

**Committee:** SOCHUM 2

**Topic:** The question of the protection of journalists

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## Summary



Journalism is a means of accumulating and broadcasting information to the public. This broadcasting is done through channels including newspapers, magazines, or websites. Journalists serve an integral function in our societies. They compile news from countless sources, giving the public access to information they didn't previously have, enabling them to make informed decisions (a prerequisite for true democracy). In the so-called "Information Age" (albeit for different reasons) information is more important than it has ever been. Historically, any sort of hierarchy has required the powerful to retain knowledge and keep those below them in the hierarchy ignorant. Today, information is manipulated and handled at a greater scale than it ever has, thanks to the technological advancements of the 21<sup>st</sup> century. Naturally, journalism, which aims for the publication of information, is also controlled, and to a different extent by each government.

Journalists often deal with sensitive information and go to great lengths in order to obtain newsworthy items. Consequently, to continue carrying out their duties, and informing citizens, they need to be protected from those who would rather not have information publicized, and attack journalists. According to the Committee to Protect



Journalists (CPJ) 16 journalists have been killed this year, at the time of writing this, and since 1992, the CPJ has confirmed that 862 journalists have been murdered.

There are countless national legislations regarding journalists; the protections to which they are entitled, and the freedom they have in what they publish vary by country. However, journalism has become increasingly global. With technological advancements allowing the reporting and gathering of data across borders, and the international reach of major news outlets, such as BBC and Al-Jazeera, An international consensus is the best way to ensure that the corresponding legal framework is developed with all necessary ethical considerations, to protect journalists and their work throughout the world. Nowadays (and always), possession of information is power, and, consequently, its transmission and broadcasting, which is not always as neutral as it may appear, is a powerful tool, and can be a weapon. The greatest concern with any tool, much more so with weapons, is always where you point it and how you use it.

### Definition of Key Terms

**Journalism:** The act of gathering information and making it available to part of the public (with international journalism reaching the largest audience). *Modified from Merriam-Webster*

**Ethics:** A set of moral principles and values one follows, usually defining what is good and bad and what is moral duty and moral responsibility, as well as the study of such principles, is referred to as Ethics. *Modified from the Stanford Encyclopedia of Philosophy*

**Shield Laws:** Legislation that protects a journalist's source and guarantees confidentiality. *Modified from Merriam-Webster*

**Journalism Ethics:** The ethics (defined above) that journalists adhere to, regarding their work: what they publish, with what authority and permission, why and when they publish it, etc.

**Amnesty:** The pardoning of a (usually legal) offence committed by an individual or group. Amnesty is given only by individual countries to those who have committed some sort of offence. *Modified from Oxford Dictionaries*

**Asylum:** Typically used to refer to protection granted by a state to someone who has fled their native country, against danger related to that country. *Modified from Oxford Dictionaries*

**Classified:** Classified documents are those documents that are protected under national law from the public and everyone with insufficient government clearance to access them. *Modified from Oxford Dictionaries*

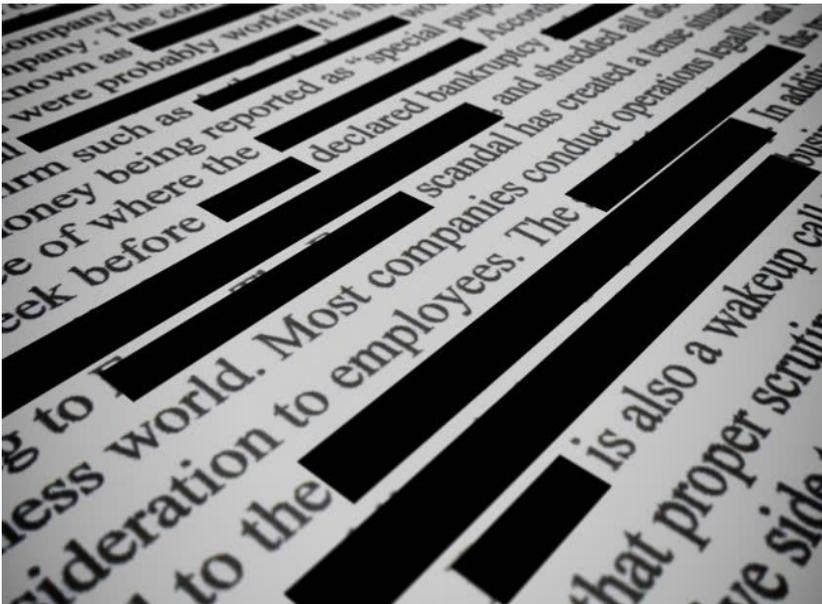
## Background Information

Journalists have an important role in any society. Ideally, they work to serve the public by making information available, free of bias. The result, ultimately, is citizens accurately informed about all matters that concern them. However, the information needed by a citizen changes. Globalization is an ongoing process, which makes the scope of matters that may concern any one individual constantly greater, and the job of the journalists harder. In general, the main duties of a journalist can be summarized to be the distribution and uncovering of information, considering ethical implications of the distribution of said information, as well as ensuring the accuracy and reliability of the information they provide.

It is worth noting that journalism is conducted by both private and national institutions. Each has evident effects on the journalism produced. Theoretically both are potentially equally effective and beneficial to the people. However, practically they are both influenced by different biases.

Private institutions tend to maximise profit. As such, any news that may result in a decline in profit should be limited (however useful and important) and those that result in an increase in profit should be promoted (however truthful or deceitful). For example, Stuart Varney, who works for Fox News (a private news network in the USA) claimed that taxpayers would have to spend \$50,000 per Obamacare enrollee. The number was blatantly false and derived using bad math and a clearly deliberately biased view (deliberately since the mistake could have hardly been intentional, given Varney's education).

On the other hand, private news networks have the freedom to broadcast the truth with little restraint, outside the limitations imposed by the administration. Nationalized news organizations do not have the same purpose as their private counterparts (i.e. the accumulation of profit). Nevertheless, bias is not eliminated. The direct vassalage of the organization to the government means that there is the danger of politicking in favour of the governing power. For example, the Greek national television channel (ERT), prior to the federal elections, interviewed the president, Alexis Tsipras, with very limited discussion of his mistakes.



1 Redacted Text (Redaction is an effective way of hiding sensitive information)

Journalists often handle very sensitive data. This could contain names, addresses, and private information of civilians, and, in general, there always needs to be an investigation into the stakeholders. In the example of the release of war logs, informants names are included, and, if released, their lives are put in great danger. So, journalists need to analyse the information before it becomes public. Furthermore, if

the information they come across can result in some sort of political or legal action, it needs to be verified before reasonable doubt. For example, if a member of parliament is discovered to have provided intelligence to a foreign power, this would have both legal and political implications, and would incite immediate action. However, if the information is false, that member might be falsely persecuted. Therefore, journalists are responsible for the credibility of the information, and the censoring of unnecessary private information.

However, in their endeavour to unveil truth, journalists are often targeted by those who wish to conceal it. Naturally, a government will not want war-crimes that it did not publicize to be released ([Afghan War Diary](#)). Likewise, HSBC would not like the illegal tax evasion schemes it had knowingly



2 WikiLeaks "Collateral Murder" video

encouraged and assisted, to become known ([SwissLeaks](#)). Those behind such illegal or unethical actions are usually located high in the hierarchy of their institution or government and thus have great power and influence. So, journalists are put in great danger (as are their sources) when

releasing such information (which goes against the interest of these powerful entities). The recent arrest of WikiLeaks founder Julian Assange has been associated with the release of classified government documents. More than 500 journalists have been confirmed to have been imprisoned while doing their jobs, and approximately 80 have been killed (with justice not being served in any of these cases). When it comes to matters as sensitive as these, government legislation and the framework within which the journalists operate is crucial. The laws to which they are subject define the actions of journalists. Infrastructures such as WikiLeaks and The Onion Router (TOR) are projects that enable journalists to speak freely and without restraint, while limiting risks. It should be noted that such an unregulated platform will inevitably result in the release of harmful information

As far as legal framework is concerned, important laws which affect journalism are shield laws. Notably, in the US there are no federal shield laws at all (although there are varying state laws).

## Major Countries and Organizations Involved

- **UNESCO** is responsible for the implementation of the *UN Plan of Action on the Safety of Journalists and the Issue of Impunity*, and the Director General, requests a voluntary annual report on the status of all criminal cases that relate to journalists in each country (in order to combat impunity).
- **CPJ** is a non-profit committed to spreading awareness on the oppression of journalists and media and acts to promote press freedom.
- The **US** has acted against whistle-blowers and journalists, who fought against corruption multiple times. It is natural that a government so large will be full of fraud and corruption, and a central target for journalists.
- **China** is a victim of corruption, to a great extent. Its strict government control is oppressive to media freedom, and punishing to it, when it goes against the interests of those with power.
- **Ecuador** has, until recently, provided refuge for WikiLeaks founder Julian Assange, and in the future will likely provide refuge for Edward Snowden. Ecuador has signed a bilateral extradition treaty with the US, but with its president being a critic of the US government, and humanitarian values being honoured (both in the UN Declaration of Human Rights (UNDHR) and the country's constitution), it seems to have been friendly to whistle-blowers, even inviting Snowden in 2013.
- **Turkey** has been hostile towards journalists, with many unjustified imprisonments and arrests of journalists, and critics of the government, after Erdogan's rise to power. Among

other oppressive regimes of the Middle East, it is notable because it has a relatively clean track record.

- **Saudi Arabia** is involved in the issue, given the recent murder of Jamal Khashoggi, of the Washington Post, by Saudi government agents, in the Saudi consulate in Istanbul.
- **ISIS** has often been involved in the killing of journalists, sometimes allegedly planting explosive devices to detonate after the first detonation, targeting first responders and journalists.

## Timeline of Events

Date	Description
1620	The first English-language newspaper, <i>Corrant out of Italy, Germany, etc.</i> , was published in Amsterdam.
1992	Mustafa Jaha, who worked for the paper Al-Amal, was shot and killed. He was an outspoken critic of Ayatollah Khomeini, founder of the Islamic Republic of Iran.
2006	Initiation of the website WikiLeaks, a platform for whistleblowing and citizen journalism.
2007	An airstrike in Baghdad kills civilians and two Reuters journalists. (not an assassination but the information was withheld)
2010	The Afghan War Diary is released: the biggest leak of classified information in history.
2012	Julian Assange seeks asylum in Ecuador's embassy in the United Kingdom, in order to avoid extradition.
2013	Edward Snowden leaks documents of the National Security Agency (NSA) of the US.

## Relevant UN Treaties and Events

The most relevant UN Treaty in the protection of journalists is the UNDHR. It sets firm ideological principles, based on which journalism can be protected. Furthermore, the UN Development Goals come hand in hand with freedom of expression and thus journalistic freedom. However, International treaties, albeit ratified by many, in reality, are not fully implemented at

all. As previously mentioned, the UNESCO is focused on implementing the UN Plan of Action on the Safety of Journalists and the Issue of Impunity. Furthermore, to the same ends, the International Programme for the Development of Communication (IPDC) is a dedicated forum to discuss an appropriate framework for the flourishing of high-quality journalism.

## Previous Attempts to Solve the Issue

The endeavours from organizations such as the UN, the IPDC, and the CPJ are all valiant efforts to protect journalism. Investigations to battle impunity are ongoing in countless countries, including those with oppressive regimes, like Turkey and Saudi Arabi (despite difficulties and setbacks). Platforms such as WikiLeaks and T.O.R. have served journalists (especially citizen journalists) flourish, they can hold threats due to the lack of legislation and the inability of authorities to monitor them.

## Possible Solutions

As mentioned, a global consensus to set a clear legal framework is mandatory. Matters addressed should include:

- The extent to which journalists are permitted to expose and publish sensitive information regarding individuals (that might lead to personal attacks on those concerned).
- The extent to which journalists are obliged to disclose their sources.
- The extent to which journalists should be seen as special entities when it comes to illegal actions necessary for their jobs.
- The extent to which cooperation between states to address cases of violence towards journalists should be encouraged and the manner in which it should be conducted, as well as whether the punishment for those responsible is sufficient in any individual state.
- The extent to which citizen journalism should be considered the same as traditional journalism, and if not, what are the differences, and how it should be monitored and controlled.
- How to handle attacks towards journalists that seem to originate from state-sponsored or state-affiliated sources.
- The extent to which journalists should be obliged to disclose information that might be important in terms of conflict of interest (for example disclosing that they worked for the company discussed in an article).

- The platforms on which journalists should be allowed to operate, and to what extent those platforms should be monitored and controlled, and how.

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