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Committee: GA-6

Issue: Establishing a legal framework to ensure safety of journalists in areas of conflict.

Student Officer: Adeeb Ali , Anushka Bhatt and Solomon Kenneth

Introduction

- Especially in conflict situations, the journalists ensure unbiased reporting and give information to the majority. They help relevant and non-related audiences as well as accuse and blame both states and paramilitary entities for their activities. But the other side to it is that, there are high challenges in performing such duties in conflict areas. Most of the injuries are not only sustained from crossfire but from aggressors who get annoyed by inconvenient facts, and, even journalists themselves are not immune from some abuse or battering by those who want to suppress such knowledge from spreading.
- For journalists working in such environments, the risks are not just of a physical nature. Reporters can get abused in various other horrific ways, including abduction, beatings, and shootings by soldiers who consider them adversaries or collateral damage in the struggle. Militarised groups (terrorists or insurgents) specialise in targeting journalists and abusing the fragility that such journalists always work under. Secret police in dictatorship countries who are supported by the government tend to regard a liberal press as a danger and tend to limit the circulation of information or hunt journalists down.
- There are certain protective measures such as the Geneva Conventions and resolutions of the UN with respect to journalists, but there is always absence of the political will in these cases. More worrying is a growing trend of media targeting aggression particularly in volatile regions which speaks of levels and systems of protection that were grossly undermined. A more comprehensive enforceable legal framework is crucial to ensure journalists can carry out their vital work without fear of violence or repression.

Background Information

Root Causes of the Issue :

- ***Journalists appear to be regarded as a danger and risk by authoritarian governments and non-state bodies alike:***

In post-conflict situations, journalists, in this case, organizations become enemies if they try to independently report the events or otherwise contribute to the dominant narrative. That is why these actors consider it legitimate to 'neutralize' journalists – indiscriminate as an exposing witness of war atrocities, corrupt practices, or even military actions.

- ***The rise of terrorism and armed insurgencies directly targeting media :***

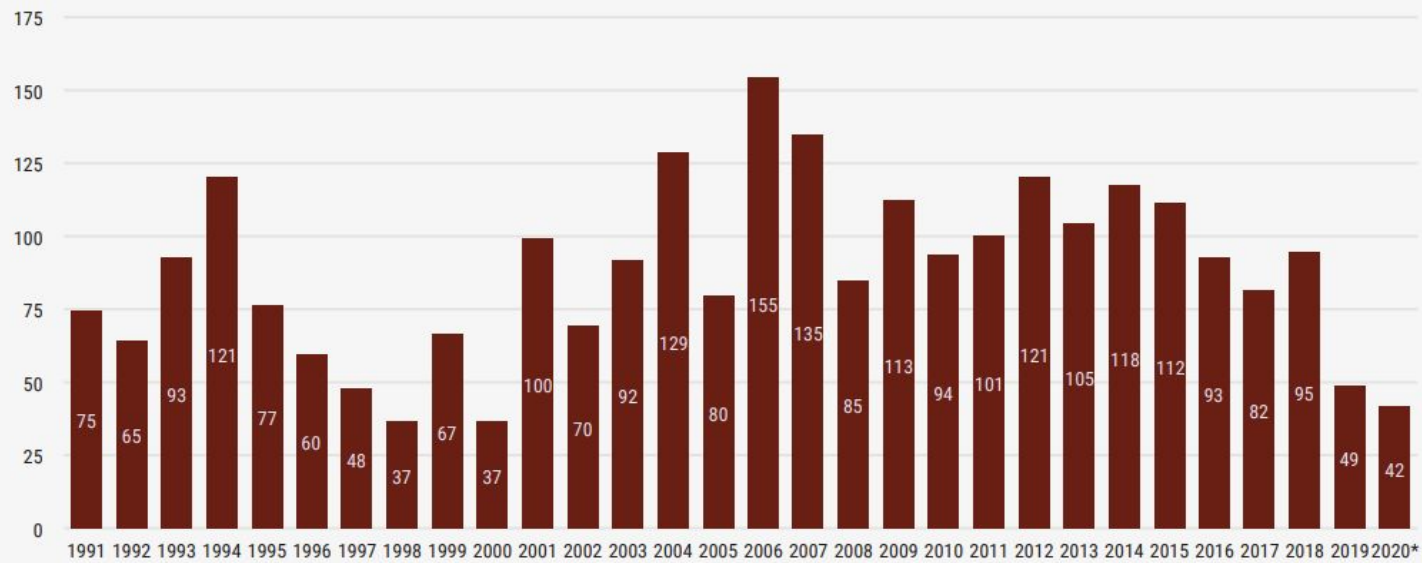
In the better part of the last ten years, it has been apparent that armed groups such as the sanctions imposed by ISIS and many others have tended to be hostile towards reporters and journalists as they view them as adversaries of their campaign. These are brutal fundamentals of modern terror outfits whose operative plan is to use both local and international journalists.

- ***Lack of effective legal mechanisms to hold perpetrators accountable :***

There are few contingents even though there are treaties, journalists' rights violations are not promoted and repelled in many geographical regions. This spirit of lawlessness infects the assailants because mostly they do not take up any responsibility for attacking press persons.

Background Information

Journalists killed in the period 1990 – 2020



Source: IFJ Killed Reports

*Until November 29 2020



Background Information

Challenges with Existing Frameworks :

- ***Weak enforcement of Geneva Conventions' provisions for journalist protection :***

Protecting journalists as Article 79 of the Geneva Conventions considers them as civilians in armed conflicts. But in real life these provisions are hardly ever effectively enforced, especially if the perpetrators are terrorist organizations or the governments of countries from which the journalists originate.

- ***UN Resolution 2222 (2015) calls for journalist safety but lacks strong enforcement mechanisms:***

This resolution expresses concern on the safety of journalists and instances of their abuse and violence against them. However, this is only a resolution which has no effect as such and movement cannot be obligatory. Member states have no sanctions to impose and journalists remain helpless in places of war, and violence.

- ***National laws in conflict zones often fail to protect journalists or, in some cases, criminalize their work:***

In some countries that are afflicted by conflict, there are not many protections available for the national legal system for journalists or at times the system works against them. In some cases, for instance, the government may designate reporters as spying agents or entertainers and illegalize their activities thereby simplifying prosecution or assault against them.

Relevant Treaties or Past Solutions

Geneva Conventions Article 79:

Adopted in 1977, already established for in Article 79 of the Protocol I, journalists are deemed to be civilians under a mantle of protection against direct attacks as long as they do not engage in acts of war. This concept aims at equipping them with necessary precautionary considerations applicable to all groups in the zone of warfare. Still, this protection is more often than not rendered useless. The reality is that many states and non-state actors do not know, or even worse court systems do not implement this law, which causes provocation of violations. Furthermore, the international body is ineffective in enforcing measures against these practices since there is no procedure to prosecute offenders. It follows that, this article which seems to provide a useful protection for these journalists exists only in principle at best, actual protection for journalists in hostile environments remains inadequate.

<https://ihl-databases.icrc.org/en/ihl-treaties/api-1977/article-79/commentary/1987>

- this link opens to Protocol additional to the Geneva Conventions of 12 August 1949, and relating to the **Protection of Victims of International Armed Conflicts (Protocol I)**, 8 June 1977.

Relevant Treaties or Past Solutions

UN Resolution 2222 (2015):

This 2015 United Nations Security Council resolution underscored the need to protect journalists in war zones (IOException). It underscored that attacks on them might amount to a violation of global law and urged States not only to do more but also act measurably in providing protection. Upon ratification, however, countries do not make comprehensive administrative or legal provisions primarily because there exists no effective mechanisms such as enforcement of compulsory obligations to enforce a change in the concerned country's compliance system leading facilitating impunity for offenders targeting media workers. Moreover, because it depends on good faith compliance by states for its implementation, the resolution has little influence in conflict zones where governments are either unable or unwilling to safeguard journalists.

<https://docs.google.com/document/d/1ORuwqZ9CR53H8OA45djdi2shAVVKI-4tEreB-IShuXY/edit?tab=t.0>

- this link opens to Resolution 2222 (2015) / adopted by the Security Council at its 7450th meeting, on 27 May 2015.

Possible Solutions

- ***Establish an International Tribunal:***

Establish a specialized international tribunal, modeled after the ICC, to prosecute crimes against journalists. This tribunal would prioritize cases involving attacks on media personnel, ensuring accountability for perpetrators and deterring future violence through consistent enforcement of international laws.

- ***Embed Journalists in Peacekeeping Forces:***

Deploy journalists alongside UN peacekeeping forces to provide them with security in conflict zones. This embedding strategy would offer immediate protection while increasing the legal accountability of those who target the media, as peacekeepers would respond directly to violations against embedded journalists.

- ***Global Training Programs:***

Implement global training programs to prepare journalists for conflict zones. These programs would include safety courses, conflict navigation, and first-aid training, coupled with providing protective gear. Supported by NGOs and international bodies, such measures would enhance journalists' survival chances in war zones.

Appendice

- ***International Federation of Journalists :***

<https://www.ifj.org/>

- this link opens to the IFJ an organisation that speaks for journalists within the United Nations system and within the international trade union movement.

- ***Unesco***

<https://www.unesco.org/en/safety-journalists>

- UNESCO's dedicated page on journalist safety offers tools, reports, and global initiatives aimed at protecting media personnel in dangerous environments.