls for the implementation of *“immediate response mechanisms accessible in case of emergency for groups and information bodies, including contacting and making available missions and resources of the UN and other bodies operating on the ground.”*

→ **The SRSJ will perform as a prevention mechanism and a rapid alert mechanism.**

The UN Plan of Action also insists that it is *“urgent that various UN bodies, funds and programs adopt a unique and harmonized strategic approach to the issue of the safety of journalists and impunity for the perpetrators of crimes against journalists.”*

→ **The SRSJ will have the capacity to create a unique and harmonized strategy.**

The UN Plan of Action prescribes the *“creation of a network of focal points on issues relating to the safety of journalists in all institutions and all UN funds and programs so as to develop efficient measures to promote the safety of journalists and the fight against impunity, to coordinate actions and exchange information, and also, whenever possible, to circulate them.”*

→ **The SRSJ will be the central focal point, the coordinator of the focal points network, and the one to organize a response.**

The UN Plan of Action encourages in its last [implementation report](#) published in February 2015 *“the Member States to develop and implement strategies which ensure appropriate media law and regulation in line with international standards, and to provide capacity-building to enable the full investigation and prosecution of crimes against journalists. Member States can specifically be alerted to the potential of establishing a special prosecutor or independent commission and the training of the judiciary and security forces regarding the safety of journalists.”*

→ **The SRSJ can assess the progress made by the Member States in his/her annual report to the Security Council and in its recommendation to the Secretary General on the drafting of his annual report to the General Assembly.**

III. How the SRSJ will strengthen the work of the Special Rapporteur on Freedom of Expression?

The Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression [examines and reports](#) on a country situation or a specific human rights theme to the Human Rights Council. The Special Rapporteur’s mandate is broader than the safety of journalists. His last reports focused on encryption and anonymity, the right of the child to freedom of expression and freedom of expression in electoral contexts. The Special Rapporteur’s position is honorary and the expert is not considered United Nations staff nor paid for his/her work.

→ **With a central and permanent position under the UN Secretary General aegis, the SRSJ will strengthen the impact of the work of the Special Rapporteur by relaying his/her recommendations, reports, appeals to Members States, demands to visit Members States related to the safety of journalists directly to the UNSG and to the network of focal points in all relevant UN agencies, funds and programs.**

→ **The SRSJ will collaborate with the Special Rapporteur to prepare the annual reports to the Human Rights Council and to the General Assembly.**

IV. What the SRSJ will bring with respect to the Human Rights Committee?

The Human Rights Committee is the monitoring body for the 1966 International Covenant for Civil and Political Rights (ICCPR), Article 19 of which protects the right to freedom of expression. The Human Rights Committee makes recommendations to and receives individual complaints only from Member States who are party to the First Additional Protocol.

→ The SRSJ will complement the actions of the Human Rights Committee to enforce compliance with obligations related to the safety of journalists that all States are charged with, thus filling a void.