



Protecting the global right of the freedom of press

Committee: GA3

Student Officer: Laetitia Kim

Forum: GA3 - Social Humanitarian and Cultural

Issue: Protecting the global right of the freedom of press

Name: Laetitia Kim

Position: Head Chair

Introduction

Freedom of the press is a freedom that has been adopted in many constitutions under the name freedom of expression and information. Media and journalism have formed an integral part of our society and are important for us to function in a healthy democracy. With new technological advances, through the internet, thousands of media outlets are available to us at our fingertips and so we are able to get informed of happenings on a regional, national and international level at any time on short notice. However, there have always been threats to the freedom of the press ever since the press existed. Whether it be censorship or other political interference, journalists all over the world have faced risks during their work, some even leading to their demise due to these risks. The United Nations recognises freedom of expression, and information and therefore freedom of the press as a human right, which should be protected. In this report, the definition and relevance of and the dangers and concerns for the freedom of the press will be discussed.

Definition of Key Terms

Human rights

“One of the basic rights that everyone has to be treated fairly and not in a cruel way, especially by their government” (Oxford Learner’s Dictionaries, n.d.) Human rights are given to every human alive and are the most basic and crucial rights anyone has. An example of a human right is the right to health.

Freedoms

“The power or right to do or say what you want without anyone stopping you” (Oxford Learner’s Dictionaries, n.d.). In this report, the freedom of expression is repeated, which would mean the power or right to express yourself without anyone stopping you. Keep in mind that there are always exceptions.

Freedom of the press

“The right to publish and disseminate information, thoughts, and opinions without restraint or censorship as guaranteed under the First Amendment to the U.S. Constitution” (Merriam-Webster, n.d.). This right has been implemented in the constitutions of many countries besides the USA.

Censorship

“To remove the parts of a book, film, etc. that are considered to be offensive or a political threat” (Oxford Learner’s Dictionaries, n.d.) Censorship is generally considered wrong and a violation of human rights and freedoms, such as the freedom of speech and expression. Besides that censorship is often linked with totalitarianism and the oppression of the people.

Totalitarian

“(of a country or system of government) in which there is only one political party, which has complete power and control over the people” (Oxford Learner’s Dictionaries, n.d.) Totalitarian systems often result in the oppression of the people who live under the control of the leading person or political party. Seeing as there is no one on the political level to oppose them, many citizens are powerless.

Journalists

“Journalists are individuals who observe and describe events, document and analyse events, statements, policies, and any propositions that can affect society, with the purpose of systematising such information and gathering of facts and analyses to inform sectors of society or society as a whole. Such a definition of journalists includes all media workers and support staff, as well as community media workers and so-called

“citizen journalists” when they momentarily play that role.” (A/HRC/20/17, para. 4., 2012) This definition has been found in a report of the Human Rights Council in which the council acknowledges not only professional news anchors and camera crew as journalists, but anyone involved in the process of creating, digesting and sharing information, which includes low-ranking workers in the news industry, but also regular citizens who take upon that role as for example an influencer.

The chilling effect

“In a legal context, a chilling effect is the inhibition or discouragement of the legitimate exercise of natural and legal rights by the threat of legal sanction.” (Wikipedia, 2022). By ‘chilling’ a group, the group is cautioned to exercise their rights by the possibility of receiving undesirable consequences.

NPOs and NGOs

NPO stands for nonprofit organisation. This is an organisation that is not based on earning a profit, but rather exists for the social collective and benefit for the people. NGO stands for non-governmental organisation, which as the name suggests, is an organisation which stands independent from the government. NGOs are usually also NPOs, but that is not necessarily the case.

General Overview

To properly assess the issue at hand a profound knowledge of what press of freedom really entails is necessary. According to Merriam-Webster, the definition of freedom of press is the following: “The right to publish and disseminate information, thoughts, and opinions without restraint or censorship as guaranteed under the First Amendment to the U.S. Constitution”. Essentially, freedom of press is the principle that people are free to share and receive information in any shape or form with no higher authority politically interfering with the process of doing so. Freedom of press is based on the freedom of expression, which is very similar to the freedom of speech. Both freedoms are based on the freedom of sharing and receiving information. The main difference between the two is that speech is limited to language, whilst expression can be a variety of mediums to

express ideas and thoughts, such as video, drawings, paintings, literature, etc. In both scenarios, the freedom of publicly sharing information, whether it be by speaking or by showing, is perceived as a fundamental right. Freedom of expression has been acknowledged as a human right by the Universal Declaration of Human Rights (UDHR) on the 10th of December 1948 which has been voted in favour by 48 out of 58 of the United Nations members at the time and passed in the General Assembly. This document was composed to affirm the rights and freedoms of all human beings and it was the first step towards the International Bill of Human Rights (1966). Article 19 of the document states the following: “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.” Despite the document not being legally binding, the document has created a path for international treaties, national constitutions, regional tools and future treaties. Many countries have adopted parts, if not the entire document into their constitutional rights. Furthermore the Convention for the Protection of Human Rights and Fundamental Freedoms (1950) also very much aligns with the statements of the UDHR, as stated in article 9 and 10 of the report.

The importance of freedom of the press

It is clear that the freedom to share and receive opinions and free press/media is seen as an important right in many countries. There are many reasons why countries consider a free press to be a fundamental right that their citizens must possess. Not possessing the ability to express opinions, thoughts and information is commonly described as censorship and is generally considered a totalitarian symptom. This is due to the fact that many theorise that the absence of such freedom is detrimental to democracy and that no democracy will function as intended without such freedom in place. The press essentially monitors the government and holds them accountable for its actions; in the scenario that they have access to the freedom of expression and can exercise that freedom with no restrictions. If in any case the government is planning something or has done something that is not in the best interest of their people, said people will be informed through the press in order to assess their views on the current government. Free press reports to the citizens on matters of public interest, who in return are able to make informed decisions

and can vote for a political party that aligns with their interests. Seeing as many political parties wish to keep their position, the free press ensures to some degree that these political parties do not go against the interest of their citizens. It is interesting to note that many countries that have been proclaimed to have little to no press freedom by non-governmental organisations such as Reporters Without Borders (RWB) or Reporters sans frontières (RSF) also lack a democratic system or have many complications regarding their system if they do have one. The press also provides information on other parts of the world, and through the internet, people are able to access a variety of different news channels with varying opinions, perspectives and information. The way we perceive the world is directly correlated with the information we possess. If the information we possess is limited, limited judgements will be made as well. Free press ensures pluralistic media and the ability to be viewed by the people. Lastly, the free press ensures all voices on a national and regional level can be heard.

Lack of free press

Not all countries respect the freedom of expression in their constitutions, which ultimately leads to a lack of press freedom as well. There are various reasons why governments reject the freedom of expression and freedom of the press. The biggest reason to oppose the freedom of the press is to chill journalists from reporting matters of public interest which could harm the power the government has over the country and its people. These matters can range from smaller errors to large violations, such as discrimination or corruption. As mentioned above, the press acts as a layer of security and monitors governments to hold them accountable for their actions by sharing information on their actions with the citizens of their respective countries. However, this is only possible if freedom of the press is exercised. If not, governments will not always, if ever, be held accountable for their actions and will have a certain control over what their people get to hear from news outlets, which could lead to totalitarianism and/or the suppression of its people. To prevent exactly this, international treaties such as the UDHR have been constructed in an attempt to protect the freedom of the press. Another reason for a lack of a free press can also simply be a lack of interest or resources to assist journalists in their line of work. Because of the lack of value for the freedom of the press

or the lack of resources, journalists are much more susceptible to danger from others while investigating or broadcasting, for example by criminals or extremists.

Risks and violations

Despite all efforts, each year countless journalists are disadvantaged during their work. Many journalists face limitations within their freedom of expression and face difficulties exchanging information due to barriers that have been put in place to alter or halt the process of doing so. Enough times, these journalists face both digital and physical dangers in their careers. Journalists risk their lives while investigating cases of crime, human rights violations, and more. There are enough cases of journalists being intimidated and harassed by those who would be severely disadvantaged by their work to the point they may even use violence, which could lead to death. A good example of this would be Peter R. de Vries, who has been shot because of his line of work as a crime journalist. There are also many cases of government interference when it comes to journalism. Violations towards journalists include loss of their jobs, incarceration, torture, or even death. According to the European Centre for Press & Media Freedom (ECPMF), only in the first half of 2022 already 311 violations had taken place. According to Reporters Without Borders, an estimated total of 58 journalists were killed in 2022 of which 54 were professional journalists and 4 were media employees.

Digitalisation

Despite the internet and digital media bringing a lot of new opportunities for journalists and the press, even to the point many journalists can find ways around previously set barriers; these new advancements also create new threats that they must face. Some good aspects of new technologies would include that the internet is less easily blocked than a physical material, such as newspapers or folders which could be removed at the location they are printed. There are various ways to get around blockades and surveillance on the internet as well, for example by using a VPN. Satellite television also offers journalists an opportunity to reach people from other countries, as satellite television is much more difficult to manipulate than terrestrial television and often countries do not possess the power to manipulate certain satellite broadcasts. Lastly, anonymity is much easier to reinforce on the internet, in comparison to the physical

world. Some undesirable effects of the internet would include targeted surveillance, gender-based harassment, and online attacks. The overwhelming and constant online harassment and attacks lead to potential psychological damage and damage to careers and lives. Gender-based harassment and violence impact the lives of many women journalists similarly, both in the digital and physical world.

Concerns

A couple of concerns regarding press freedom are quite recent developments. The most known concern is the vagueness of what ‘fake news’ really entails. Governments with laws prohibiting the spread of fake news or cases of libel often do not specify the requirements to get arrested for such offences. By not specifying what classifies as fake news, any news the government wishes to remove can be classified as ‘fake’ and be removed from the public eye and can get all people involved punished for breaking the law. A good example of this would be the Russian Federation stating all publications of information on the war in Ukraine that differs from the official information provided by the government would be a criminal offence, even to the point that calling the conflict a ‘war’ could get a journalist in legal trouble. The Russian Federation also refers to many independent media as ‘foreign agents’ and has banned them in Russia. China is another follower of the trend of prosecuting journalists on the basis of fake news. The censorship of ‘false information’ and ‘fake news’ is seen as problematic because there is no guideline set for what is considered so. It is also noted that an exceptionally large number of reporters suffer around conflict zones, either due to the conflict or governmental interference. Lastly, the high amount of impunity when it comes to disregarding freedom of expression is high. According to the CPJ, “In nearly 80% of the 263 cases of journalists murdered in retaliation for their work globally over the past decade, the perpetrators have faced no punishment.” (Jennifer Dunham/CPJ Deputy Editorial Director, 2022).

Timeline of Key Events

Date

Event

2 nd December 1766	Passed the 'first' law supporting freedom of the press in Sweden.
10 th December 1946	The Universal Declaration of Human Rights.
4 th of November 1950	Convention for the Protection of Human Rights and Fundamental Freedoms.
1981	The establishment of CPJ.
1985	The establishment of RSF.
25 th November 2021	The European Parliament passed a resolution on strengthening media freedom: the protection of journalists in Europe, hate speech, disinformation and the role of platforms.
24 th February 2022	The invasion of Ukraine.

Major Parties Involved

Reporters Without Borders (RWB)/Reporters Sans Frontières (RSF)

Reporters Without Borders is a nonprofit and non-governmental organisation founded in Montpellier, France in 1985. Its mission is to ensure any violation of the freedom of expression is recorded. They hold daily briefings and press releases, bring out annual reports (World Press Freedom Index) and create a world ranking of all countries based on the quality of press freedom. Besides that, RSF aids journalists during their work by providing legal assistance and training on what to do in risky situations. Lastly, they hold many campaigns to raise awareness on this issue and make their sources accessible to many groups by translating them into various languages, such as French, Chinese, Arabic, Portuguese, etc.

The Committee to Protect Journalists (CPJ)

The Committee to Protect Journalists is a nonprofit, non-governmental organisation that was founded in America in 1981. Their goal is similar to that of RSF, which is to safeguard the freedom of expression and not let any violation of this freedom go unreported. They bring out an annual report on all reported killings and incarcerations of journalists since 1992. They also have an annual CPJ International Press Freedom Awards Dinner, in which journalists receive awards for enduring violations for doing their work. Lastly, from 2020 onwards the CPJ brings out an annual Impunity Index, in which all countries are evaluated on the amount of impunity that takes place regarding journalist murders.

The Russian Federation (Russia)

As previously mentioned, since the war with Ukraine the Russian Federation has established questionable laws regarding press and fake news surrounding the conflict in Ukraine. Many citizens do not have access to According to RSF's Press Freedom Index of 2022, Russia placed 155 out of 180 countries regarding press freedom.

The People's Republic of China (China)

China also is well known for its lack of press freedom. SARs like Hong Kong and Macau are heavily influenced by the Chinese government and also find little freedom of expression. According to RSF's Press Freedom Index of 2022, China placed 173 out of 180 countries and Hong kong placed 148 out of 180 countries regarding press freedom. Neighbouring countries such as the Philippines also rank very low on the Press Freedom Index, and high on the Impunity Index by the CPJ.

The United States of America (USA)

The United States is infamous for its strong beliefs in freedom of speech and therefore freedom of expression. Besides the freedom being written in their constitution, most Americans are of the strong belief that freedom of speech and expression is one of the most important freedoms a person possesses. Besides that many NPOs and NGOs regarding free press originate from America, such as CPJ, Freedom House, American Civil Liberties Union (ACLU), Inter American Press Association (IAPA), and others.

The Kingdom of Norway (Norway)

According to RSF's Press Freedom Index of 2022, Norway placed number one for press freedom out of all 180 recorded countries. Other countries in the area, noticeably in Scandinavia, such as Sweden, Finland, Iceland, Denmark and Estonia have ranked very high in the index as well.

the Islamic Republic of Iran (Iran)

Ranking the lowest of all countries in the middle east, Iran is number 178 out of 180 countries according to the Press Freedom Index of 2022 by RSF. In general, most countries in the middle east struggle with a free press due to a variety of reasons, usually concerning the overwhelming conflict in the area. Syria, Afghanistan and Iraq also rank high on CPJ's Impunity Index. Qatar, UAE, Israël and Jordan rank higher in Press Freedom than their neighbours.

The Democratic People's Republic of Korea (DPRK)

The Democratic People's Republic of Korea (DPRK), also best known as North Korea, is ranked the lowest in RSF's Press Freedom Index and is known for being an extremely oppressive country with little to no press freedom.

Possible Solutions

It is a very difficult task to 'solve' the issue of press freedom violations. It goes without saying that a world with 100% Press freedom is very idealistic and possibly unrealistic. However, there are a couple of things that should be kept in mind during the debate. There are certain areas in the world where freedom of the press is well achieved and safeguarded, such as the Scandinavian countries or large parts of western Europe. Take a look at the reasons why these countries do so well. A large part of why would definitely include the lack of conflict in those areas, but also their laws, their perspectives on things and more. In order to solve a problem, you must get rid of another one first. Many human rights in general are difficult to safeguard in conflict zones, so besides finding a way to

safeguard them in conflict zones, attempt to find ways to keep peace and harmony intact in the first place. Try to see how a change of perspective on the importance of media workers can decrease the amount of digital and physical harassment that takes place. Education is an important factor in how people behave towards others. Furthermore, vaguely described laws that have been recently adopted pose a large threat to the safety of journalists. New legislation on the wording of laws and the punishments associated with breaking them should be made to prevent Draconian laws. Lastly, keep in mind that new technologies pose a threat to media workers besides opportunities. More laws should be added to ensure the safety of media workers online.

Bibliography

Cunningham, John M. "A Brief History of Press Freedom." Encyclopædia Britannica, Encyclopædia Britannica, Inc., <https://www.britannica.com/story/250-years-of-press-freedom>.

Dunham, Jennifer. "Killing with Impunity - Cpj.org." Killing with Impunity: Vast Majority of Journalists' Murderers Go Free, 2022 Global Impunity Index, Committee to Protect Journalists, 1 Nov. 2022, https://cpj.org/wp-content/uploads/2022/10/CPJ_2022-Global-Impunity-Index.pdf.

"Freedom of Expression, Media Freedom and Safety of Journalists - Commissioner for Human Rights - Commissioner for Human Rights - Publi.coe.int." Commissioner for Human Rights, Council of Europe, <https://www.coe.int/en/web/commissioner/thematic-work/media-freedom>.

"Freedom of the Press." Wikipedia, Wikimedia Foundation, 23 Dec. 2022, https://en.wikipedia.org/wiki/Freedom_of_the_press#Freedom_of_the_Press.

"Homepage." Bienvenue Sur Le Site De Reporters sans Frontières, 14 Dec. 2022, <https://rsf.org/en>.

“Index.” Reporters Without Borders, Reporters Without Borders, 2022, <https://rsf.org/en/index>.

Khan, Irene. “A/HRC/50/29: Reinforcing Media Freedom and the Safety of Journalists in the Digital Age – Report of the Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression.” OHCHR, 20 Apr. 2022, <https://www.ohchr.org/en/documents/thematic-reports/ahrc5029-reinforcing-media-freedom-and-safety-journalists-digital-age>.

Khan, Irene. “Ensuring Media Freedom and Safety of Journalists Requires Urgent Concrete Action Backed by Political Will: Un Expert.” OHCHR, 24 June 2022, <https://www.ohchr.org/en/press-releases/2022/06/ensuring-media-freedom-and-safety-journalists-requires-urgent-concrete>.

Khan, Irene. “A/HRC/50/29, Reinforcing Media Freedom and the Safety of Journalists in the Digital Age.” Human Rights Council, 20 Apr. 2022, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G22/323/44/PDF/G2232344.pdf?OpenElement>.

La Rue, Frank, W. “A/HRC/20/17, Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Frank La Rue” Human Rights Council, 4 Jun. 2014, <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G12/137/87/PDF/G1213787.pdf?OpenElement>

“Media Freedom in Russia.” Wikipedia, Wikimedia Foundation, 6 Dec. 2022, https://en.wikipedia.org/wiki/Media_freedom_in_Russia.

“Oxford Learner's Dictionaries: Find Definitions, Translations, and Grammar Explanations at Oxford Learner's Dictionaries.” Oxford Learner's Dictionaries | Find Definitions, Translations, and Grammar Explanations at Oxford Learner's Dictionaries, <https://www.oxfordlearnersdictionaries.com/>.

“Press Freedom.” News Media Association, 9 Dec. 2022,

<https://newsmediauk.org/topics/press-freedom/>.

Regent's University. “The Alarming Situation of Press Freedom in Europe - Commissioner for Human Rights - Publi.coe.int.” Commissioner for Human Rights, Council of Europe, 25 Nov. 2014, <https://www.coe.int/en/web/commissioner/-/the-alarming-situation-of-press-freedom-in-europe>.

“Reporters without Borders.” Wikipedia, Wikimedia Foundation, 30 Dec. 2022,

https://en.wikipedia.org/wiki/Reporters_Without_Borders.

“Russia.” Bienvenue Sur Le Site De Reporters sans Frontières, Reporters Without Borders,

2 Jan. 2023, <https://rsf.org/en/country/russia>.

Soken-Huberty, Emmaline. “Why Is Freedom of the Press Important in a Democracy?” Human Rights Careers, 21 Mar. 2021,

<https://www.humanrightscareers.com/issues/why-is-freedom-of-the-press-important-in-a-democracy/>.

“Special Administrative Regions of China.” Wikipedia, Wikimedia Foundation, 11 Dec.

2022, https://en.wikipedia.org/wiki/Special_administrative_regions_of_China.

Unesco, and UNESCO, UNESCO Office Jakarta. “Threats to Freedom of Press: Violence, Disinformation & Censorship.” UNESCO.org, 30 May 2022,

<https://www.unesco.org/en/threats-freedom-press-violence-disinformation-censorship>.

“Universal Declaration of Human Rights.” United Nations, United Nations,

<https://www.un.org/en/about-us/universal-declaration-of-human-rights>.

“Universal Declaration of Human Rights.” Wikipedia, Wikimedia Foundation, 12 Dec.

2022, https://en.wikipedia.org/wiki/Universal_Declaration_of_Human_Rights.