DEFENDING JOURNALISM

**HOW NATIONAL MECHANISMS
CAN PROTECT JOURNALISTS AND
ADDRESS THE ISSUE OF IMPUNITY**

**A COMPARATIVE ANALYSIS OF
PRACTICES IN SEVEN COUNTRIES**

A PUBLICATION BY INTERNATIONAL MEDIA SUPPORT

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TABLE OF CONTENTS

Foreword

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In 2012 the United Nations adopted the UN Plan of Action for the Safety of Journalists and the Issue of Impunity. The Plan, a framework for coordinating, developing and improving existing responses to threats against journalists, presented an historic opportunity for inter-governmental organisations, civil society, member states and the media to work together in a concerted effort to staunch the flow of violence and intimidation that has long encumbered journalists and media workers around the world. Five years on, there is still far to go to make good on that opportunity.

The UN Plan of Action was a welcome step in dire times for the media. That year, the number of journalists killed was among the highest in a decade. Conflict in Syria was escalating, creating what has become a desperate situation for journalists. Pervasive impunity for people who killed, threatened and attacked media workers meant many journalists in Mexico, Somalia, Pakistan, Afghanistan, the Philippines and elsewhere were forced to choose between self-censorship, exile or to continue working at their peril.

A large number of journalists were also imprisoned in 2012, one of the highest numbers in recent years. In Turkey, Iran, Azerbaijan and many other countries, authorities abused national security laws as well as other laws to arrest journalists, activists and critics. Women journalists began speaking out about attacks against them more often, bringing to light the full scope of dangers and professional challenges they routinely encounter.

In many areas, local media support, monitoring and advocacy groups, along with international media development and freedom of expression organisations, made some inroads toward protecting journalists and addressing impunity — through emergency response programmes, legal support, training workshops and campaigns against press freedom violations and for improved legislation. Some states responded positively. Colombia had already established a protection mechanism and Mexico introduced legislation to enable federal prosecutors to investigate crimes against journalists. However, particularly in the case of Mexico, the implementation of these measures has been flawed. By the time the UN Plan of Action was introduced, there was a clear need for evaluating and strengthening safety responses and ensuring impunity initiatives were put in place. In the words of Mexican journalist

Anabel Hernandez speaking at the 2nd UN Inter-Agency Meeting on the Safety of Journalists and the Issue of Impunity in Vienna in 2012: "It would not be fair if the world contemplates this fight unmoved and without extending a helping hand".

For International Media Support IMS, the UN Plan of Action, which emphasises multi-stakeholder participation and development of national mechanisms, affirmed the approach we have engaged in for years. Working in close partnership with local media actors and international media support groups to facilitate the growth and safety of media has been the crux of our work. And, in particular, supporting the implementation of the Plan has been one of the main areas of our safety work.

For journalists, the situation today isn't much better, and in some ways, it is worse. The five years that have passed since the adoption of the UN Plan have been some of the bloodiest for journalists and media workers. Around the world journalists still work under immense risk and are subjected to threats, physical assault, imprisonment and even murder. The types of perpetrators are varied and growing, and include extremist groups, government officials and individuals with power and influence. Meanwhile, impunity rates for those who commit these crimes have barely budged, still hovering near 90 percent.

These grim statistics do not mean that the Plan has been a failure. It has provided a common framework and language for states and civil society on the safety of journalists and the issue of impunity. No longer is protection addressed only through safety training for journalists and media workers, or impunity only through monitoring and advocacy. Concerted efforts have been made to share national experiences, more deeply engage the media sector, identify good practices and increase coordination.

One key strategic achievement is the increased recognition of a need to form robust national protection mechanisms that ensure the inclusion of all key actors at national level. This was confirmed at the multi-stakeholder consultation organised by UNESCO in Geneva in June 2017, where a clear call was made by civil society organizations, the UN Special Rapporteur on Freedom of Expression and the UNESCO Assistant Director-General for Communication and Information on every member state to set up a national mechanism for the safety of journalists and to report on the policies of protection, prevention and justice in place to eradicate impunity for attacks against journalists.

We now have a far better understanding of what works and what doesn't when it comes to improving security for journalists and combatting impunity. A common consensus has emerged: better national strategies are needed, and it is vital that collaboration and coordination from stakeholders forms the foundation of these efforts. What is less clear is how to achieve this. What are the strategies and practices that should inform our approach?

Through this report, IMS hopes to solidify this knowledge and its practical application. The study was undertaken to look honestly and in depth at how safety responses have taken hold in seven countries, three of which — Iraq, Nepal and Pakistan — are early implementation focus countries for the UN Action Plan. We document how, despite immense ongoing challenges, in these three countries and in Afghanistan, some important advances have been made to bring together different stakeholders to develop joint structures and innovative approaches. We examine the long road Colombia has followed in the establishment of its protection programme, and look at what organisations and bodies working on the ground in Indonesia and the Philippines struggle against, and what they have achieved using the resources available to them. We've examined the positive outcomes as well as the failings and shortcomings of different initiatives, including those IMS is directly involved in, with the aim of determining a roadmap for future work.

This is a crucial juncture for transforming the UN Action Plan framework into viable national mechanisms and for implementing other practical measures that can save the lives of journalists, ensure perpetrators are prosecuted when they attack journalists, and ensure that the work of journalists continues. The free flow of information and the media's ability to report freely, safely and accurately is more essential than ever if we are to tackle the environmental and security threats facing today's world, hold leadership to account, expose corruption and give a voice to victims of human rights abuses.

We have knowledge and shared experiences to draw from, international attention and in some places, the will and commitment from stakeholders to address these problems. We have the tools to make practising journalism safer. It is time to use them.

JESPER HØJBERG
Executive Director
International Media Support (IMS)

Introduction

A Pakistani journalist holds a sign and a picture of Associated Press photographer Anja Niedringhaus, who was killed 4 April, 2014 in Afghanistan, during a demonstration to condemn attacks against Journalists in Islamabad 7 April, 2014.

Photo: REUTERS/ Faisal Mahmood

STOP KILLING JOURNALISTS

A PROFESSION UNDER ATTACK

• Media and freedom of expression are under siege, with fatal attacks on producers of journalism being the most serious cases. Over the course of the last decade, a total of 827 journalists have lost their lives for bringing information to the public. On average, this constitutes one casualty every five days.

• To this, one needs to add the countless other violations endured by journalists, which include kidnappings, arbitrary detention, torture, intimidation and harassment, both offline and online, and seizure or destruction of material.

• An overwhelming majority of the 827 journalists have been local journalists, accounting for 95% of all cases.

• The vast majority of journalists killed each year are men, representing approximately 94% of all victims. However, women journalists have to deal with a range of threats such as intimidation, abuse and violence, including sexual assaults and harassment.

• With only 8% of cases reported as resolved (63 out of 827), impunity for these crimes is alarmingly high. This impedes the free flow of information that is so vital for sustainable development, peace building, and the social welfare of humankind. This widespread impunity fuels and perpetuates a cycle of violence that silences media and stifles public debate.

Source:
UNESCO Director-General's Report
on the Safety of Journalists and
the Danger of Impunity, 2016

Introduction: Finding Ways to Protect the Practice of Journalism

Afrah Shawqi was at her Baghdad home at 10pm on December 26, 2016 when gunmen burst in, posing as members of Iraq's security forces. After tying up her son, and taking her phones and computers, they kidnapped Shawqi, who had recently published articles critical of armed groups in Iraq. Journalists and activists swiftly mobilised to protest against her abduction. Through a formalised dialogue set up to improve relations between the media and security forces and security for journalists, they raised her case at high levels of the government. Iraq's Prime Minister Haider al-Abadi issued a communiqué condemning her abduction and ordering the security forces to do the utmost to protect her, find her and capture the group or groups responsible. She was returned home in a week, though her kidnappers remain at large.

Like Shawqi, many media personnel around the world work under immense danger to expose corruption, report on crime, and be a voice for populations in conflic-tridden areas. Death threats, violence, harassment by security forces, abuse of security laws or weak freedom of expression legislation are all too commonly used to deter journalists working in all mediums.

For most, there is no recourse. When journalists are attacked and even murdered the perpetrators are rarely prosecuted. In only a small handful of countries do journalists have access to state-supported programmes for protection, and even in these countries, many journalists at risk fall through the cracks.

Much of the work of protecting journalists has fallen to civil society. National and international non-governmental organisations, media associations and unions around the world have developed emergency responses that include relocating journalists under threat, emergency funding, legal support and safety training. They advocate for better legislation and campaign for justice or for the release of colleagues in captivity. As in Shawqi's case, these efforts can save lives. In some cases they have resulted in the convictions of suspects behind the murders of journalists, freed or kept journalists from prison, and brought about important changes in legislation. Given the immense chal-

lenges confronting journalists today, however, a more compre-hensive, coordinated approach is needed.

The acute situation for journalists prompted the United Nations to adopt the UN Plan of Action for the Safety of jour-nalists and the Issue of Impunity in 2012. The UN Action Plan, developed and overseen by UNESCO, the UN agency mandated to promote media freedom and development, outlines more than 120 measures to improve safety and combat impunity through the coordinated responses of states, NGOs, media, and inter-governmental organisations. An accompanying implementation plan rolled out in 2013 named Iraq, Nepal, Pakistan and South Sudan as first phase focus countries; Latin America was chosen as a focus region .

The UN Plan points to the establishment of national mechanisms to protect journalists and support fair investiga-tions and prosecutions as a key point of action. It also empha-sises the importance of identifying and sharing best practices and strong coordination at national and global levels. Subse-quent resolutions adopted by the Human Rights Council, Se-curity Council and the UN General Assembly similarly called on states to adopt national measures and identify good practices.

Taking Stock of Safety in Seven Countries

As part of its own work on safety and protection of journalists, IMS has been taking an active role in the implementation of the UN Plan of Action, with a focus on establishing and bolstering locally-an-chored mechanisms through a multi stakeholder approach. As part of this work, IMS has undertaken the research presented in this report. The study builds on a 2016 discussion paper by IMS partners, UNESCO and the Centre for Law and Democracy that reviewed exist-ing protection mechanisms for journalists in countries around the world, as well as mechanisms that address impunity. To this end, it documents in detail experiences at local levels and translates them into good practices that can be applied globally.

The report analyses on-the-ground projects that address major threats against journalists in collaborative ways in seven countries: Afghanistan, Colombia, Indonesia, Iraq, Nepal, Pakistan and the Philippines. It examines not only initiatives in place in these countries, but also the process of establishing them, the roles of different stakeholders involved, and the challenges they

continue to face.

These countries were chosen because they showcase a varied range of responses and structures. Some are led and implemented by civil society, others are government-driven; they are coalition-based or simply good examples of partnerships. The focus countries are countries where IMS has engaged with part-ner groups over a long period of time, and, as a consequence, has insights into the development and operations of the programmes there. IMS made it a priority to examine the advantages and chal-lenges of multi-stakeholder platforms that bring together differ-ent organisations, media and government. The organisations and programmes the report features are by no means the only ones with merit in those countries. They are included for the potential lessons, good and bad, they offer.

For each country report, the authors looked at the politi-cal context and media landscape alongside a review of the main threats and challenges journalists face. According to the study, the media in these seven countries is robust. Rapid growth of their media sectors followed regime changes, deregulation or peace deals. But alongside new opportunities emerged new dangers.

Journalists in all seven countries are subject to a wide range of attacks and interference. Violent assaults from terrorists, other armed groups and powerful individuals — including gov-ernment officials, security forces and criminal gangs — pose the greatest threat. For the most part, these take place with impunity, a major concern among those consulted in all countries.

Journalists interviewed for the report also cited unsafe work environments, where they were not provided with equipment or training. Fierce competition, low wages and lack of job security push journalists to pursue risky assignments, with little support from their newsrooms and no risk assessment. Nepal and Paki-stan have laws requiring fairer pay, compensation schemes and other professional protections for journalists but these have not been well enforced.

A lack of professionalism and independence among the media, manifested by partisanship, inadequate fact checking or unethical practices, also contributes to a dangerous climate. In Nepal, for example, the legacy of a political conflict and a culture that gives considerable weight to ethnic and social identities often means journalists are targeted when they represent social groups or have partisan views. In Iraq as well, journalists have si-

multaneously covered and engaged in protests, fuelling tensions with security forces. In post-Suharto Indonesia, the media's commercial growth far outpaced the development of education and training resources.

In line with the UN Plan of Action, which recognises the importance of a gender sensitive approach, the report took stock of threats and challenges specific to women journalists. These vary from country to country, but the most commonly cited problems in this report include physical harassment in the field and in the office, online harassment, lack of advancement and family and social pressure, in addition to threats and attacks.

The authors also examined the legislative framework for protection of the journalists in each country and found that while most countries have constitutions that articulate freedom of expression, other statutes curtail this right. The Philippines' penal code criminalises libel, while laws restricting online freedom of expression in Nepal and Pakistan include criminal penalties. Iraq's penal code favours plaintiffs bringing complaints against the media, and influential individuals abuse these to intimidate journalists, who rarely have the financial means for counsel or fines, into withdrawing articles.

Afghanistan and Indonesia have legal frameworks that strongly support freedom of expression, but high rates of attacks against journalists with impunity, often by police, military or government officials, weaken these in practice.

In a handful of countries, the government has taken some steps toward strengthening the statutes that protect journalists. Afghanistan has issued a series of decrees establishing a press ambassador within the government and supporting dialogue and information-sharing between journalists and security forces, while Pakistan's parliament is considering a bill on journalists' safety.

Coordinated Efforts Bring Greater Safety

Each country chapter examines two to four mechanisms or other safety responses in place in those countries. The report's findings suggest that coordinated national structures, which include participation by the media and media support groups and relevant government agencies, can improve conditions for journalists.

Despite several flaws, which are evaluated in the country chapter, Colombia's protection programme for journalists, which provides bodyguards, cell phones and other material support, has contributed to a significant reduction in fatal attacks against journalists there. More than 15 years old, it is the most established and complex mechanism in place, but other, smaller-scale initiatives are also producing positive outcomes.

In Iraq, a series of dialogues between journalists, media support groups and security forces, officials and parliamentarians resulted in a formal Memorandum of Understanding and improvements to the security situation. The channels of communication established through this project helped colleagues bring attention to Afrah Shawqi's abduction, resulting in the authorities taking prompt action. In 2016, Afghanistan's government established the Joint Committee for the Safety and Security of Journalists (JCSSJ) to enact a security plan for journalists. The committee has ordered the reinvestigation of attacks against journalists going back to 2002.

Other projects demonstrate the benefits of partnerships. The Journalist Safety Hubs project in Pakistan brings together the resources of the Pakistan Journalist Safety Fund, which provides funds for relocation and other needs of journalists under threat, with the reach of a nationwide network of press clubs and oversight from Freedom Network, a watchdog group.

The report also highlights stand-alone organisations that have effectively implemented safety programmes, like the Afghan Journalists Safety Committee (AJSC), which, among other activities, evacuated hundreds of journalists when the Taliban took over Afghanistan's northern Kunduz province in 2015 and burned down nearly all the area's media houses. The National Union of Journalists in the Philippines established safety desks to monitor and respond with advocacy or emergency assistance when journalists are threatened. The report also notes other organisations in Pakistan, the Philippines, Nepal, Indonesia and Colombia for their emergency response work, training programmes and publications, activities they conduct outside national structures or mechanisms. The country studies also stress the important role of monitoring groups in documenting and assessing threats.

The national experiences profiled also demonstrate the challenges stakeholders face. They include issues of long term

sustainability, mistrust between the media and government, and the need for building consensus, among other points.

Among stakeholders, civil society has led most efforts, rather than the media sector or government. The majority of safety activities are waged by national NGOs, with funding and technical support from international groups. Development and implementation of broad multi-stakeholder initiatives and national mechanisms also appear to be largely dependent on a driver –a respected group or individual on the ground committed to pursuing and keeping the programme on track. This has been instrumental to progress made so far in establishing a mechanism to protect freedom of expression practitioners in Nepal. In Afghanistan, the AJSC has pushed for and is the secretariat for both the Joint Committee for the Safety and Security of Journalists (JCSSJ) and a coalition group, the Afghan Journalist Federation (AJF). The Fundación para la Libertad de Prensa (FLIP) advocated for and continues to be a main actor in Colombia's national protection mechanism.

In several country studies it was noted that the media itself does not champion safety for its journalists vigorously enough. One positive model featured in the report is Pakistan's Editors for Safety, a forum organised by the country's main media outlets to share information and give media coverage to attacks against journalists, regardless of where they work.

Nearly all the mechanisms examined were launched with funding from international groups and still maintain a dependence on them. Main funding sources tend to involve the same handful of international groups, foundations and governments, including IMS, Open Society Foundations and Nordic government aid programmes. International support is also important for providing expertise and oversight. The study found that international participation, via funders, NGO partners and intergovernmental bodies, also increases levels of government responsiveness when it comes to interacting with national non-governmental stakeholders.

Coordination and consistency in engagement with national initiatives, international NGOs and international non governmental organisations (INGOs) is one area that needs improvement. One salient example is the International Friends of Media Alliance on Safety, a group of more than a dozen international organisations formed in 2012 to support the Pakistan Coalition on Media Safety (PCOMS), a multi-stakeholder national platform to promote a unified agenda on safety for journalists. After some initial rounds of communication, the alliance dissipated.

Despite support from the international community, sustainability appears to be a major issue. High cost and lack of long-term funding threaten many of the models, including Colombia's protection programme, which has an annual budget of around US$7 million. Several initiatives in the report have turned to volunteer networks to keep costs down. The Network of Volunteer Lawyers for Freedom of Expression (NLFEO) in Iraq relies on lawyers working pro bono, for example. Another solution is nesting a programme within a budgeted government institution, one of the advantages of the proposed mechanism for freedom of expression in Nepal, which will be administered by the National Human Rights Commission.

UN Plan of Action Raises Profile of Journalist Safety Issues but More Awareness of Plan and Cohesive Strategies Needed

Many of the mechanisms were developed under or in tandem with the UN Plan of Action for the Safety of Journalists and the Issue of Impunity. Three countries in this report, Iraq, Nepal and Pakistan, are among the pilot countries chosen for the Plan's implementation. What impact the Plan has had is also considered in each country chapter.

In several countries, the UN Plan of Action had some positive influence by helping legitimise media safety work and encouraging government engagement. Civil society in Iraq and Pakistan, for example, were able to persuade governments to participate in forums — PCOMS in the case of Pakistan and the security dialogue in Iraq — to improve security for journalists. This has strengthened advocacy and dialogue over individual cases and legislation that impacts journalists. The Plan has also helped galvanise media communities and NGOs to collaborate and identify joint actions.

Some apparent shortcomings in the Plan's implementation, however, include low awareness, lacklustre participation from international bodies, and lack of a visible, objective-based implementation strategy. Journalists interviewed for this study

were either unaware of the Plan's existence or knew little of its content or aspects of its implementation. The study also noted that in these countries, stakeholders perceived participation from UN agencies other than UNESCO to be either low or non-existent. Activities organised by UNESCO and other international agencies noted in the report, including trainings, distribution of safety resources, dialogues and events, have come across as disjointed, underscoring the need for a more coherent strategy.

Outside the focus countries, implementation of the Plan has been lean. Despite an ongoing crisis of violence and impunity in the Philippines, no national implementation strategy had been adopted there. In Indonesia, there has been little promotion or activity associated with the plan, the chapter's author found, despite a well-functioning independent national press council and journalist support groups that could effectively work together to implement a national plan.

Combatting Impunity Key to Long Term Safety

Across the board, combatting impunity in attacks against journalists remains a major challenge due to lack of political will, weak institutions overseeing law and order and slow moving courts.

Some initiatives featured in the report have successfully gained state commitments that if implemented could loosen the wheels of justice in countries where impunity is well entrenched. Government representatives to PCOMS in Pakistan promised to appoint special prosecutors to deal with cases of journalist killings and, as noted previously, Afghan authorities opened investigations into attacks against journalists based on the recommendations of the JCSSJ. Follow-through on these commitments, however, will require continuous attention and pressure.

Several groups highlighted in this report have made progress in individual cases through advocacy, independent investigations and legal assistance. The Alliance of journalists in Indonesia (AJI) dispatched lawyers to Bali following the 2009 murder of reporter A.A. Narendra Prabangsa, leading to convictions of all suspects behind the killing. FLIP represented Colombian journalist Jineth Bedoya, who was beaten and sexually assaulted in 2000. Several suspects in her case have since been jailed. The Freedom Fund for Filipino Journalists (FFFJ), a joint project among media

support groups, provided resources for witness protection and hired private prosecutors in two murders that saw convictions in the Philippines.

Until those behind threats and attacks are identified and prosecuted, the impact of protection programmes and other safety solutions will be temporary and limited. Shawqi's experience is telling. Her relief at being released was short lived. After returning home, she continued to receive threats. About a month later, she fled the country. Explaining her decision to IMS, she said, "The criminals are still free; they have weapons, money, badges [and] armoured cars. They could capture me or my children at any moment".

	INITIATIVE	SAFETY FOCUS	PARTICIPANTS
Afghanistan	Afghanistan Journalist Safety Committee (AJSC)	— Emergency response — Research — Training — Advocacy	— AJSC staff and countrywide network of representatives
	Afghan Journalist Federation (AJF)	— Advocacy	— 13 national media support groups — AJSC is secretariat
	Joint Committee for the Safety and Security of Journalists (JCSSJ)	— Security — Impunity — Dialogue	Representatives from Office of the President, security institutions, judiciary, journalists and media support groups
Colombia	NGOs and Media associations focused on media safety	— Monitoring, — Advocacy — Emergency Response — Legal Assistance — Training	— La Fundación para la Libertad de Prensa (FLIP) — Colombian Federation of Journalists (FELCOPER)
	Protection Programme for Journalists	— Protection	— National Unit of Protection (Lead agency) — National Police

Country	Name	Functions	Participants / Members
Colombia			— Ministry of Defense — Office of the Ombudsman — Attorney General's Office — CSOs: Felcoper, Andiarios, Asomedios, FLIP
Indonesia	Press Council	— Resolution of media disputes — Impunity — Ethical journalism	— Representatives of media companies — Media associations and independent experts — Government approves appointments but council operates independently
	Alliance of Independent Journalists	— Advocacy — Impunity — Safety training — Conflict resolution — Emergency response	Independent organisation; dozens of chapters throughout country
	LBH Pers	— Legal aid	— Legal aid institute with nine chapters
Iraq	Dialogue & MoU between journalists and Security Forces	— Security — Dialogue	— Ministry of Interior — Security forces — Parliamentarians — Journalists — CSOs
	The Network of Lawyers for Freedom of Expression (NLFEO)	— Legal Aid	— Volunteer lawyers
	Monitoring groups	— Research, — Data collection — Dissemination	— The Metro Center — Journalistic Freedoms Observatory — National Union of Iraqi Journalists

Country	Name	Functions	Participants / Members
Nepal	National Human Rights Commission Mechanism	— Protection — Impunity	— National Human Rights Commission — Federation of Nepali Journalists — Bar Association — NGO Federation
	Federation of Nepali Journalists	— Advocacy — Emergency response	— Over 10,000 members and more than 80 chapters
	Nepal International Media Partnership	— Safety — Impunity	— 14 international organisations
Pakistan	Pakistan Journalist Safety Fund (PJFS)	— Emergency Response	— Freedom Network (administrator) — IMS
	Pakistan Coalition on Media Safety	— Advocacy — Impunity — Safety	— Minister of information — Political parties — Civil society groups — Journalists — Media Associations
	Editors for Safety	— Emergency response — Safety	— Editors and directors of leading newspapers and television channels
	Pakistan Press Clubs Journalists Safety Hubs Program	— Emergency response — Threat Documentation	— Freedom Network — Six Press Clubs — PJSF
The Philippines	Presidential Task Force on Violations of the Right to Life, Liberty and Security of the Members of the Media and preceding mechanisms	— Investigation — Prosecution	Governmental departments including — Department of Justice — Department of the Interior and local Government

— Department of National Defense
— Philippines National Police and others

Freedom Fund for Filipino Journalists	— Impunity — Advocacy	— Six media support groups, including Center for Media Freedom and Responsibility (secretariat)
National Union of Journalists in the Philippines	— Impunity — Advocacy — Training — Family Support	— Membership of 1500 working journalists; over 60 chapters

THE UN PLAN OF ACTION ON THE SAFETY OF JOURNALISTS AND THE ISSUE OF IMPUNITY

• Endorsed by the UN Chief Executives Board on 12 April 2012
• The Plan of Action aims to create a free and safe environment for journalists and media workers, both in conflict and non-conflict situations, with a view to strengthening peace, democracy and development worldwide.
• Its measures include, among other undertakings, the establishment of a coordinated inter-agency mechanism to handle issues related to the safety of journalists, as well as assisting countries to develop legislation and mechanisms favourable to freedom of expression and information, and supporting their efforts to implement existing international rules and principles.
• It recommends working in cooperation with governments, media houses, professional associations and NGOs to conduct awareness-raising campaigns on a wide range of issues, such as existing international instruments and conventions, the growing dangers posed by emerging threats to media professionals, including non-state actors, as well as various existing practical guides on the safety of journalists.

Source: UNESCO

Analysis

Smoke from a tear gas shell fired by police during its clashes with the Maoist supporters at the Exhibition Road, Kathmandu, 7 May 2010. Photographers are usually the first people to reach such places, without risk assessments or proper gear.

Photo: Dipak Tolange/PJ Club

Analysis:
No One Size-Fits-All Solution:
What works with localised
safety approaches?

Confronted with an onslaught of violence against media practitioners that has touched every region over the last decade, journalists, international organisations and national media support groups have explored and established ways to bolster safety and counter impunity following attacks. Among the freedom of expression community, there is a growing interest in the development and implementation of nationally–driven protection mechanisms, coalitions, and other collaborative safety responses, approaches promoted through the UN Plan of Action for the Safety of Journalists and the Issue of Impunity. A review of the programmes analysed in the seven country chapters of this report and other select examples show that there are a wide range of tactics for protecting journalists, from 24–hour bodyguards to WhatsApp groups.

State Mechanisms

Much of the dialogue in recent years around establishing mechanisms tends to refer to government programmes. These initiatives offer protection to journalists, activists and other segments of society identified as being vulnerable, or facilitate investigation and prosecutions into attacks and killings. They might be programmes administered by a state agency, or take the form of a committee or other stand–alone body. Despite the current international attention on state mechanisms within the freedom of expression community, there are, as Toby Mendel of the Centre for Law and Democracy pointed out in a 2016 discussion paper on developing specialised safety mechanisms, relatively few established.[1]

    The first country this report examines in depth is Colombia, home to the most established programme to provide systematic physical protection to journalists. Colombia's programme was launched amidst the country's civil war, when journalist killings reached untenable heights. In the late 1990s, press freedom watchdog the Foundation for Freedom of the Press (FLIP) appealed to the government to add journalists to its ex-

[1]
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Mendel, Toby, April 2016. Supporting Freedom of Expression: A Practical Guide to Developing Specialised Safety Mechanisms, discussion paper, Centre for Law and Democracy. UNESCO was a partner in the initiative.

isting programme of protection for trade unionists and human rights defenders. In 2000 the government formed a programme to protect journalists and social communicators.

The programme evolved over the next decade to refine criteria and was placed under a new entity, the National Unit for Protection (UNP). The programme takes up roughly 100 journalists annually. Depending on the needs determined during the thorough assessment process, it provides armed escorts, armoured cars, relocation support, mobile phones and other material needs.[2]

In many respects the programme appears to have worked. The number of killings has dropped significantly over the last decade. But there are other factors that have facilitated this improvement as well. Overall, violence dropped in Colombia as the peace process got under way. Years of intimidation has also discouraged journalists from covering sensitive topics that might put them at risk.

Relying on state authorities, the very people who are often the subject of critical and investigative reporting, is not a comfortable position for journalists in any country. And while the Colombia experience shows that it is possible to provide effective protection despite the often contentious relationship between the media and government, it also brings some warnings. One of the most difficult periods for the programme was the year 2010, when it it was revealed that security services were spying on journalists, including some under protection. One journalist brought a case against the government. The resulting court judgment lays out that, in complying with the obligation of protection, the state cannot execute actions against the journalist at risk that limits his or her freedom of expression and right to information,[3] an important precedent for other countries to follow when seeking to establish mechanisms.

The scope of Colombia's programme is impressive, but it is also proving problematic. The sizeable bureaucracy behind allocation and implementation of protection measures has become dangerously slow, as Jonathan Bock, the author of the Colombian chapter and FLIP's research director, points out. Its cost, some seven million dollars, is prohibitive for many countries and proving difficult to sustain in Colombia. The greatest criticism of the programme, however, says Bock, is its failure to investigate and prosecute those behind the threats and past killings, which

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https://
knightcenter.utexas.
edu/blog/00-16272-
colombian-program-
protect-journalists-
celebrates-15-years-
amid-many-worries

3
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http://
corteconstitucional.
gov.co/

creates dependency on protective measures rather than preventative ones.

Despite these challenges, Colombia has developed many good practices and tools. Its allocation process has been well developed over many years and utilises a risk assessment matrix. It is placed under a formally-structured entity tasked with protection and which has a dedicated budget and resources. Credible civil society groups were involved in the inception of the programme and have also been active participants. They make recommendations and vet cases.

What has been achieved in Colombia has paved the way for other countries to step up efforts to protect journalists. In 2015, Honduras enacted a law to protect human rights defenders, journalists, and legal practitioners. The law creates a National Council for the Protection of Human Rights Defenders, with representatives from human rights organisations, press associations, and associations of lawyers, judges, and prosecutors, as well as a protection system headed by the Secretariat of Justice, Human Rights, Governance, and Decentralization.[4] A programme for the protection of journalists in Guatemala was supposed to have been launched in 2016 but the project has been postponed. Last year, Paraguay signed a letter of intent with UNESCO to establish a permanent safety mechanism for journalists in the country.[5]

States' interest in adapting Colombia's protection programme is encouraging, but it does not always improve the climate for journalists. Mexico's government has taken steps to institutionalise protection of journalists and tackle impunity, setting up the Federal Protection Mechanism of Human Rights Defenders and Journalists and creating a Special Prosecutor for Crimes against Freedom of Expression (FEADLE). Despite these measures, the death toll for journalists in Mexico, today one of the most dangerous countries in the world for journalists, has been rising and impunity rates remain high. The protection programme provides journalists and activists deemed to be at risk with safe houses, police protection, or a panic button to call for help, but it lacks the funding and personnel to respond in a timely and effective manner to the urgent requests it receives.[6] For both programmes, implementation depends on the cooperation of state and local governments, which is not always offered.[7]

The FEADLE, which was set up to allow federal prosecutors to investigate attacks, has only convicted perpetrators in

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https://www.hrw.org/
world-report/2016/
country-chapters/
honduras

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http://en.unesco.
org/news/para-
guay-signs-pioneer-
ing-commitment-jour-
nalists-safety

6
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Committee to Protect
Journalists (CPJ),
2017. "No excuse:
Mexico must break
cycle of impunity in
journalist murders,"
https://cpj.org/
reports/2017/05/
no-excuse-mexico-
impunity-journalist-
murder.php

7
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https://cpj.org/
reports/2014/10/
the-road-to-
justice-steps-that-
work-and-dont.php

three murders of journalists. Among the complaints journalists and freedom of expression groups have voiced is that the office is slow to exercise its authority, in part because too much onus is given to first ascertaining whether the crime is connected to the victim's work as a journalist, rather than proceeding with an investigation and then determining whether this is the case.

This need to establish a link between an attack against a journalist and the victim's work in order to activate an investigative mechanism is also problematic in the Philippines. Despite the government instituting multiple entities to enhance investigations into the murders of journalists and to help prosecute those responsible, the country still has some of the highest impunity rates in the world when it comes to murdered journalists. National and international groups urged[8] and called for the establishment of Task Force USIG, one of the programmes set up under the Philippine National Police (PNP), to prove the connection between the journalist's job and his or her murder at a later stage of the investigation to ensure the mobilisation of special investigative teams is swift and unimpeded.

Since 2006, successive presidential administrations set up a combined total of four bodies — three task forces and an inter agency committee — designed to focus resources or improve coordination between the investigative and prosecutorial arms of the government. The task forces have been criticised for not incorporating or consulting civil society, an important feature of mechanisms in Latin America. National media support groups have been calling for a joint body that includes journalists and media support groups.[9]

A joint structure of this kind is showing some success in Serbia. The Commission for Investigating the Killings of Journalists in Serbia was founded in 2013 to reopen unsolved cases of journalists killed and raise awareness of threats and safety issues. Serbian police and security agents, as well as journalists and media association representatives, were appointed to the commission. Its work has led to criminal charges being brought against four suspects in the 1999 murder of Zladko Curuvija, founder and editor of Serbia's first private daily newspaper. Three of the suspects are in custody; the fourth is believed to be out of the country. The Commission's results have encouraged neighbouring countries Kosovo and Montenegro to establish similar commissions.[10]

A new mechanism, still under development in Nepal, may become one of the first to address both the need for safety and the need to combat impunity. Nepal's National Human Rights Commission (NHRC), an independent and autonomous constitutional body with a mandate to investigate human rights abuses, will administer the mechanism. It is intended to implement both proactive and reactive measures to prevent attacks and violence against those exercising their right to free expression and follow up to ensure the prosecution of suspects and justice for the victims. In crafting the mechanism, the NHRC has consulted with international experts and travelled to Colombia to observe its protection programme in action.

Per regulations drafted by the NHRC, it would dispatch teams of individuals trained and accredited by the NHRC. Representatives from three other key stakeholder organisations —the Federation of Nepalese Journalists, the Nepal Bar Association and the NGO Federation — would be part of the system, including participating in its oversight committee and the response teams. The NHRC included the mechanism as a priority commitment in its 2015 to 2020 Strategic Plan. A commissioner has been assigned to follow up on tasks related to setting it up.

Two mechanisms, one in Iraq and another in Afghanistan, have taken a different approach that emphasises communication between media and the government to improve the overall security climate. In Iraq, Burj Babel Foundation for Media Development initiated a multi–year dialogue between government agencies and media actors in 2013. At the time, press freedom watchdog groups documented repeated violations against journalists by security forces, including mass arrests of journalists covering protests in 2011. The dialogue was aimed at promoting understanding between the two groups and educating security forces about the rights of journalists. Early stage meetings between representatives of the media sector and the Ministry of the Interior led to a Memorandum of Understanding between the two groups. The dialogue then expanded to include members of parliament.

The dialogue does not directly allay many of the dangers that overshadow the work of journalists in Iraq, such as attacks from ISIS or armed groups backed by political parties. But it appears to have reduced the level of threat journalists perceive from security forces, according to a 2016 survey of journalists

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This point was raised by the participants of a joint mission led by the International Federation of Journalists in 2014 that marked the fifth anniversary of the Ampatuan Massacre; https://issuu.com/ifjasiapacific/docs/ampatuan_massacre_five_years_on

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This point was raised by the participants of a joint mission led by the International Federation of Journalists in 2014 that marked the fifth anniversary of the Ampatuan Massacre; https://issuu.com/ifjasiapacific/docs/ampatuan_massacre_five_years_on

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International Press Institute, 2016. "IPI Interview with Serbia's Veran Matic"

conducted by Burj Babel. Several other positive outcomes for freedom of expression also emerged out of the process. Engagement with parliament opened avenues for civil society organisations to monitor legislation and successfully campaign against a proposed law that would have restricted freedom of expression and assembly by requiring pre–approval for demonstrations. The dialogue has also created a channel through which urgent situations can be raised at high levels, such as the 2016 abduction of journalist Afrah Shawqi.

In 2016, responding to calls by local groups to address growing threats from the Taliban, Afghanistan's government established the Joint Committee for the Safety and Security of Journalists (JCSSJ). The JCSSJ is made up of senior government officials, including from the Office of the President and representatives from all security institutions. Members of the judiciary and representatives from support organisations make up the Committee. The JCSSJ has also established provincial centres. It is too early to judge whether the JCSSJ will fulfil its potential but, in an encouraging early step, the Committee assigned law enforcement and the judiciary with the task of re–examining all cases of violence against journalists since 2002 and instructed security forces to include best practices for treatment of journalists into training curriculums.

In many countries the needs of the journalism community extend beyond what a mechanism can address, or the political opportunity to productively engage government institutions is non–existent.

Coalitions, Partnerships and Networks

Initiatives that bring together NGOs, media and other national stakeholders into formal and informal coalitions, partnership-based projects and networks to improve coordination and pool expertise and resources around safety objectives are an alternative to a state mechanism.

Coalitions are primarily advantageous as an advocacy tool. They amplify the impact of members and tap a much larger constituency than a single group. The Afghan Federation of Journalists (AFJ) is one example. The federation was formed in 2013, and includes over a dozen groups working on media–related issues. Its secretariat, the Afghan Journalist Safety Committee, has

an established track record of responding to journalist emergencies. AJF mobilised the expansive reach of its joint member groups to bring together some 500 journalists from 34 provinces into a consultation for a Code of Ethics and successfully advocated for access to information legislation. It also pressed the government to establish the JCSSJ.

The Pakistani Coalition for Media Safety (PCOMS), also created in 2013, brought together NGOs, media associations and prominent journalists to promote a unified agenda for the safety of journalists. The Federal Minister for Information and Broadcasting is a member of the steering committee. Some early achievements of the coalition, which was formed as an early step toward implementing the UN Plan of Action for the Safety of Journalists and the Issue of Impunity in Pakistan, include gaining commitments from the government to appoint special prosecutors to investigate cases of attacks against journalists. Members of the coalition were consulted in the drafting of a bill about the safety of journalists, which is still under review by parliament. Some of the PCOMS' initial momentum, however, has worn off since its inception. Though it struggles to sustain engagement and focus among a diverse group of stakeholders, its activities laid the groundwork for other collaborative initiatives to take hold in Pakistan.

One example is Editors for Safety (EFS). Traditionally, fierce competition between news outlets meant attacks against journalists were scarcely covered by media other than the victims' own outlet. Following the premise that if Pakistan's media is united, it can do more to protect itself, a group of editors created a forum to communicate in real time via WhatsApp, sharing information about when journalists are attacked, and developing strategies for publicising those attacks. The structure is simple but effective. The group's coordinated publicity about the abduction of a journalist in Quetta in 2015 prompted authorities to secure his release within hours.

Another project in Pakistan highlights how partnerships can expand the reach and impact of existing resources available to support journalists. The Pakistan Press Clubs Safety Hubs initiative, implemented by IMS partner group Freedom Network, a press freedom watchdog, established safety resource centres in six of Pakistan's largest press clubs, whose combined memberships make up over half of Pakistan's journalists. Managers of these clubs have received training in documenting and verifying threats and attacks against journalists. They refer and recom-

mend high risk cases in need of support for temporary relocation to the Pakistan Journalist Safety Fund (PJSF) or help connect the journalist to relevant government authorities.

The project inter connects three valuable organs – emergency response funding, expertise and oversight by a credible press freedom monitor and the presence and local knowledge of member–based press clubs. Information flows two ways. Journalists working in dangerous areas receive safety guidance, and data on threats to journalists in hard to reach communities is shared on a national level.

Most of the safety approaches noted above address the problem of targeted violence and impunity, but fines and imprisonment are also potent weapons used against the press. In Iraq, lawyers have come together to form the Network for Volunteer Lawyers for Freedom of Expression (FLEO). Through the network, journalists can receive advice via a hotline or pro bono legal representation. The network's participants include many prominent members of civil society, who also advocate for individual cases and for legislation that supports free expression. The NFLEO has handled over 400 calls since 2015 and won more than 40 cases for journalists.

Though not mechanisms on the scale of state protection programmes, all these safety responses utilise strategic partnerships, joint platforms and country–specific resources to target aspects of safety that are highly relevant to their environments.

Rapid Response Programmes and Monitoring

Some nationally–based organisations offer comprehensive safety programmes that are tantamount to a mechanism. The Afghan Journalist Safety Committee, an independent organisation supported by IMS, implements a country–wide safety programme covering all 34 Afghan provinces. It maintains a 24-hour hotline and evacuates journalists at high risk, relocating them to safe zones. It also offers other forms of assistance such as trauma support and legal counsel, conducts research, and advocates for safer conditions. In the last eight years, AJSC has assisted in more than 400 cases of violence and intimidation targeting journalists.

In Indonesia, three entities, the Press Council, the Alliance of Independent Journalists (AJI) and Pers LBH, have long implemented complementary activities and had notable successes in promoting

safety and combatting impunity through multi-stakeholder dialogues, training, investigations and legal support.

Local groups have played instrumental roles in the mechanism development process in their countries. AJSC spearheaded efforts to form the AFJ and the JCSSJ and serves as the secretariat of both. In Colombia, FLIP campaigned for the protection mechanism and remains closely involved. The Federation of Nepali journalists maintains a support fund and has responded to journalists in crisis since well before plans to develop a freedom of expression mechanism at the NHRC got underway. Using its national membership reach, it will play a substantial role in the mechanism as it is currently envisioned.

Many of these and other groups play a critical function that underpins national mechanisms and other broad multi–stakeholder structures. They monitor, document and verify attacks against journalists and media workers. Credible data and information make up an essential layer to any safety structure, as well as providing the basis to advocate for one. In the case of Iraq, research by media watchdogs showed a pattern of violations by security forces that the government was compelled to respond to and acknowledge.

It is the role of a safety mechanism, coalition, or other initiatives to augment and strengthen these existing efforts, not replace them.

The programmes analysed in this report emerged from years of work, research, and consensus, building by media, national civil society organisations and international support groups. The chapters that follow explore their structures in more detail, as well as the national context behind them, what changes are needed to bring greater security to the media in these counties and the lessons they offer other countries.

GOVERNMENT	MEDIA
PROTECTION	COVERAGE (OF ATTACKS)
INVESTIGATION	FOLLOW UP (ON PROSECUTIONS)
PROSECUTION	IN–HOUSE
POLICY	SAFETY MEASURES
	(TRAINING, EQUIPMENT,INSURANCE)
NATIONAL NGOs AND PROFESSIONAL ASSOCIATIONS	INTERNATIONAL ORGANISATIONS (NGOs, IGOs FOUNDATIONS AND AID PROGRAMMES)
MONITORING	
INFORMATION DISSEMINATION	FUNDING
ADVOCACY	EXPERTISE
EMERGENCY RESPONSE	INTERNATIONAL
(FUNDS, RELOCATION, ETC)	PRESSURE
LEGAL ASSISTANCE	SHARING BEST PRACTICE
TRAINING	
(SAFETY. SKILLS. ETHICS)	

KEY ROLES FOR STAKEHOLDERS' IN PROMOTING SAFETY AND COMBATTING IMPUNITY

Conclusion

Conclusion:
Good practices and principles
for forging a national
journalist safety plan

The analysis of mechanisms and initiatives featured in this report shows how different approaches to journalist safety have played out in Afghanistan, Colombia, Indonesia, Iraq, Nepal, Pakistan and the Philippines. Combined, the safety efforts in these countries have directly rescued more than 1,000 journalists menaced by terrorists, other armed groups, criminal networks and powerful individuals, many in positions of authority in their countries. They saved hundreds of others from prison or crippling fines, pushed for prosecutions in cases where journalists have been killed or attacked and in other ways improved security for journalists.

These countries still remain immensely dangerous for media practitioners. Many of the initiatives featured in the report have flaws. They struggle with a lack of capacity and political will to address impunity, volatile political and security environments, weak or corrupt law and order institutions and divisions within media communities, among other hurdles. But their accomplishments make the case that concerted efforts through national coalitions and partnerships or under state-led mechanisms can build a safer climate can build a safer climate in which the media can work. They exhibit a variety of good practices to inform comprehensive, action-oriented strategies for stakeholders to adapt.

Good Practices

As outlined in this report, safety responses in these countries have been implemented through national state-led mechanisms, coalitions and other multi-stakeholder structures, partnerships between organisations with complementary resources and expertise and stand-alone programmes administered by local NGOs and professional associations. Many of these have developed out of conditions and circumstances unique to those countries, but there are elements in their makeup and approach that can be broadly applied.

Active Multi-Stakeholder Participation

There are several advantages to state-led mechanisms. They provide a conduit for journalists and freedom of expression groups to raise security concerns at high levels of government. Moreover, the state has the authority to prosecute or marshall the country's security and police forces to offer protection to journalists and conduct special investigations. State mechanisms function best, however, when media and civil society are active participants, providing expertise and oversight. In Colombia, for example, freedom of expression groups have played a central role in the protection programme since its establishment. They refer cases and are closely involved in the risk assessment process.

State-led mechanisms should also be built to be independent and robust enough to endure changes in political climates. Colombia's mechanism operates under a formally-structured entity tasked with protection and which has a dedicated budget.

A state mechanism does not have to be centred on physical protection. Establishing formal channels of communication and dialogues between government institutions and media and their support groups through mechanisms or other collaborative structures can also lead to improvements in security for journalists. A multi-year project to promote dialogue between journalists and security forces in Iraq and discussions among participants under the Joint Committee of Journalists Safety and Security (JCSSJ) in Afghanistan have precipitated responses from authorities to cases of journalists at risk and attacks carried out with impunity.

Joint Objectives and Leadership

When multiple actors participate in other initiatives outside of state-led mechanisms, it lends a more prominent voice to journalist safety issues and facilitates coordination of national objectives. Finding common ground and identifying joint priorities are essential to making an impact.

One example is the Afghan Journalists Federation (AJF), a joint platform to coordinate advocacy among 13 organisations working with journalists and mass media in Afghanistan. Since its founding four years ago, AJF has successfully advocated for access to information legislation. It also collectively raised its concerns about attacks against journalists with officials at high levels of government. Subsequently, President Asraf Ghani issued two presidential decrees to tackle impunity, violence and threats against journalists, as well as launching the JCSSJ.

Another collaborative initiative helped raise journalist safety on the government agenda in Pakistan. In 2012, prominent journalists, civil society organisations, media associations and UNESCO came together to form the Pakistan Coalition for Media Safety (PCOMS). The coalition secured commitments from Pakistan's Minister of Information to take steps against impunity and from parliament to consider journalist safety legislation.

Having a lead group or individual on the ground to coordinate stakeholders is essential. This has been the case in nearly all multi-stakeholder mechanisms and other coordinated measures introduced in the countries this report examines.

National Reach

Another asset of a safety response system is national reach. Often journalists and media professionals working outside the main urban areas are the most vulnerable. Mechanisms that have a presence in many areas of a country can better respond to the communities that need help most, as well as disseminate safety information. Different initiatives have achieved this by establishing offices, chapters or representatives in regions throughout the country, mobilising large memberships to unions and associations and cultivating volunteer networks. The JCSSJ, a government mechanism, has set up provincial substructures. The Afghan Journalist Safety Committee (AJSC), which provides aid to journalists at risk as well as tracking data on threats against journalists, has developed a network to give it representation in every province.

Organisations that don't have the capacity to build a national presence have partnered with others that do. The Pakistani Journalist Safety Fund, which provides emergency grants for journalists at risk, works with press clubs in six parts of the country to connect to journalists at risk. In a mechanism under development in Nepal, the Federation of Nepali Journalists (FNJ), which has over 70 branches throughout Nepal, is expected to take

an active role in rapid response teams outlined in the guidelines for the mechanism.

National reach is also important for monitoring violations against journalists and media workers. Documentation and verification of threats and accurate data collection underpins nearly every safety approach. Individual case-based protection measures, such as physical protection or safety funds, require a means of confirming attacks and assessing risk levels, while effective advocacy relies heavily on credible research and data. This work typically falls to national monitoring groups. The work of these groups also informs campaigns and helps tailor assistance from international freedom of expression groups, international governmental bodies and the diplomatic community. Consistent documentation of violations against journalists in Iraq, for example, helped push the government into entering into dialogue.

Several tools are used for documenting and assessing threats in the seven countries featured in the report. Colombia's protection mechanism uses a score-based risk analysis matrix. In Pakistan, the Press Clubs Journalist Safety Hubs Network and the FNJ have developed templates for documenting violations against journalists. The AJSC maintains profiles of individuals who repeatedly threaten journalists.

Country–specific Approach

Several groups have made innovative use of opportunities, policies and resources specific to their national environments. Working with sectors of civil society that are not traditionally associated with media safety is one approach to consider. In the Philippines, press freedom advocates have worked with Catholic Church networks to shelter journalists and important witnesses under threat. In Indonesia, the Alliance of Independent Journalists engaged not just the media community but local religious leaders in its successful campaign for justice in the 2009 murder of reporter Anak Agung Prabangsaell. AJI also set up multi-stakeholder forums that included religious leadership to discuss attacks against journalists.

Identifying existing structures or programmes within government institutions that protect other at-risk sectors of society is an important early step in developing mechanisms, a

point the Centre for Law and Democracy explored in depth in its 2016 discussion paper on developing specialised safety mechanisms, a joint project with UNESCO[1]. In Colombia, a protection programme for trade unionists and human rights defenders was in place in the late 1990s, providing a basis for the NGO La Fundación para la Libertad de Prensa (FLIP) to appeal to the government to expand its protections to journalists. More recently, the FNJ and other stakeholders in Nepal found a willing partner in the National Human Rights Commission, which agreed to establish a mechanism that would protect and promote the safety of journalists and free expression advocates.

Balance Between Single Actions and Holistic Approach

Focused objectives are needed to ensure mechanisms don't falter through too broad an agenda. At the same time, there is a need to take a comprehensive approach that looks at how to improve conditions as well as respond to emergencies.

Several safety projects making a concrete impact in their countries were crafted with specific focuses that tap the strengths of the participants. A recent initiative in Pakistan, Editors for Safety, in which editors for leading print and television outlets communicate via a WhatsApp forum to jointly publicise threats and attacks on journalists, has increased public pressure in cases where journalists have been abducted, threatened and assaulted. The Network of Lawyers for Freedom of Expression (NLFEO) in Iraq provides pro bono legal counsel for journalists. In a short time, it has advised or defended hundreds of journalists. Groups in nearly every country effectively implement emergency response programmes that relocate journalists under threat or meet other urgent needs. The National Union of Journalists in the Philippines has built solidarity through its fund for the children of fallen journalists.

But many journalists and representatives from media support groups in these countries also warned that these programmes are largely reactive and identified a need to establish preventative measures and work to address conditions for journalists, including introducing safety training, improving newsroom culture, promoting independent professional journalism, working toward better legislation and addressing cultures

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Mendel, Toby, April 2016. Supporting Freedom of Expression: A Practical Guide to Developing Specialised Safety Mechanisms, discussion paper, Centre for Law and Democracy. UNESCO was a partner in the initiative.

of impunity. Not all these elements can be addressed through a single mechanism, but they should be considered within a national strategy.

Several safety training programmes have been implemented in the seven countries. Journalism schools are also increasingly integrating safety into curriculums in some countries. Some mechanisms have promoted training security forces and people working in other sectors about the rights of journalists.

Too Few Mechanisms Effectively Address Impunity

Without prosecutions for those who threaten, assault and murder journalists, however, intimidation of the media will continue. Few mechanisms in these seven countries concentrate on impunity. The Philippines' government has instituted several task forces to improve investigations into journalist and activist killings and coordination between police and prosecutors, but it has been criticised for a lack of transparency and for excluding non-government stakeholders.

Some initiatives structured around dialogue and joint advocacy have made some important steps in gaining commitments from their governments, but it will take sustained pressure to see these promises fulfilled.

Among the countries surveyed in this report, the most success in combatting impunity can be found in the work organisations are doing on individual cases. Several organisations have successfully pushed for convictions in journalist murders in their countries through sustained public pressure, legal assistance, waging independent investigations, by advocating for the relocation of trials and other measures. Some countries outside the seven studied here have established special prosecutor offices, passed legislation to allow for national authorities to investigate alongside local ones, or established independent multi-stakeholder bodies to review cases where journalists have been killed.

Specialised Programmes for Women

Only two initiatives featured in the report offer safety responses specifically geared to women journalists. Reforms introduced in 2011 to Colombia's protection programme incorporated a gender perspective requiring that authorities take into account the specific needs of women. It rolled out specialised assessments for women seeking protection that gave women the option to be assessed by an all-female committee.

In Afghanistan, the AJSC established comprehensive resources for female journalists, including training sessions conducted by and for female journalists and research and advocacy addressing gender-specific challenges. It maintains a dedicated protection programme for women journalists staffed with female safety coordinators. AJSC also worked with 200 female journalists to help them gain access to social media services across the country.

There are several professional associations for women journalists. Sancharika Samuha (SAS) in Nepal supports capacity building for women journalists, and produces news content on women and gender issues. SAS also uses its network to respond to the safety needs of women such as harassment and sexual violence. The Afghan Women Journalist Union and the South Asia Women's Association of Media are members of the Afghan Journalist Federation.

Five Principles for Developing and Implementing a National Safety Response

From these country experiences, it is possible to extrapolate five main principles to guide stakeholders in developing and implementing collaborative measures for improving the safety of journalists and combatting impunity.

—Strategy
—Presence
—Collaboration
—Influence
—Sustainability

Strategy

An informed strategic approach is needed behind the development of a mechanism, coalition, or more diverse set of safety responses. This should be based on:

—Risk analysis: identifying not only the threats journalists face, but who or what the causes are, and what factors can mitigate those threats, what activities can be carried out safely and which threats can realistically be addressed.
— Country-specific considerations: existing bodies that can be considered for partnership or can administer a journalist safety mechanism (e.g. protection mechanisms for other vulnerable groups or bodies); opportunities or limitations posed by the current political climate; needs stakeholders have identified and to what degree they are or are not being met by existing programmes.
—Prioritisation: choosing initiatives that are feasible, with potential for impact.
— Balance between focused action and comprehensive approach.

Presence

Effective implementation of a mechanism or other safety response requires the presence of implementers and other committed stakeholders on many levels:
—On-the-ground driver or coordinator: nationally-based, well-regarded organisation or individual committed to coordinating stakeholders is needed to drive the development and implementation of mechanisms or coalitions.
—National reach: safety responses and mechanisms need a nationwide presence to reach journalists operating in high-risk areas outside capitals; this can be achieved through establishing offices or regional substructures, working with members of membership-based groups, or through developing networks.
—Information flow: safety responses rely on monitoring systems that document, verify and prioritise threats to journalists.

Collaboration

National-level joint platforms, coalitions and other coordinating structures strengthen the work of stakeholders by:
—Raising the profile of the safety of journalists and impunity, and providing information.

—Coordinating the efforts of multiple actors, both national and international, and encouraging partnerships both within the freedom of expression community and within other sectors.
—Resource and information–sharing.

Influence

Mechanisms should engage stakeholders who have influence on policy or can take direct action to protect journalists and combat impunity. Key groups include:
—Key government agencies, lawmakers, judiciary, state and other state or state-backed institutions
—Journalists, as social influencers, as well as media managers, who can enact safety measures in the workplace
—Inter-governmental bodies, international institutions non-governmental organisations and states can raise the international profile of safety and impunity issues, exert diplomatic pressure and provide financial and technical support on the ground

Sustainability

Creating an enduring mechanism relies on several factors, including:
—Committed participants with clear points of contact and a lead group, agency or individual
—Structure with accountability, independence and budget
—Sources of support

The urgency of countering violence and intimidation against the media is now recognised at a global level. In addition to the UN Plan of Action for the Safety of Journalists, five resolutions have been adopted across the UN system since 2012, including by the UN General Assembly, the UN Security Council, and the UN Human Rights Council. These resolutions, and other documents including the Human Rights Committee's 2012 commentary on Article 19 of the International Covenant on Civil and Political Rights, make a case that the work of journalists is not only protected under international law but essential to upholding other human rights. Attacks against the media and impunity in those attacks threaten those rights on a daily basis.

As the UN Plan of Action for the Safety of Journalists and the Issue of Impunity enters its next phase, we now have a considerable range of national experiences to from in order to work together and build up nationally-driven collaborative safety responses. In some countries, state mechanisms are the best solutions. In others, non-governmental stakeholder structures are more viable. In either case, the aim isn't to replace the work organisations on the ground have been doing to support freedom of expression, seek justice when journalists are attacked and protect journalists, but to strengthen it through coordination and international support. By the same token, a mechanism cannot stand in the place of a state's obligations to safeguard its citizens' lives and their right to exercise freedom of opinion and expression.

The examples, lessons and principles drawn from this report, combined with good practices shared through other forums, gives us a clear way forward.

Afghanistan

Journalists covering protest in Herat, Afghanistan in 2006.

Photo: Ramin Afshar

#1
Overview

RAPID RISE IN MEDIA SECTOR ACCOMPANIED
BY NEW DANGERS AND NEW APPROACHES TO
PROTECTING JOURNALISTS

Media has flourished in Afghanistan since the collapse of the Taliban regime 15 years ago, buoyed by an influx of international support for reconstruction, local entrepreneurship and the enthusiasm of many in the country to exercise their new-found right to freedom of expression.

Today, some 90 public and private TV stations and nearly 200 radio stations are operational, along with roughly 500 print publications. Most outlets also have an online presence. About 2.5 million people have access to social media networks, which are regularly utilised by the media as well.[1] In comparison, under the Taliban, there was one radio station, the state-owned and operated Radio Sharia.

Such rapid and unprecedented growth in the media sector also exposed Afghan journalists to great risks. The media's prominence has made it a target of the Taliban and other terrorist groups seeking to manipulate coverage. At the same time, government officials, powerful individuals, warlords, security forces and other armed groups, unaccustomed to the degree of freedom granted to media outlets, frequently respond to open criticism with hostility. These two factors loom large behind the high rate of violence, threats, murder, detention and other acts of intimidation against journalists in recent years. Over 350 journalists have been attacked and threatened in the last three years, according to the Afghan Journalist Safety Committee (AJSC), an organisation working to promote the safety of journalists.

Lack of impartiality and political affiliations among some corners of the media increase the risks to journalists. While private media outlets are largely independent, many have links to individuals representing specific political or ethnic agendas.

Afghanistan's ruling National Unity Government's (NUG) ability and willingness to prioritise journalist safety is low as it grapples with many internal political and security matters. Most attacks against journalists happen without consequences for the perpetrators. This impunity is due in part to the country's

1
http://thekabultimes.
gov.af/index.
php/opinions/
social/11844-growth-
of-new-media-in-
afghanistan.html

deteriorating security situation, but also to the fact that government officials themselves have been accused of many of these violations.

Dozens of NGOs with a focus on media matters have also formed over the last 15 years. Among the more active are the AJSC, Nai,[2] a training advocacy and media development organisation, the Afghan International Journalists Alliance (AIJA)[3] and the Afghan National Journalists Union (ANJU). This chapter examines three initiatives: the Afghan Federation of Journalists, the Joint Committee for the Safety and Security of Journalists (JCSSJ) and the AJSC. Some have demonstrated progress developing protective mechanisms, while others have yet to fulfil their potential. Political insecurity and hostility from the Taliban are likely to remain a major obstacle for journalists' safety in the forthcoming years. Strengthening protective mechanisms must be a priority for all stakeholders.

#2
Threats and Challenges
Facing the Media
TALIBAN THREAT RISING WHILE POWERFUL INDIVIDUALS,
GOVERNMENT OFFICIALS FREQUENTLY ATTACK
AND THREATEN JOURNALISTS WITH IMPUNITY

Though freedom of expression and speech is protected in the country's constitution and other legal documents enacted, journalists and media workers are treated with hostility from a range of other actors. Government officials, armed groups (the Taliban and similar terrorist groups such as Islamic State of Iraq and Syria, or ISIS), warlords, criminal networks and powerful individuals have been accused of attacking journalists.

At least 379 journalists were attacked between 2013 and 2016 according to the AJSC. Physical assaults and threats are the most common incidents recorded by local media NGOs such as the AJSC and Nai.

The fall of Kunduz to the Taliban in 2015 marked a turning point for journalist safety. The Taliban, unhappy with the media coverage, some of which was perceived even by the media community as inaccurate, began to openly threaten and target journalists across the country working for two major media outlets (Tolo TV and TV1). The Taliban Military Council issued a statement openly

threatening the stations. Unfortunately, they were not empty words. In a suicide attack on January 20, 2016, seven personnel from Tolo TV were killed. The attack was seen as a retaliation as well as an attempt to influence news coverage in the Taliban's favour. Taliban threats had a severe impact on the quality of media coverage, AJSC director Najb Sharifi said. Self censorship began among some of the most reliable media outlets, causing imbalance in reporting and covering stories.

Following the Taliban's escalation of hostility toward journalists, the number of attacks leading to fatalities increased sharply. In 2016, Afghanistan witnessed the highest number of killings of journalists ever recorded in the country. While attacks claimed by the Taliban are more severe in nature and cause more fatalities than those by other perpetrators, it is government officials that are allegedly responsible for the majority of abuse against journalists.

**Attacks against Journalists
by Category 2013–2016**

MURDER
ASSAULT
THREAT
ABUSE
INJURY
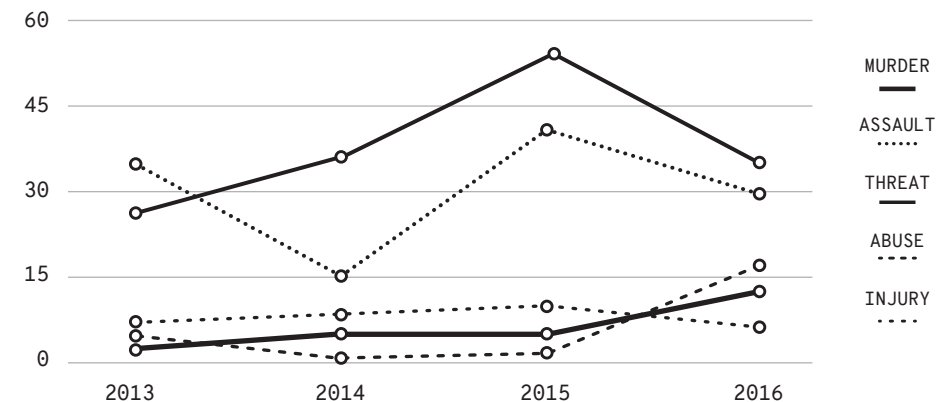
In 2016, 51 cases, nearly 50 percent of the total cases of violence against journalists recorded by the AJSC, were attributed to government officials. In total, the AJSC recorded 400 cases since 2013 where government officials, parliamentarians, extremist organisations such as the Taliban or ISIS, criminal gangs and other powerful operatives were responsible for violence against journalists.

Afghanistan maintains one of the highest rates of impunity for attacks against journalists in the world, ranking seventh on the Committee to Protect Journalists' 2016 global impunity index.[4] Despite recent prosecutions in a few cases of

violence against journalists, the majority of cases are yet to be processed, investigated, or tried in court.

Female journalists are also subject to similar cases of abuse and violence. Although they are less frequently physically attacked than their male counterparts, they experience sexual harassment and other discriminatory treatment such as lower wages and less access to information and equal opportunities. Around 70 percent of female journalists were threatened for their reporting on politics and other sensitive topics.

The majority of female journalists, 69 percent according to a 2016 study by the AJSC, have experienced sexual harassment, 59 percent from their colleagues and co-workers while working.[5] Employment rates for female journalists are lower compared to male journalists. Social restrictions, security concerns, travel difficulties and family restrictions, particularly for journalists outside Kabul, are some of the impediments preventing women from getting jobs at media outlets.[6]

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AJSC Six Months
Report, Exclusive –
15 years of Reporting
in Afghanistan, AJSC
Six Months' Report,
July 1, 2016

6
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The Reporting Heroes:
A Study on the Condi-
tion of Afghan Female
Journalists, March
2016. The study found
in Kabul only 25
percent of the par-
ticipants said that
either some or all
of their family mem-
bers were opposed to
their work from the
beginning, whereas
this figure stood at
50 percent in Balkh
province and 80 per-
cent in Kandahar and
Nangarhar provinces.

#3
State Responses and Legislation Impacting Safety of Journalists
STRONG LEGAL PROTECTIONS DILUTED BY LACK OF ACCOUNTABILITY AND IMPLEMENTATION

Existing legal statutes, bolstered by a recent series of presidential decrees, offers a strong framework for the protection of journalists, freedom of expression and access to information in Afghanistan. In addition, the government recently formed a multistakeholder committee to improve security for journalists. Poor implementation and lack of accountability among officials, however, consistently undercut these protections.

Known as the most progressive in the region, the Afghan Constitution ratified in 2004 strongly enshrines freedom of expression, giving Afghan citizens the right to express ideas through speech, writing and illustrations as well as other means.[7]

The Mass Media Law, enacted in 2009, also contains provisions that protect journalists in line with Article 19 of the International Covenant of Human Rights. It endows every person with the right to freedom of thought and speech that encompasses seeking, obtaining and disseminating information and

7
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Article 34,
The Constitution
of Afghanistan
2004

views without interference or restraints by officials.[8]

In 2013, the Code of Ethics, a legal document developed in consultation with journalists and media safety groups, contained provisions and guidelines aimed at protecting journalists. The Code details the circumstances under which journalists can operate freely and with impartiality, maintain their integrity, uphold public interests and achieve accuracy in reporting.

To reinforce the existing legal frameworks on journalist safety and freedom of the press and expression, the government of Afghanistan has issued a number of decrees.

Presidential decree 97276, issued on World Press Freedom Day[9] 2016, appoints a senior presidential advisor as the Freedom of Expression Ambassador and names the president and the first lady as protectors of freedom of expression and the press. The current ambassador, Nader Nadery, a long-time human rights activist, serves as the bridge between government institutions and journalists' groups for better and more timely communication.[10]

Two other decrees, both issued in 2016, aimed to improve cooperation between government institutions and the media. Presidential decree 107406 urges government security institutions to work closely with journalists, respect their rights, share information and investigate cases of violence committed against journalists by security forces or other individuals.[11] Decree 188172 supports access to information, obliging government institutions to share information with journalists. Ministers and governors are expected to have monthly meetings with media, sharing the progress of their respective institutions on a transparent basis, in accordance with the decree.

In response to calls from the media and civil society, the government established the Joint Committee for the Safety and Security of Journalists (JCSSJ) in 2016. As addressed in detail later in this chapter, the committee includes senior government officials, along with representation from the media sector, and is tasked with enhancing security for media workers and media outlets in Kabul and the provinces.

This comprehensive set of legal protection and policies is undermined by weaknesses in the implementation and abuse by those in power. Journalists in Afghanistan are still unlawfully detained, beaten, questioned and sometimes summoned by judicial institutions or parliamentarians, many of whom bypass legal procedures or complaint channels. Such infractions are addressed through interventions by journalist advocacy groups

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Article 4, Section 1
and 2 of the Afghan
Mass Media Law

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May 3rd is World
Press Freedom Day

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http://
president.
gov.af/fa/
decrees/97276

11
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http://
president.
gov.af/fa/
deAucrees/107406

or senior government officials, rather than legal avenues.[12] Meanwhile, the risks for female journalists are not explicitly addressed in the Media Law, Code of Ethics or any decree issued so far.

#4
Analysis of Key Safety Mechanisms and Programmes

— Afghan Journalists Safety Committee
— Afghan Journalists Federation
— Joint Committee for the Safety and Security of Journalists

While there are numerous civil society actors that engage in media development, protection and freedom of expression work, this chapter examines three initiatives: the Afghan Journalists Federation, an umbrella group offering a united platform to coordinate advocacy among more than a dozen organisations; the recently formed Joint Committee for the Safety and Security of Journalists, a state-led structure that includes representation from government institutions and the media, and the Afghan Committee for the Safety of Journalists, which implements emergency response and other programmes that promote journalist safety.

Increased coordination and effective advocacy among groups representing journalists, improvements in the regulations between media and government agencies and far-reaching support for journalists in life-threatening situations are among the positive outcomes of these initiatives. At the same time, ensuring ongoing government engagement and implementation of its commitments, funding, and operating in a volatile security and political environment pose challenges.

Afghan Journalist
Safety Committee (AJSC)
NATIONAL REACH, RAPID RESPONSE AND RESEARCH
UNDERPIN EFFECTIVE, MULTI-FACETED APPROACH
TOWARD SAFETY

The AJSC[13] is an independent organisation dedicated to enhancing safety and protection of Afghan media workers and international

reporters working in Afghanistan. Based on the recommendation of the 2009 Kabul Conference on Freedom of Expression,[14] the AJSC[15] was set up to implement a wide range of programmes and undertake research and advocacy. It also serves as the secretariat for the Afghan Journalists Federation (AFJ) and the Joint Committee for the Safety and Security of Journalists (JCSSJ).

The AJSC has a presence throughout the country. Its programme management team has official representatives in eight regions and an unofficial focal point in the remaining 26 provinces. The organisation also manages a team of female coordinators in three provinces: Kabul, Herat and Balkh. Female coordinators are tasked to work with female journalists and assist them in their areas of need.

To handle rapid response for cases where journalists face lifethreatening risks, the AJSC maintains an emergency fund for journalists and a 24-hour hotline. The funds are used to evacuate journalists and relocate them to safe zones, where they receive financial support for basic needs as well as communication tools. In addition to financial and logistical help to journalists at risk, the group offers legal and psychological support. The AJSC recently signed a Memorandum of Understanding (MoU) with the Afghanistan Bar to provide free legal assistance to journalists in all provinces of the country.

Alongside these activities, the AJSC documents attacks on journalists, producing a report every six months on safety conditions as well as on thematic issues such as the status of female journalists and election reporting. It has developed a database of existing journalists in 34 provinces. Its advocacy work focuses on pushing for prosecution, improving laws that concern journalists and media workers and mitigating hostilities between officials and journalists.

The AJSC has arranged hostile environment and first aid training courses, as well as classes aimed at improving media quality, such as the ethics of journalism, photojournalism, and filmmaking.

Impact

Since its establishment in 2009, many journalists have benefited from AJSC services, especially the emergency fund allocated for journalists in crisis. The AJSC has also successfully imple-

AROUND 70 PERCENT OF AFGHAN FEMALE JOURNALISTS HAVE BEEN THREATENED FOR THEIR REPORTING ON POLITICS AND OTHER SENSITIVE TOPICS.

mented training programmes, advocacy campaigns and networks to document threats to journalists. In addition, the AJSC's reach among the journalism community and efforts to build government networks has enabled it to work effectively toward improving relations between journalists and security officials, advance advocacy goals and facilitate the work of international organisations. Some of its achievements are:

16
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Interview with Qadeem Wyar, AJSC, Provincial Manager, Kabul

17
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Interview with Najib Sharifi, AJSC, Director, Kabul

— Provided emergency funds to over 150 journalists in danger and evacuated them to Kabul and other provincial capitals between 2015 and 2016, including for dozens forced to flee Kunduz following its fall to the Taliban in 2015;[16] individual grants ranged from $100 to a maximum of $400 to cover accommodation, food, transportation, telephone top-up cards, and other basic needs.[17]
— Provided safety and professional training to approximately 600 journalists.
— Successfully pushed authorities to prosecute attacks or investigate its own personnel. For example, in 2015, AJSC advocacy led to the removal of the chief of police of one province after he attacked a journalist.
— Established database of journalists in 34 provinces.
— Improved conduct of authorities toward journalists and media workers through series of meetings with Afghan National Security Forces; helped draft a curriculum for training Afghan National Police, including on the role of media in conflict and how to cooperate with journalists as part of an EU project.
— Established comprehensive resources for female journalists including follow-up on cases of violence; training sessions conducted by and for female journalists; research and advocacy addressing gender-specific challenges; dedicated protection programme for women journalists staffed with female safety coordinators; helped 200 female journalists gain access to social media services across the country.

Advantages
— Established representation throughout the country enables ASJC to document and respond to media workers with the necessary help.
— Strong process in place to verify cases and confirm the level of risk a journalist faces;

networks include local government officials, journalists and community leaders, allowing the AJSC access to a variety of information sources. It also maintains profiles of those who exercise threats and violence against journalists. These tools strengthen AJSC's ability to assess cases and target its safety funds. AJSC also frequently advises on cases for Journalists in Distress (JID), a network of international organisations providing emergency support to journalists.
— Female coordinators make support accessible to female journalists.
—The AJCS has established networks among government officials to push for investigations and develop programmes to improve relations between authorities and media.

Challenges
— Developing a sustainable funding model

Escaping Kunduz - A Journalist
Flees to Kabul After Taliban Takeover

When the Taliban took over Kunduz province, Afghanistan, it immediately targeted media outlets and hunted for journalists. The Afghan Journalists Safety Committee (AJSC) helped over 150 journalists relocate to safer areas of the country, providing them with emergency funds, shelter and other basic needs. Beheshteh Sarwar, a reporter from Kunduz, described her experience.

"I remember that it was Monday, the fourth day of Eid al-Adha [August 25, 2015] when I heard the news Kunduz fell to the Taliban. I was at home and at that moment I felt scared.

I understood things will change under the Taliban and it will be dangerous for me as a journalist, because the Taliban had thought of journalists as spies of the foreigners — who are called infidels by them. I felt that with such sentiment, killing a journalist would be their top priority. So I left the

city and came to Kabul. The biggest challenge was getting out of the city because no one knew where the Taliban was and it was hard to find transportation.

When we arrived in Kabul, I did not know where to go and what to do. I contacted one of my journalist friends who informed me of the AJSC and the support he received from them. He connected me with them and once AJSC verified my professional background they provided me the support.

After the fall of Kunduz I was traumatised and wasn't planning to go back. So AJSC provided a three-month long internship programme in their office for me and other female journalists to expand our journalistic knowledge."

ATTACKS AGAINST JOURNALISTS
BY CATEGORY 2013–2016
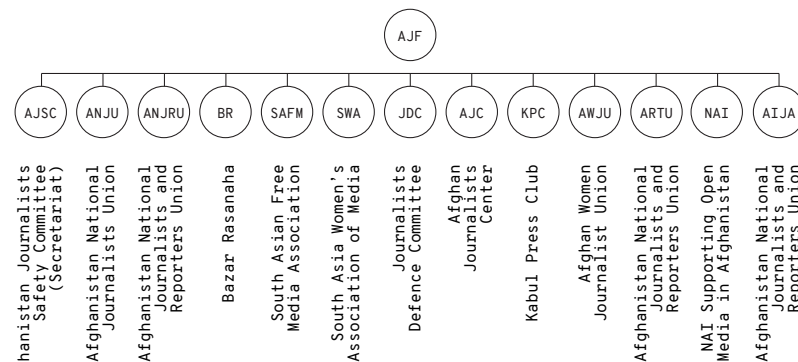
Afghan Journalist Federation (AJF)

Lack of government responsiveness to the increasing threats to Afghan journalists prompted the formation of the Afghan Journalists Federation (AJF) in 2013. The AJF is a representative body encompassing most of the active civil society groups that cover journalists and mass media.[18]

AJF is an informal mechanism without a legal status as an entity.[19] The Afghan Journalists Safety Committee serves as its secretariat, carrying out coordination and administrative affairs. Meetings are convened on an ad hoc basis, and members are not obliged to take part in joint actions, allowing them the support to disengage based on their organisational mandates and policies.

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Interview with
Abudllah Khenjani,
TV1, Director

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All non-profit and
for-profit institu-
tions must obtain
operation licences
in order to work in
a specific area.

Representatives from the AJF's 13 member organisations[20] meet once a month to discuss urgent issues and take collective actions, such as writing joint letters, meetings with senior government officials, legislative proposals and joint advocacy campaigns. The collective body also works with the judiciary and security institutions to improve conditions for journalists.

Impact

In a relatively short time, the AFJ has contributed to major changes in the Afghan media safety landscape. Coordination and advocacy among organisations have improved dramatically since its establishment. Laws and regulations benefitting the media community were passed and relations between government institutions and journalists have improved. AJF has also played a role in the creation of a new committee made of government and media representatives. Some specific achievements are:

— As a coordinating body, the AJF succeeded in bringing together more than a dozen institutions that proactively work in the defence of freedom of expression under severely volatile security conditions.
— In 2013, the AJF's members worked together to gather 500 journalists from 34 provinces in Kabul to share comments and offer recommendations for the proposed Code of Ethics. The Code, which provides guidance for the practice of ethical and professional journalism, was successfully ratified.
— the AJF successfully advocated for the Access to Information Act and two presidential decrees were issued to tackle impunity, violence and threats against journalists.
— the AJF pressed President Asraf Ghani to launch the the Joint Committee for the Safety and Security of Journalists, another key initiative.

Advantages and Challenges

Due to its structure as a collective entity and its specific makeup of well-established groups, the AJF has been able to carry out successful and coordinated efforts to pressure the government to adopt a more supportive position toward the freedom of media, access to information and the safety of journalists. Its main chal-

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The Afghanistan Inde-
pendent Journalists
Association (AIJA)
is also currently a
member of the Inter-
national Federa-tion
of Journalists; The
Afghan Press Council
is the only active
media group that is
not a member of the
Federation.

lenges moving forward will be follow–up on the implementation of the government commitments it has gained.

Advantages — Coordination through a joint platform improves efficiency within the NGO community and the prioritisation of advocacy objectives.
— Its structure provides an accessible conduit for the government to negotiate and address matters with relevant stakeholders.
— The AJF is not Kabul-centric. Its membership gives it reach into the provinces and allows those constituents a voice in national matters. This was an important advantage in the ratification of the Code of Ethics.
— It is an informal structure that is not binding for its members; the AFJ organisations are not obligated to participate in all actions, allowing greater longterm inclusivity.
— AJF members bring extensive experience; several member groups are well regarded nationally and internationally.

Challenges — Despite its non–binding structure, members with varying mandates may find themselves in conflict with AJF campaigns as time goes on.
— The AJF's viability currently relies on its secretariat, the AJSC. Sustainable funding may be an issue in the future.
— The AJF has been successful in gaining government commitments and legislation but ensuring implementation is an ongoing challenge.

The Joint Committee for the Safety and Security of Journalists (JCSSJ)
NEW GOVERNMENT-LED MULTI-STAKEHOLDER COMMITTEE TO ENACT SAFETY MEASURES AND INVESTIGATE ATTACKS NEEDS TO DELIVER ON HIGH POTENTIAL

Following a meeting with AJF members in 2016, President Ghani tasked the National Security Council Office to develop a security framework for journalists and media organisations to address the growing threats from the Taliban and violence against the media. The Joint Committee for the Safety and Security of Journalists (JCSSJ), an alliance of government institutions and media stakeholders, was formed to implement this framework.[21]

As outlined in the Committee's bylaws, Afghanistan's second vice president chairs the Coordination Committee; the national coordinating body, which includes representatives from all security institutions, a representative from the president's office, members of the judiciary and six representatives from media support organisations introduced by the AJF. The JCSSJ convenes on a monthly basis to review security and safety threats and address other significant matters.

A similar structure is in place at the provincial level,[22] where senior local government officials and three members of the local journalist community form support centres. They also meet once a month to address security challenges journalists and media outlets face.

The first national level meeting took place in October 2016 and there have been several since. The agendas of JCSSJ meetings have included emergency issues, cases of impunity and violence against journalists and other ad hoc concerns.

Impact

The JCSSJ is less than a year old at the time of writing this report. Organisations that pushed for its creation have high expectations of the JCSSJ but tangible results are yet to be seen. Some promising early steps that have been taken are:

— The Committee assigned law enforcement and the judiciary with the task of re-examining all cases of violence against journalists since 2002.
— Security organisations were instructed to incorporate best practices regarding the security forces' treatment of journalists into the security forces training curriculum.
— At least four meetings have taken place among stakeholders where media relayed important concerns, including the need for investigation of 400 cases of violence that involve government officials and powerful individuals, access to information from government institutions, and the need for Afghan National Security Forces to be educated about journalists' rights.

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Formation of the committee was also among recommendations made at the 2016 conference "Security for Journalists and Afghanistan's Ranking in the World Press Freedom Index," co-hosted by the AJSC and RSF, https://www.ifex.org/afghanistan/2016/10/24/wave_violence_journalists/.Federation.

22
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Article 13, Media and Journalists Safety and Security Bylaw

Advantages and Challenges

Gathering a variety of stakeholders —executive, legal, security and journalists— under one umbrella of the JCSSJ to build consensus and confidence is unprecedented in the country. As a government-driven initiative, the JCSSJ establishes a clear path for media to relay information and request remedies directly to government agencies, but it is also heavily dependent on the government's political will to remain fully engaged in the mechanism and implement commitments made at JCSSJ meetings.

Advantages

— The JCSSJ involves senior government officials, including from the Office of the President and the National Security Council. As a government-led initiative, state institutions are more accountable to concerns and commitments expressed at the Committee's meeting; decision making is accelerated by high level engagement at the Committee's meeting.
— It offers a positive starting point for long-lasting cooperative relations between the government and journalist organisations.
— The provincial sub-structure allows inclusion for journalists operating outside the capital.

Challenges

— Government attention to this mechanism is likely to waiver in the face of other security concerns and political tensions. Already meetings have been repeatedly postponed.
— Some degree of stability is needed to implement effective actions through the programme and Afghanistan's security and political climate is currently volatile.
— The Committee would benefit from the inclusion of more civil society actors, particularly those representing concerns for female journalists. The JCSSJ is predominantly made up of government and journalists as its main stakeholders.

#5
Role of International Actors
INTERNATIONAL SUPPORT FOR LOCALLY-ADMINISTERED INITIATIVES SUSTAINS PROGRAMMES FOR SAFETY AND BOLSTERS ADVOCACY

The international community plays a necessary role in supporting media outlets and media freedom in Afghanistan. Government and non-government entities provide financial and technical support and training.

Long-term partnerships between international organisations and Afghan NGOs have significantly shaped and developed Afghanistan's media landscape. Internews, an international non-profit organisation that works to empower local media worldwide, established Salam Watandar, a radio network that includes 67 Afghan-owned and operated partner stations, and the advocacy and training group Nai. Internews also played a large role in supporting and developing Pajhwok Afghan News (PAN), an online newswire agency. It continues to partner with these groups.[23] IMS founded and has sustained a partnership with the AJSC, providing financial and technical support. IMS' funding for this work is largely underwritten by the Swedish International Development Agency.

Afghan groups in turn also provide on-the-ground knowledge and logistical support for international organisations. For example, Journalists in Distress, a network of international freedom of expression groups that administer emergency response funds, frequently consults and coordinates with the AJSC when giving grants. The AJSC included some of these contributions in its disbursements of emergency help following the fall of Kunduz.

Governments and intergovernmental bodies also support media development and safety initiatives. The US government offers grants to various media outlets, often aimed at raising awareness of civil, political and social issues through TV and radio programming. UNESCO's Kabul office supports the state-run Radio Television of Afghanistan (RTA),[24] runs training workshops and has promoted access to information.

The European Union (EU) Special Representatives in Afghanistan, in coordination with the AJCS, organises meetings among journalists, civil society and diplomats every two months.

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https://www.
internews.org/
where-we-work/
asia/afghanistan

24
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http://www.unesco.
org/new/en/kabul/
communication-
information/media-
development/

These meetings have created an effective advocacy platform to engage international missions on issues related to journalist safety and media freedom. International pressure has contributed toward pushing the Afghan government to take action on journalist safety.

Many organisations initially funded through reconstruction programmes following the end of the Taliban regime had to close down or retrench when aid money began to shrink around 2012,[25] illustrating the need for long-term commitment and engagement.

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Interview with
Najib Sharifi,
NGO Director

#6
Implementation and Impact of the UN Plan of Action for the Safety of Journalists and the Issue of Impunity
LOW AWARENESS AND UNDEFINED IMPLEMENTATION STRATEGY LIMIT IMPACT OF UN PLAN OF ACTION

Despite UN and international agencies' involvement in Afghanistan, the UN plan is yet to be integrated among ongoing advocacy efforts implemented jointly by Afghan institutions and its international counterparts.

In a 2015 press release, UNESCO Afghanistan announced it would implement the Plan in Afghanistan.[26] Steps the UN agency has taken include offering capacity-building programmes and legislative guidance to the Afghan Ministry of Interior and the Ministry of Culture and Information. In November 2017 UNESCO and the United Nations Assistance Mission for Afghanistan organised an event to mark the International Day to End Impunity for Crimes against Journalists. UNESCO also said it will produce Journalist Safety Indicators (JSI) for Afghanistan[27] in spring 2017, a methodology developed among its activities under the Plan to evaluate and track journalist safety on a national level, but this has not yet been undertaken.

There still remains a need, however, to harmonise the work of the UN and other international agencies operating in Afghanistan and the existing initiatives addressing the safety of journalists, which align with the principles and objectives of the Action Plan.

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http://en.unesco.
org/news/unesco-
afghanistan-
implements-plan-
action-safety-
journalists

27
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Interview with Syaed
Habibullah, Program
Officer, Communi-
cation and Informa-
tion, UNESCO Office
in Afghanistan

Greater awareness of the plan and its contents is also needed. Within the media community, there is a lack of understanding and knowledge of the existence of the UN Plan, as revealed through interviews conducted for this report. Those who know of the Plan are unfamiliar with its details or how its objectives are intertwined with their work.

#7
Lessons Learned

— Coordination and collective action produces stronger advocacy.
— Direct government engagement puts safety issues on the agenda of relevant authorities.
— Sustained international support to locally-implemented groups offers a good model.
— National reach, and an approach that is not Kabul-centric, is important for the inclusion of relevant stakeholders
— Follow-up on government commitments by other stakeholders is crucial.
— Women journalists can benefit from gender-specific response structures.

The initiatives established in recent years have been valuable and opened new avenues to address increased risks to Afghan journalists. They have generated welcome legislation and ensured the inclusion of journalists in the development of legal documents. Other points of progress include government participation in efforts to respond to threats and attacks against journalists and improved relations between authorities and media. The evacuation of journalists at risk and specialised training for journalists are examples of other activities executed by local groups with international backing, all of which contribute to reducing risks. Some specific takeaways from the Afghanistan experience are:

— Journalist groups in Afghanistan[28] developed collective efforts to safeguard and protect journalists, an important step for ensuring safety for journalists. After coming together under the AJF umbrella, organisations successfully

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Interview with Mir
Abdul Wahed Hashimi,
Director of Media and
Policy, Internews
Network

campaigned for better access to information legislation and the establishment of the JCSSJ.

— The structures of the initiatives analysed in this report have reach throughout provincial areas, ensuring participation is not Kabul-centric. The AFJ brought hundreds of journalists from around the country into consultations for the Code of Ethics. The JCSSJ has centres at the provincial level and a national coordinating committee, while the AJSC also maintains representatives around the country, including female staff to address the needs of women journalists.

— International support is a crucial element to both launching and sustaining local initiatives and advocacy. Financial and technical support international groups can offer, combined with Afghan organisations' first-hand expertise makes for efficient implementation of programmes. In addition, pressure from the international community increases the responsiveness of the government.

— Engagement of senior political leadership is vital not only as a tool to accomplish advocacy objectives but for accelerated decision-making. Through the JCSSJ, which includes representation from policy makers and security agencies, stakeholders secured a commitment to investigate hundreds of cases of attacks against journalists, many allegedly committed by government officials. Meanwhile, increased communication has reduced tensions between authorities and journalists.

— The UN action plan can have greater impact if it does more to integrate existing initiatives into its implementation plans and raise awareness among the media.

The media in Afghanistan continue to face threats and challenges from many angles. Adoption of laws, political support to media organisations, formation of committees, coordination of efforts, protecting journalists and promotion of free and fair media require the government's ongoing participation, but this is far from assured in the current political environment. While the Afghan government has moved swiftly in adopting laws and forming committees, it has stumbled in its follow-through. Changing the swinging political will of the Afghan government

needs sustained advocacy and close communication with the various institutions that can improve safety and security for journalists . The Afghan media and civil society community has made many advances in recent years. It will take continued coordination, vigorous monitoring and active engagement from all stakeholders to see that these effort pay off.

Colombia

A photographer takes a photo of police riot gear on 1 May in Bogotá, Colombia.

Photo: Andrés Monroy Gómez

#1
Overview

AVOIDING VIOLENCE WITH BODYGUARDS,
BUT WITHOUT JUSTICE

Colombia has been the stage of a long-running internal conflict involving various armed groups: guerillas, the army, drug traffickers, and paramilitaries. This war, which lasted more than 50 years, directly affected journalism and journalists. Over the past three decades, multiple freedom of expression organisations have singled out Colombia as one of the most dangerous countries for the media.

In the last 35 years, 153 journalists have been murdered, 41 of them between 1999 and 2003, when paramilitary groups consolidated power and, along with rebel groups, targeted journalists[1]. Amidst this surge in violence, the national government implemented a protection programme for journalists in 2000, the first of its kind in the world.

During that process, and in the following years, civil society played a central role. Organisations such as La Fundación para la Libertad de Prensa (FLIP)[2], the Association of Newspapers (Andiarios) and the Colombian Federation of Journalists (FECOLPER) contributed to the design, implementation and adjustments of the mechanism.

This programme has significantly contributed to the protection of journalists. After decades of tragic attacks, the killings have dropped significantly over time. In the first five years of the protection programme's operations 37 journalists were killed. In a five-year period starting in 2012, more than a decade later, only six murders were recorded.

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La Fundación
para la Libertad
de Prensa (FLIP)

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The author of
this report is
the Coordinator
at the Center of
Studies for FLIP

COMPARISON BETWEEN JOURNALIST KILLINGS
2000–2004 AND KILLINGS 2012–2016

TOTAL
KILLED

2000–2004

37

6

2012–2016
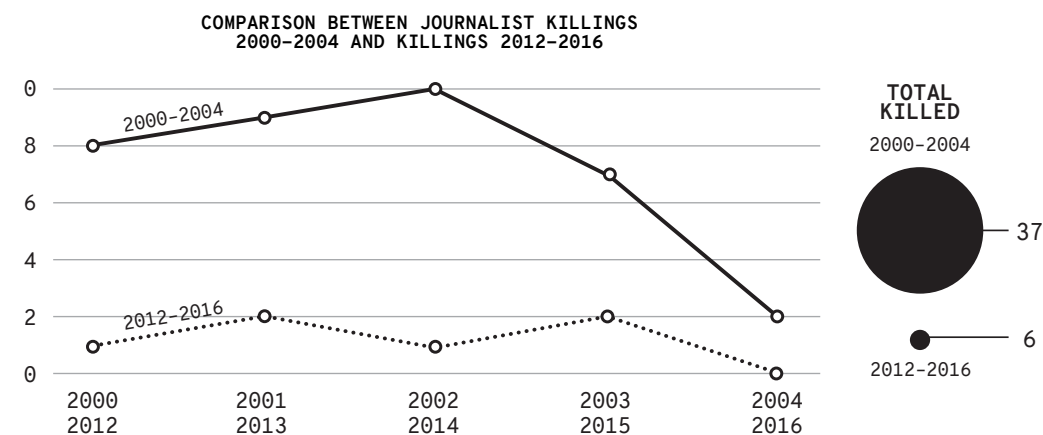
Sources: La Fundación para la Libertad de Prensa,
National Center for Historical Memory

It would not be accurate to say that the programme is the only reason for this drop — violence in the country has generally declined, the dynamics of armed conflict and drug trafficking have changed and years of intimidation have taught journalists to avoid sensitive subjects — but the existence of the mechanism has deterred fatal attacks.

Despite improvements in murder rates, violence against journalists still persists and the number of threats has been rising. Impunity for perpetrators of these crimes has fuelled a climate that is not favourable for the exercise of freedom of expression as guaranteed by Article 20 of the Colombian Political Constitution.

Seventeen years after the programme for journalists was created, it is necessary to closely scrutinise the mechanism to examine its flaws, problems that must be addressed by the government. This is particularly important in the context of the UN Plan of Action for the Safety of Journalists and the Issue of Impunity, which urges governments around the world to consider national mechanisms to address risks to journalists. Colombia's experience — its successes and mistakes — can serve as a guide to other countries developing policies to protect journalists.

#2
Threats and Challenges
Facing the Media
KILLINGS HAVE SUBSIDED POST-CONFLICT BUT
NOT DISAPPEARED; OTHER ATTACKS PERSIST

The impact of the war on journalists can be measured in figures. In 25 years, in addition to over 150 killings of journalists, FLIP recorded over 700 threats and 17 cases of kidnapping. At least 29 reporters had to seek exile in other countries and rebuild their lives. Beyond the data though, there is a more serious threat to journalism that is impossible to quantify: self-censorship. In many regions the law of fear was imposed and in several cities journalism has disappeared.

Dozens of outlets and information programmes disappeared. According to research by FLIP, out of a total of 257 municipalities in the country's conflict areas, 63 have no media at all.

Some examples of attacks that led to the closures of media outlets in the course of Colombia's conflict are:

— National Liberation Army (ELN) guerillas murdered the director of Llanorámica Estéreo Radio Station in Puerto Rondón, Arauca in 1995.
— In 1997, the director of the El Marquéz magazine was assassinated in Armenia, Quindio. Twenty years later the crime is still unpunished.
— Horizonte Sabanero Newspaper, based in Sabana de Torres, Santander, closed in 2002 after its director was assassinated. The murder remains unsolved.
— Six journalists working for La Voz de la Selva Radio Station in Florencia, Caquetá were killed over a 15-year period leading up to 2001.

While the number of journalists killed has fallen off over the last decade, these deaths are not completely a thing of the past. Meanwhile, other attacks take place on a routine basis. Between January 2012 and April 2016, FLIP registered 693 attacks against journalists, including six homicides. Other types of attack include threats, attempted assassinations, kidnappings, attacks on infrastructure such as bombings of newspaper offices, and illegal detentions, among other attacks. Public and political figures were the leading perpetrators, behind 23 percent of the attacks.

Colombia's high rates of violence are nearly matched by its levels of impunity. According to data provided by the Attorney General's Office, 97 percent of murders of journalists have taken place with some degree of impunity — in other words, some or all suspects have not been prosecuted. Out of 153 homicides of journalists, the people behind the murders have been convicted in only four cases[3]. Other types of aggression typically go without prosecution either. One emblematic case is that of journalist Guillermo Cano Isaza, who was assassinated on December 17, 1986 in Bogota. Despite being a high-profile case, more than 30 years on, there has been no conviction for those responsible[4].

There are many factors behind the culture of impunity in Colombia. One is the fact that local public officials often influence investigations, particularly when the alleged perpetrators are officials who live or come from the same region that the jour-

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Fundación para la Libertad de Prensa (FLIP), February 9, 2016. Paz en los titulares, miedo en la redacción, p. 43; La Comisión Interamericana de Derechos Humanos (CIDH), Relatoría Especial para la Libertad de Expresión, December 31, 2015. Informe Anual de la Comisión Interamericana de Derechos Humanos 2015; Informe de la Relatoría Especial para la Libertad de Expresión, p. 116.

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El Espectador, Un magnicidio que sigue en la impunidad, July 30, 2012; Fundación para la Libertad de Prensa (FLIP), En Colombia la democracia "ha sido un recóndito miedo a la libertad" Guillermo Cano, December 17, 2015

nalist does. In addition, authorities fail to adequately consider the work of a journalist as a potential motive for murder.

A lack of protection available for witnesses or victims seeking redress and the fact that their testimonies are often silenced through persecution and threats makes it hard to achieve prosecutions. In some cases, the witnesses have been murdered, as in the case of Orlando Sierra in 2002[5].

The Colombian state has not developed an effective specialised investigation system for crimes against journalists. The government has set up special units for criminal investigation, but in practice these units, which are also responsible for human rights violations and other crimes, have not adequately prioritised violence against journalists.

One of the weaknesses of the Colombian judicial system has been its deficiency in handling information regarding investigations into crimes against journalists. A report by the National Center for Historic Memory[6] revealed that many of the oldest records about murders of journalists, especially those that took place during the 1980s, are now lost[7]. It was also discovered that many cases are double filed, leading to confusing, inconsistent information from the prosecutor general.

Impunity in Colombia is also aggravated by the slow speed at which cases move. Many killings have expired under a 20-year statute of limitations without resolution. Passage of time also leads to loss of evidence and sustained intimidation of witnesses and victims. In an effort to respond to the risk posed by cases expiring, the state has declared some cases to be crimes against humanity, which are not bound by a statute of limitations. It has also legally increased statutory time limits for some cases. However, these extensions buy time but do little to improve the effectiveness of the investigations.

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Centro Nacional de Memoria Histórica (CNMH), December 2, 2015. La palabra y el silencio. La violencia contra periodistas en Colombia. Capítulo 8: Impunidad y negación de justicia en los casos de violencia contra periodistas, p. 322; El Tiempo, May 29, 2003. Seis muertes en caso Sierra

6
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Word and Silence: Violence against journalists in Colombia (1977–2015) (La palabra y el silencio: violencia contra periodistas en Colombia, 1977–2015), published in 2016

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Centro Nacional de Memoria Histórica (CNMH), December 2, 2015. La palabra y el silencio. La violencia contra periodistas en Colombia. Capítulo 8: Impunidad y negación de justicia en los casos de violencia contra periodistas

#3
Analysis of Key Mechanisms and Programmes

— Programme for the protection of journalists
— Civil society organisation (CSO) emergency response programmes, monitoring and advocacy

When Colombia established a government protection mechanism in 2000, it set a precedent that those working and advocating for the protection of journalists have been eager to see other states follow. The country's programme of physical protection has grown and evolved, and has succeeded in reducing journalist fatalities and in creating a norm around the state's responsibility to protect the media. However, it faces many challenges, including Colombian society's lack of trust in government agencies, a sizeable cost and a lethargic bureaucracy. Colombia's protection work has not been matched by measures to address impunity. Media rights groups have developed their own range of emergency responses in cases that are not swiftly dealt with, do not meet the criteria of the state programme, or which require other kinds of help.

#4
Programme for the Protection of Journalists
BUREAUCRATIC DEMANDS AND A FAILURE TO ADDRESS IMPUNITY STRAIN PROTECTION PROGRAMME

The internal armed conflict claimed thousands of victims from different populations of civil society — including journalism. This led the government to promote a series of norms with the aim of establishing institutional mechanisms to address violations against human rights and the humanitarian crisis. These have evolved significantly over 17 years.

In 2000, the office in charge of the protection programme employed about eight staff. The National Unit for Protection (UNP) now has more than 2,000 staff members, a central office in Bogota from where it operates, and 13 other offices in different cities around the country. Civil society has actively participated in the programme from the beginning and the United Nations has acted as an observer.

There have been three significant stages in the development and implementation of the mechanisms.

Launching of the Mechanism

The roots for the protection mechanism for journalists can be traced back to the late 1990s. At that time, a protection pro-

gramme for trade unionists and human rights defenders was already in place. Press organisations and journalists, through FLIP, demanded the administration of then President Andrés Pastrana to include journalists among those vulnerable populations.

Then, in 2000, the government approved Decree 1592, which determined the creation of the programme for the protection of journalists and social communicators under the Ministry of Interior's Committee for Regulation and Risk Assessment (CRER).

At the outset, the mechanism, which was controlled by the Ministry of Interior, did not have a clear procedure or a dedicated budget. The ministry team in charge of delivering protection measures reacted on a case by case basis. Normally the protection measure was to remove the journalist from the area where he or she had received the threats.

Although the protection policy had a legal mandate, there was no clear definition of criteria. Nevertheless, the main objective of politically positioning the problem was achieved: action was needed from the state to protect journalists who were at risk because of their job.

The Mechanism Strengthens, but Intelligence Agencies Overreach

Over the next seven years, from 2003 to 2010, the mechanism went through changes to strengthen the decision making process. These changes sought to respond to the need to define technical criteria and transparent procedures for allocation and to discretely and fairly diagnose risk; the changes also sought to address the need for securing fiscal control over the use of resources to avoid abuse and fraud.

These changes were overshadowed, however, by a security agency scandal. In 2010, it was discovered that the state intelligence agency illegally intercepted phone calls and monitored dozens of people, including journalists. The Administrative Department of Security (DAS) had been one of the main facilitators for the protection programme and had conducted the risk assessments.

The implications of these illegal activities created a crisis of confidence in the mechanism. Seven years later, the task of rebuilding public trust in state agents, especially on the part of those needing protection, continues.

Protection is Institutionalised… and Bureaucratised

At the end of 2011, the government of President Juan Manuel Santos issued Decree 4912, which incorporated a series of modifications. The decree introduced specific reforms, and also emphasised the need to have a clear prevention strategy. It also incorporated a gender perspective requiring the authorities to take into account the specific needs of women.

Among the reforms was the dissolution of the DAS. The mechanism was moved to a new entity, the National Unit for Protection (UNP), which would now oversee all protection programmes, not only for journalists.

The UNP implements physical measures of protection, from three basic structures: the Technical Corps for Information Collecting and Analysis (CTRAI), an inter–institutional group consisting of members of the Unit for Protection and the National Police; the Preliminary Assessment Group, which reviews information from CTRAI on individual cases, establishes the level of risk and makes recommendations; and the Committee for Risk Assessment and Recommendation of Measures (CERREM), which decides on allocation and protection measures.

Seven years later, the UNP has become a strong entity, with a budget and an infrastructure that operates throughout the country.

Support for Protection Through Jurisprudence

Although Colombian jurisprudence is not very extensive in terms of protection for journalists, the Constitutional Court has provided specific guidance in one key case concerning a journalist. Judgment T-1037[8] of 2008 was rendered in response to a complaint by journalist Claudia Julieta Duque about surveillance of her activities while under protection. The judgment establishes as a basic principle that, in complying with the obligation of protection, the state cannot execute actions against the journalist at risk that limits his or her freedom of expression and right to information. This instruction covers not only the agencies in charge of protection within the state, but also intelligence and security agencies. It also warns that journalists are subjects of special constitutional protection in Colombia, because they are in a "situation of special risk".
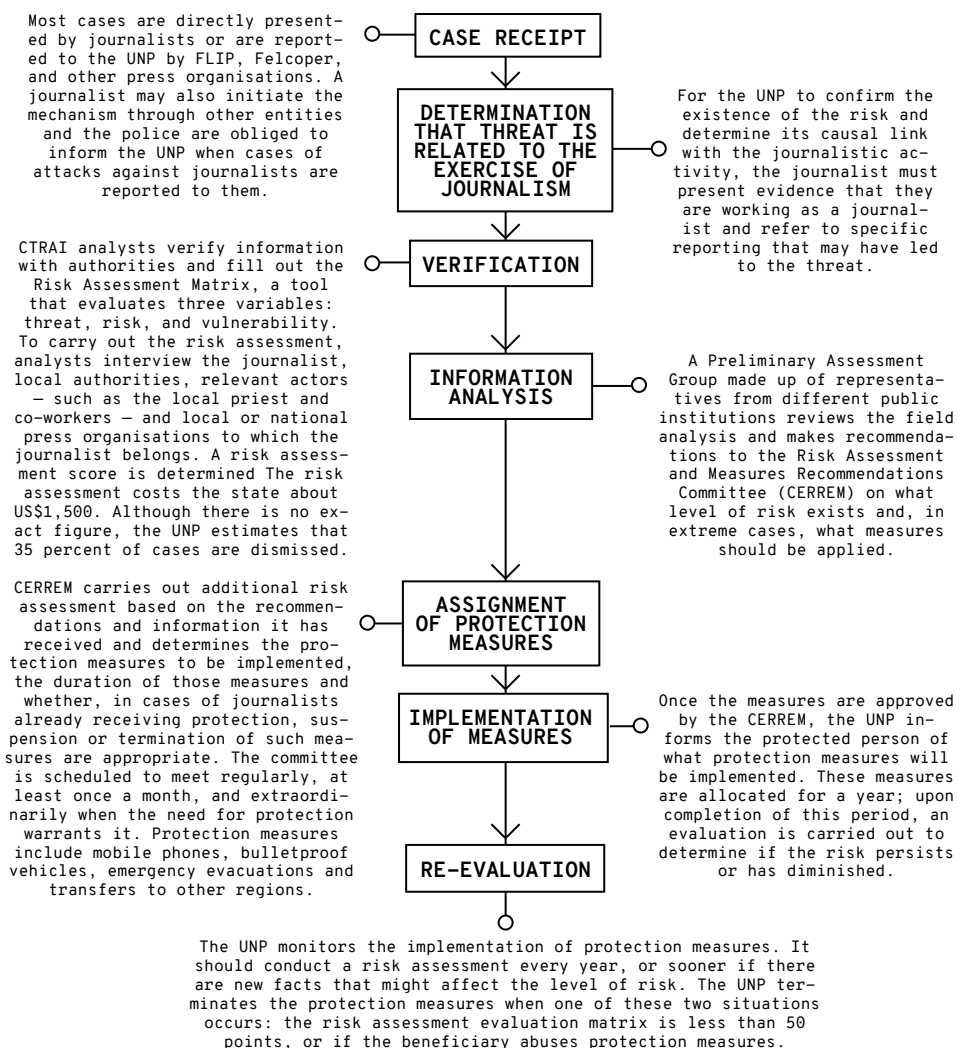
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http://corte-
constitucional.
gov.co/RELATO-
RIA/2008/T-1037-08.
htm

THE INVOLVEMENT OF CSOS CONTRIBUTES TO THE ABILITY OF THE MECHANISM TO MAKE INFORMED DECISIONS.

The Inter-American Commission on Human Rights (IACHR) and its Special Rapporteur for Freedom of Expression have also played an important role in developing standards for the protection of journalists. The IACHR has issued 11 precautionary measures for the protection of 26 journalists in Colombia since 1997. Many of the principles that today govern the mechanisms are derived from recommendations made by this multilateral body.

How is the Protection Programme Implemented?

There are seven key steps in the process of evaluating risks to journalists and apportioning protective measures.

Most cases are directly presented by journalists or are reported to the UNP by FLIP, Felcoper, and other press organisations. A journalist may also initiate the mechanism through other entities and the police are obliged to inform the UNP when cases of attacks against journalists are reported to them.

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      CASE RECEIPT
           │
           ▼
    DETERMINATION
    THAT THREAT IS
    RELATED TO THE
    EXERCISE OF
    JOURNALISM
           │
           ▼
      VERIFICATION
           │
           ▼
    INFORMATION
    ANALYSIS
           │
           ▼
    ASSIGNMENT
    OF PROTECTION
    MEASURES
           │
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    IMPLEMENTATION
    OF MEASURES
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    RE-EVALUATION
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For the UNP to confirm the existence of the risk and determine its causal link with the journalistic activity, the journalist must present evidence that they are working as a journalist and refer to specific reporting that may have led to the threat.

CTRAI analysts verify information with authorities and fill out the Risk Assessment Matrix, a tool that evaluates three variables: threat, risk, and vulnerability. To carry out the risk assessment, analysts interview the journalist, local authorities, relevant actors — such as the local priest and co-workers — and local or national press organisations to which the journalist belongs. A risk assessment score is determined The risk assessment costs the state about US$1,500. Although there is no exact figure, the UNP estimates that 35 percent of cases are dismissed.

A Preliminary Assessment Group made up of representatives from different public institutions reviews the field analysis and makes recommendations to the Risk Assessment and Measures Recommendations Committee (CERREM) on what level of risk exists and, in extreme cases, what measures should be applied.

CERREM carries out additional risk assessment based on the recommendations and information it has received and determines the protection measures to be implemented, the duration of those measures and whether, in cases of journalists already receiving protection, suspension or termination of such measures are appropriate. The committee is scheduled to meet regularly, at least once a month, and extraordinarily when the need for protection warrants it. Protection measures include mobile phones, bulletproof vehicles, emergency evacuations and transfers to other regions.

Once the measures are approved by the CERREM, the UNP informs the protected person of what protection measures will be implemented. These measures are allocated for a year; upon completion of this period, an evaluation is carried out to determine if the risk persists or has diminished.

The UNP monitors the implementation of protection measures. It should conduct a risk assessment every year, or sooner if there are new facts that might affect the level of risk. The UNP terminates the protection measures when one of these two situations occurs: the risk assessment evaluation matrix is less than 50 points, or if the beneficiary abuses protection measures.

Key actors in the Protection Mechanism

Colombia's protection mechanism is a complex structure involving multiple government agencies and civil society groups. The following bodies participate:

Ministry of Interior
The Ministry of Interior is responsible for the protection programme and the National Unit for Protection (UNP).

National Unit for Protection (UNP)
The UNP is the main entity in charge of the operation of the protection programme and is directly responsible for its execution. It is a national security body, whose main objective is to articulate, coordinate, and execute the provision of the protection service to populations determined by the national government. There are no investigative tasks included within its mandate.

National Police
The National Police is a centralised body and its authority extends to the whole country. Within the programme, it coordinates with the UNP to protect journalists. In extraordinary cases, when the risk to the journalist is imminent, it must respond by providing protection immediately.

Ministry of Defence
Its role within the programme is limited to providing military intelligence, confirming the areas where criminal groups are present and the relevance of armed actors on the ground. It does not provide physical protection.

Office of the Ombudsman
The Office of the Ombudsman provides information on situations of risk — such as possible forced displacement or attacks on civilians — and other characteristics of the region in question. Within the Risk Assessment and Measures Recommendations Committee (CERREM), it has a voice but not a vote.

Attorney General's Office	The Attorney General's Office is the investigative body of the judicial branch, with no assigned functions within the programme. Although it has presence in decision-making instances to assign protection measures, it does not provide information on cases.
Civil Society: Felcoper Andiarios Asomedios FLIP	Civil society represents the interests of the beneficiaries of the system. In Colombia, there are four civil organisations involved in the CERREM, each with a different role and profile: The Colombian Federation of Journalists (Felcolper), Colombia's largest journalists' union, which also shelters local organisations; The Colombian Association of Publishers of Newspapers and Media (Andiarios) represents the interests of the print media; The National Association of Media (Asomedios); and the Foundation for Freedom of the Press (FLIP), a non-governmental organisation that defends freedom of expression throughout the country. Civil society organisations do not have a vote, but their voice and information provided by them are taken into account when making decisions about protection.

Impact

The mechanism has been recognised as an important step in journalist safety. In its report "Violence against journalists and media workers: Inter-American standards and national practices on prevention, protection and prosecution of perpetrators", the Special Rapporteur for Freedom of Expression of the Inter-American Commission on Human Rights (IACHR) stated that the programme "offers an important example for the countries in the region of a programme that has protected the lives and integrity of dozens of journalists and communicators throughout the country". [9] Lack of resources, delays in addressing cases, and a failure to prosecute those who threaten and attack journalists, however, are among the challenges the mechanism faces and which affect its level of impact.

Since 2000, about 100 journalists have received protection through the programme on an annual basis. This protection can range from the provision of bodyguards, armed agents who stay with the journalist 24 hours a day, to the use of armoured vehicles for transportation.[10] The number of journalist killings has dropped in recent years, an encouraging sign. As noted earlier, a comparison of the numbers of journalists killed from 2000 to 2004 and the period between 2012 and 2016 showed a drop from 37 to six. Other factors, such as the eradication of conflict in the country, also contributed to this drop.

However, shortcomings in the mechanism expose journalists to continuing risks. Three of the last four murders of journalists that have taken place in Colombia might have been avoided had information flowed more effectively between institutions, and the local authorities had alerted the UNP of reported threats. Though the programme was set up to react immediately, case processing is slow. FLIP has documented cases where it took up to four months to decide on protection measures and two more to effectively implement them.

Impunity remains high in attacks and threats. According to the Committee to Protect Journalists, prosecutions have taken place in only six murders out of dozens since 1992, and in only two cases has justice extended to all suspects.[11] The mechanism provides protection but does not ensure the perpetrators of the threats are investigated. Ninety-five percent of the time, no one is prosecuted for threats.

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https://knightcenter.
utexas.edu/blog/00-
16272-colombian-pro-
gram-protect-journal-
ists-celebrates-15-
years-amid-many-wor-
riesebrates-15-years-
amid-many-worries

Advantages and Challenges

Colombia's mechanism has a well-developed structure that includes multiple decision makers and civil society participants. It has been able to extend physical protection to hundreds of journalists since its founding. It also takes gender into account, offering specialised assessments for women, and by women if necessary. Its size, lack of resources, and deficiencies in its risk assessment procedures have caused delays, premature termination of protection measures and other implementation problems. In addition, the failure to address the causes of threats through adequate investigation and prosecutions means journalists will continue to face the choice of working under great risk or self-censoring.

Advantages

The involvement of CSOs contributes to the ability of the mechanism to make informed decisions; this provides oversight from non-government stakeholders and improves overall communication on journalist safety between the government and CSOs.
Physical protection and the accessibility of related material support hundreds of journalists at risk who otherwise would not have means to remove themselves from danger.
The mechanism is backed by public policy, structure and jurisprudence.
There are structures of coordination between state institutions, journalists and civil society organisations, and a dedicated budget.
Women journalists can choose to have their cases reviewed by a specialised women's committee or the general committee of CERREM.

Challenges

The mechanism's cost is high and under-resourced. This and the competing needs of other vulnerable groups the UNP is responsible for affect the level and quality of responsiveness to journalists at risk.
Delays in assessing risks and implementing protection measures leave journalists vulnerable to danger for months.
The mechanism does not address impunity in attacks that have taken place; threats reported through the mechanism are rarely prosecuted.
Protection measures are distributed unequally and not always reflective of the level of risk a journalist faces. In addition, prominence or political pressure can outweigh risk analysis in decision-making.
There is a need for improving transparency and risk assessment for the revocation of protection measures. Protection measures are withdrawn after one year if no new threats are presented, but a lack of information or

self-censorship affect the analysis of risk, which is often underestimated.
There have been some cases of fraud, when journalists have used the system to obtain protection and support despite not being under risk.

#5
Civil Society Protection Programmes

- FLIP
– Felcoper

The role of civil society in protecting journalists in Colombia has been fundamental. It wasn't just the engine that drove the state to develop a mechanism, it has also monitored the programme and informs the UNP of cases and conditions affecting journalists. Organisations including FLIP and Felcoper have also developed their own protection programmes, which in some cases supplement state protection, and in others, intervene when the state has failed.

Felcoper, a union comprised of 29 journalist associations, was created in 2007 to promote better working conditions for journalists. More than 1,200 journalists in the country are affiliated with Felcoper, which is an affiliate of the International Federation of Journalists.

The union monitors cases of violations of press freedom, drawing on its wide base of regional journalists. It participates in the protection mechanism by providing information about attacks against journalists. Felcoper also conducts self-protection workshops and provides legal advice to its members.

FLIP is a national organisation, created in 1996 with the mission of protecting journalists. It is largely funded by international groups, including Reporter Sans Frontieres-Sweden, Open Society Foundations, International Media Support, and USAID. The Foundation has an emergency economic fund to help journalists at risk. This fund has directly helped more than 40 journalists.

FLIP monitors and documents cases using tools and a

voluntary support network it has developed over the last two decades. This network of 30 correspondents based in all departments in the country reports cases of attacks on journalists working in their regions. For each case, FLIP produces a security report, including information about the journalist, and his or her particular context and threat trajectory. This data is often used to make recommendations to the UNP.

FLIP actively campaigned for the creation of the protection mechanism and has been a key participant in the CERREM.[12] FLIP has also trained hundreds of journalists in self-protection workshops and provides legal advice to journalists accused of libel and slander. It represented journalist Jineth Bedoya, who has been seeking prosecution of her assaulters since 2000, in national and international courts.[13]

FLIP recently launched a Wiki cataloguing journalist safety programmes around the world.

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FLIP was a member of the CERREM but withdrew in 2017. It still acts as an observer, recommends cases and provides information for the allocation process.

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https://www.ifex.org/noimpunity/cases/jineth/

#6
Implementation and Impact of the UN Plan of Action for the Safety of Journalists and the Issue of Impunity
SPOTLIGHT ON COLOMBIA'S MECHANISM AND ENGAGEMENT OF NEW ACTORS IN SAFETY

As the state carried out its protection mechanism, other countries began to look to Colombia as a model. This tendency was reinforced by the UN Plan of Action for the Safety of Journalists and the Issue of Impunity, and several other UN resolutions issued since 2012, which called on states to adopt national measures to protect journalists and address impunity.

Being internationally touted for its achievements raised the question of how Colombia can share its experience with other countries. It led stakeholders to evaluate the mechanism to analyse its achievements as well as its shortcomings, in the context of the goals of the UN Plan. The Plan promotes the three Ps approach to national mechanisms — prevention, protection and prosecution. Colombia's mechanism, though a standout example of protection, does not incorporate preventative measures, and has had very little success in procuring justice in

cases of attacks against journalists.

The Plan has encouraged Colombia to involve new actors who were not part of the mechanism. In the last two years, UNESCO has trained judges and prosecutors in the area of freedom of expression, an important step in addressing impunity. UNESCO's manual Freedom of Expression and Public Order was used as a resource in a police training programme implemented by FLIP.[14]

The media sector's engagement in journalist safety has also been encouraged by the Plan. Following a 2016 conference UNESCO convened in Paris, Media Responsibility in the Protection of Journalists, which was attended by several Colombian representatives, FLIP developed a certification process with 12 media outlets to accompany them in the implementation of prevention and protection measures for their journalists.

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http://www.unesco.org/new/en/communication-and-information/resources/news-and-in-focus-articles/2016/colombian-security-forces-trained-on-freedom-of-expression/

#7
Lessons Learned

— Civil society participation is key to informed decisions, accountability, and balance in the mechanism.
— A dedicated budget, coordinating structure, and clearly defined responsibilities of participants and relevant government agencies are important to implementation.
— An autonomous structure backed by policy makes the mechanism more resilient against changing priorities of different administrations.
— Heavy bureaucracy adversely affects the ability to respond rapidly with strong measures.
— Protection must be understood as a short–term measure; investigating and prosecuting those behind the threats is crucial to reducing risk long term.
— Mechanisms must be well resourced and instil good oversight and financial planning.

The protection mechanism for journalists in Colombia is now mature. After 15 years, it is now possible to analyse the successes and challenges of the programme. Civil society participation, the facilitation of dialogue with government on safety, and autonomy from political leadership are among its more laudable characteristics.

The fact that civil society and media have a seat at the table, alongside the government, cannot be underestimated in any way. Prior to the existence of the mechanism, there were no productive channels to discuss safety issues with the government. Leaving aside the question of the effectiveness of the means of protection, the process of presenting these cases to the government raises the level of accountability of officials and agencies participating in the process. This means other stakeholders participating in the mechanism and the public at large are aware of this accountability. The mechanism is also reliant on civil society to monitor threats to journalists and provide information related to each of the cases.

Another important facet is how the mechanism is placed within the country's political structure. Since 1995, the Colombian government has appointed officials to address, in some way, attacks against the press. What was once an informal responsibility given to a single person has become a formally structured, autonomous entity made up of multiple actors. It is incorporated into public policy and backed by a legal framework, rather than being reliant on the will of the administration in power. Additionally, the mechanism is backed with financial and human resources. It has a designated budget for its operation and clearly defined obligations for different agencies.

The programme of state protection for journalists has grown over the course of its 15 years, but that growth has not necessarily strengthened it. Over the last three years, three journalists have died, even when local authorities or the UNP knew about the risk. The level of responsibility of the actors involved has dropped and the process has been bureaucratised, resulting in long response times.

The size of the programme means that economic sustainability is a challenge. The annual cost is US$7 million for the protection of journalists.

During the years 2013 and 2014, the programme faced a budget crisis, in part due to the increased volume of cases related to other groups of UNP beneficiaries, and to a lack of planning. By the end of 2015, the programme came to a halt temporarily and was unable to pay for more bodyguards and support. This problem affected the credibility of the programme.

In many cases, the protection measures are not comparable with the level of risk determined by the matrix. For example, a regional journalist with a high risk calculation typically receives support for transportation, while an urban journalist with a lower risk calculus might receive an armoured vehicle. Even though there is an objective criterion to assess the cases, there is a discretionary margin that shows a tendency to disadvantage journalists that are not renowned. The same issue affects decisions to revoke protection measures, which are reassessed after one year.

Beyond the weaknesses in the mechanism's structure is the lack of risk prevention and mitigation in Colombia. Escorting the press will not free it. A threatened journalist will not be safe while his persecutors are free. Impunity on several levels must be addressed, including the sluggishness of the court system and a need for improvement in criminal investigations into attacks and threats, to prevent the mechanism from buckling under the weight of ever more cases in need of ongoing protection.

Indonesia

Journalists run away from a squabble among Papuans at the funeral of Kelly Kwalik in Timika, Indonesia's Papua province 21 December, 2009.

Photo: REUTERS/Muhammad Yamin

#1
Overview
LIBERALISATION BRINGS ACCELERATED
MEDIA GROWTH BUT ALSO ATTACKS
AGAINST JOURNALISTS

In Indonesia, the dynamics of mass media are intertwined with the increasing liberalisation of both the country's politics and its economy since 1998. Following the downfall of the dictatorial New Order regime of President Muhammad Suharto nearly 20 years ago, the media in Indonesia underwent significant changes.

With the introduction of the Press Acts No. 40/1999 and the establishment of a truly independent Press Council, Indonesia became host to one of the strongest free media environments in Southeast Asia.[1] A rapid increase in the number of outlets followed this liberalisation, based on data made available by the Press Council. In 1994, there were about 300 news publications. In 2001 the number had reached to about 1,880[2], though by 2011, market forces pushed it back down to roughly 1000. There were 1,200 radio stations in 2011.

Television stations also increased, rising from dozens of stations prior to the Broadcasting Act of 2002 to nearly 400 in 2011. The ownership structure of television stations also changed. Under Suharto, television stations were run mainly by political cronies, but after 2002, ownership was far more widespread. In recent years, however, it has been dominated by oligarchs, often influenced by politics.[3]

This accelerated media development led to large numbers of people entering the media profession without training. Newsroom awareness of safety issues also lagged behind the pace of expansion.[4] The same pattern followed with the later development of online journalism.

Against this backdrop, journalists have been subjected to a high numbers of attacks —between 20 and 80 a year over the last decade according to data collected by watchdog groups,[5] many perpetrated by police and the military. Nine journalists have been murdered since 1996, eight of these with impunity. Journalists in Indonesia have also suffered fatalities and injuries from large-scale tsunamis and other natural disasters.

Several groups represent journalists' interests, including the Alliance of Independent Journalists (AJI), the legal aid group the

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Kristiawan, R,
2012. Penumpang
Gelap Demokrasi,
AJI, Jakarta

2
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Ibid

3
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Mapping the Land-
scape of the Media
Industry in Contem-
porary Indonesia,
2012. CIPG-Ford
Foundation, Jakarta

4
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Kristiawan,R.
Penumpang Gelap
Demokrasi

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Groups are Alliance
of Independent
Journalists and
LBH Pers.

Legal Aid Institute for the Press (LBH Pers), the Indonesian Television Journalists Association (IJTI) and the Union of Journalists (PWI).

Though there has been little development of multi-stakeholder mechanisms in Indonesia, civil society actors and the Press Council have undertaken steps to introduce them, often in partnership, ranging from the launch of advocacy initiatives and research to awareness-building and training. These efforts brought about the conviction of killers, including in one case the mastermind behind the murder of a journalist, and reduced risks to journalists in turbulent areas, among other achievements.

#2
Threats and Challenges
Facing Journalists
UNPUNISHED ATTACKS, MANY BY POLICE, AND
UNSAFE MEDIA CULTURE THREATEN JOURNALISTS

Though Indonesia's legislation largely supports a free press, rising attacks against journalists, most of which happen without any consequences for the perpetrators, imperil media freedom there.

Two organisations in Indonesia, AJI and LBH Pers, issue data on violence against journalists. In the last decade, they recorded over 500 threats and assaults. In 2016, both groups found there were at least 80 attacks across Indonesia, significantly more than the previous year. Government officials —the alleged perpetrators behind 29 cases in 2016— are the leading threat to journalists, according to LBH Pers. The military, police, politicians and businessmen are also behind incidents against journalists.

DATA FROM LBH PERS

DATA FROM AJI

THREATS AND ASSAULTS AGAINST JOURNALISTS IN INDONESIA
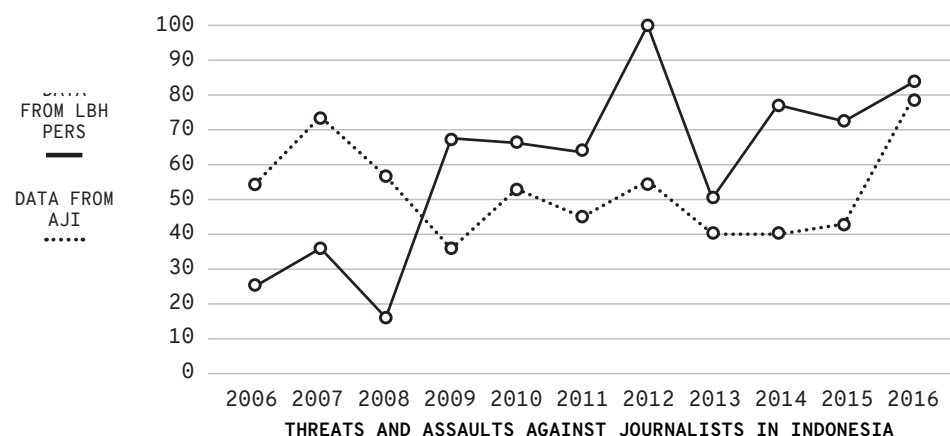
Recent attacks against journalists, which were carried out with impunity by the military and the police include:

— In October 2016, soldiers from an elite strategic reserve command unit assaulted Net TV journalist Sonny Misdianto when he refused to delete footage of them beating a crowd of martial arts performers in the Madiun district of East Java. The men kicked Misdianto and hit him with nunchucks, broke his camera and confiscated his memory card. Misdianto filed criminal charges but ultimately dropped them due to continual harassment from military police.[6] The military police harassed both Misdianto and members of his family.
— Police officers attacked Tempo Group photographer Iqbal Lubis and Metro TV videographer Vincent Waldy while they were covering a student demonstration in Makassar in November 2014. Lubis was able to identify his attackers and filed a complaint, but there has been no movement on the case. LBH Pers documented 10 police attacks against journalists that day.[7]
— In August 2016, Air Force personnel assaulted journalists covering a land dispute in Medan, North Sumatra, and confiscated equipment. No soldiers have been charged or reprimanded for the violence.[8]

There have been nine murders of journalists since 1996. Of these, in only one case, that of the killing of A.A. Narendra Prabangsa in Bali in 2009, was the murderer sentenced.

One prominent case is the 1996 assassination of Mohammad Syafrudin, known as Udin. Despite a strong advocacy push, investigation into Udin's murder was not resolved before the case legally expired in August 2014. A journalist with the daily newspaper Bernas, Udin covered cases of corruption in the regency of Bantul in the Yogyakarta Special Region. He died from injuries he sustained during an attack by unidentified assailants in his home. A local driver was charged in what many believe was an attempt to misdirect the case away from the subjects of Udin's investigations.[9] The driver was later released.

While journalists are often attacked in connection with their investigations or documentations of official conduct, a lack

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of both independent news coverage and journalism ethics plays a part in promoting negative perceptions of the press, fuelling some of the attacks that take place.[10] The rapid growth of media in Indonesia has not been counterbalanced with the development of professional skills, both technical and ethical, and many media outlets are politicised.

Media outlets and individual journalists tend to not be aware of or use safety protocols. Prior to his murder, Prabangsa met the suspect whom he was investigating without taking basic precautions such as informing his editor and colleagues where he was going. His dead body was found in the sea a few days after he disappeared.[11]

The failure to risk assess cost the life of VIVAnews.com journalist Yonatan Nugroho. The journalist was caught in a volcanic eruption on Mount Merapi in 2010, when, despite knowing he was entering an unsafe zone, he tried to interview a local spiritual figure.[12]

Indonesia's geography poses practical challenges as well as immediate dangers to journalists. As an extensive archipelago with over 13,000 islands spread across three time zones with poor infrastructure in many places, it is difficult for support to reach areas where there have been attacks. For example, following the murder of one journalist, Alfred Mirulewan in Kisar Island, Maluku, AJI Ambon, in coordination with the Press Council, dispatched a lawyer from Ambon. Despite coming from the same island, the lawyer had to take multiple flights to arrive at the scene to investigate the case. It is also likely that many attacks that take place are not reported.

Natural disaster is often the culprit behind casualties among journalists in Indonesia, which is located in the ring of fire, the circle in the Pacific Ocean where almost 90 percent of the world's earthquakes take place. Indonesia also has 127 active volcanoes. An earthquake caused the 2004 Boxing Day tsunami, devastating Aceh province and killing 27 journalists based there. Journalists who travelled from other provinces to cover the calamity did so with little disaster preparedness.[13] In Yogyakarta, Central Java, outlets employing journalists to cover the eruption of Mount Merapi in 2010 did not provide them with basic safety equipment, such as glasses and masks to protect them from volcanic dust.

One of the few outlets that did begin equipping its journalists is Kompas, the biggest Jakarta-based press company.

After the Aceh tsunami, it provided safety bags to its journalists that included tools, food and medication. But the company has not continued with this or any other measures to ensure the safety of its journalists.[14]

Bambang Muryanto, a Yogyakarta-based senior journalist, lost his colleague Yonatan Nugroho, who was caught in a volcanic eruption on Mount Merapi in late October 2010. Nugroho, says Muryanto, who now advises journalist in the area on safety practices, failed to take basic precautions. Lack of awareness of and failure to practice safety protocols among journalists and their media outlets is one of the challenges facing Indonesia's media today.

R Kristiawan (RK): What do you think could have saved your colleague's life that day?

Bambang Muryanto (BM): Although Indonesia faces various kinds of natural disaster, Indonesian journalists rarely understand disaster reporting well. They also are less equipped and merely rely on common sense on the ground. In the case of the death of the journalist in Mount Merapi, he was unaware about dangerous zones, making him ignore serious danger by entering a forbidden zone.

RK: What kind of response do you get or attitude do you come across among Indonesian editors and managers when it comes to safety?

BM: Editors indeed pay personal attention to their reporters when it comes to safety. But such attention is not supported by a holistic technical method. Usually they have a low bargaining position with management in asking for safety equipment for instance. In Bali, they have good habits, like always asking for an update on their reporters. However, it has not become a formal SOP [standard operating procedure].

RK: How about reporters themselves?

BM: Personally, they tend to ignore safety procedures. This is due to lack of skill and [because they are] motivated by their eagerness to look "heroic". They tend to ignore procedures to show that they are strong enough to handle problems. (continues)

RK: Is this changing? What do you think will help?

BM: Not yet. In strategic terms, we should encourage media outlets to provide a safety system for their journalists because the impact is sustainable. So far, we only rely on foreign assistance for capacity building. This is proven to be unsustainable. For that aim, we also should encourage the Press Council to set up a safety standard that should be followed up by media companies.

#3
State Responses and Legislation Impacting Safety of Journalists
FREEDOM OF PRESS UPHELD BY PRESS ACT AND PRESS COUNCIL BUT THREATENED BY CRIMINAL DEFAMATION LAWS AND FAILURE TO PROSECUTE ASSAULTS AGAINST JOURNALISTS

Indonesia's press laws uphold freedom of the press, but other laws in its criminal code addressing defamation, as well as internet regulation, make the press vulnerable to criminal charges. The work of a government appointed but independent press council has diminished the potential damage of these laws and taken active steps to promote press freedom and investigate attacks.

The Act of Press No. 40/1999, enacted one year after the Suharto regime ended, prohibits the government from intervening in or controlling the media and includes protections against the imprisonment of journalists on the basis of their work. It also includes up to two years in prison and fines of 500 million rupiah (US$44,000) for anyone who physically attacks a journalist.

The press law created the independent Indonesian Press Council, whose mandate includes protecting the press from outside interference, creating a code of ethics, and resolving public complaints lodged against the press. Although the Press Council is mandated to address media disputes, individuals still bring charges of defamation, an offence under the criminal code.[15] Meanwhile, restrictive internet legislation criminally penalises activists and journalists expressing themselves online.[16]

Indonesia's judiciary has backed the Press Council's efforts to mitigate the use of criminal statues against journalists. In 2008 the Supreme Court disseminated a Circular Letter to the

courts requesting that a representative from the Press Council participate as an expert witness in cases involving the press.[17]

Blasphemy laws have been troublesome for journalists. In July 2016, the Jakarta Post retracted a controversial cartoon and issued an apology following complaints from Muslim groups. Police later summoned the chief editor for violating the country's blasphemy law, a charge that carries a punishment of up to five years in prison. The situation was resolved when police referred the case to the Press Council, which deemed the cartoon not criminal.[18]

Authorities rarely take action against perpetrators of violence against journalists. Out of the nine murders of journalists that have taken place since 2006, only one has been fully prosecuted.

In 2013, the government denied a request to visit from the UN Special Rapporteur for Freedom of Opinion and Expression, citing instability in Papua.

#4
Analysis of Key Safety Programmes and Mechanisms

— The Alliance of Independent Journalists
— LBH Pers
— Press Council

While there is no formal mechanism in place, several of Indonesia's organisations and bodies protecting the press – the Alliance of Indonesian Journalists (AJI), the Press Council and LBH Pers – have, often with support from international groups, responded to violence against journalists in reactive and preventative ways, including working with police to prosecute the killers of journalists and training stakeholders in freedom of expression issues. Their strengths – AJI's presence around the country, LBH's legal expertise, and the Press Council's influence within state institutions – complement each other, but meeting the extensive demand throughout the country is an ongoing struggle.

Alliance of Independent Journalists (AJI)

AJI Indonesia is an independent organisation that has been fighting for press freedom since 1994. With dozens of chap-

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Supreme Court Circular Letter 13/2008

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ters throughout the country, AJI monitors and collects data on attacks against journalists, builds awareness through its reports, advocates for victims, often accompanying those who have been attacked to file complaints, and pushes for prosecutions. It has developed several projects to improve safety in volatile environments, including rapid response, training and dialogue, and organising relief funds for journalists following the Aceh tsunami.

AJI is a member of the International Federation of Journalists (IFJ) and the International Freedom of Expression Exchange (IFEX), and several of its members sit on the Press Council. A group of AJI members founded the legal support group LBH Pers.

Impact

AJI plays an important ongoing role in responding when journalists are attacked. Its work against impunity, its creation of a media centre in Maluku and establishment of multi–stakeholder forums to encourage safe, peace-building journalism and training programmes have contributed to media safety.

— AJI's campaigning and legal support was instrumental in gaining justice for the killing of Bali journalist A.A. Narendra Prabangsa, the only case where those responsible for the murder of a journalist were prosecuted.
— Prabangsa, who was a journalist with the daily newspaper Radar Bali, was killed in 2009 after the publication of his series of investigative reports on alleged corruption at the Bangli government's Regency Education Project. AJI Indonesia, the national office, and its local branch in Denpasar brought in lawyers, and then mounted a campaign in support of justice, engaging not just the media community but religious leaders as well. It worked with local police throughout the investigation.
— In February 2010, seven suspects, Nyoman Susrama, the supervisor of the Regency Education Project, and the brother of the local regent of Bangli, were convicted. Susrama received a life sentence. Prabangsa's case is one the few cases in the world where full justice was brought against all perpetrators of a journalist's murder, including the mastermind.
— AJI launched a strong advocacy campaign about the 1996 murder of Udin. Although the case expired without any pros-

ecutions in 2013, the campaign helped raise awareness of impunity in media attacks.
— AJI created the Maluku Media Center (MMC) to address tensions in the restive province of Maluku. Years of clashes between Muslim and Christian communities in the seaport city of Ambon spread throughout the province and led to the deaths of thousands of people during the height of tensions, between 2009 and 2011.[19] The media itself was divided between the two sides, which contributed to tensions. It established the MMC in the city of Maluku, which now operates as a safety office for journalists as well as campaigns for the application of peace–promoting journalism. The programme is still running.
— AJI set up multi–stakeholder forums in three cities in Central Java (Semarang, Solo, Purwokerto) supported by the Tifa Foundation. The forums brought together representatives from media, local government and civil society, including religious leadership, such as Nahdlatul Ulama (NU), the largest Islamic organisation in the country, with 40 million members, to discuss attacks against journalists. The forum still works in Semarang.
— AJI coordinated with IFJ to run training programmes for some 80 journalists. [20] Two alumni of the training programmes in Bali and Java[21] have led efforts to improve safety in their areas.

Advantages and Challenges

Advantages AJI has dozens of groups in provinces and towns with a good coordinating system. Good coordination with other support groups, including the Press Council and legal aid, non-media stakeholders, and international groups such as IFJ. Ability to closely monitor investigations into attacks and killings. Strong advocacy.

Challenges Many areas of Indonesia remain out of AJI's range. Despite victory in the Prabangsa case, impunity remains the norm in killings and attacks.

LBH Pers

LBH Pers, founded in Jakarta in 2003 by a group of AJI members, provides legal assistance to encourage freedom of the press, and freedom of expression, opinion and information. It has nine offices throughout the country: in Padang, Pekanbaru, Jakarta, Surabaya, Yogyakarta, Makassar, Manado, Palembang, and Ambon. The organisation has received support from the Tifa Foundation.

In addition to litigation, LBH Pers educates stakeholders to improve perceptions of press freedom and understanding of the relevant laws. The group engages with police, military, prosecutors, judges, bureaucrats, businesses and reporters. It also conducts research and runs campaigns.

Impact

LBH Pers complements AJI's campaigning and monitoring work with legal skills. Its educated stakeholders have expertise on legal rights, whereas AJI focuses on media skills and safety and defends journalists. Some examples of its work are:

— Provides legal representation in 30-40 cases per year.
— Implemented trainings to sensitise authorities and journalists to the media in Ambon, where relations between the media and the military were strained. According to one senior journalist from the area, following LBH Per trainings, relations improved and the level of violence decreased.

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Advantages	With nine offices, its reach extends beyond the capital.
	Targeted assistance meets a specific need for legal defence in the freedom of expression community.
	Strong coordination with other stakeholders.
Challenges	Despite having offices in different parts of country, it is still difficult to respond to journalists in many places; at its current capacity it is unable to handle all cases.
	Lack of sustainable funding.

MEDIA OUTLETS AND INDIVIDUAL JOURNALISTS TEND TO NOT BE AWARE OF OR USE SAFETY PROTOCOLS.

Press Council

Indonesia's Press Council was created in 1999 under the Press Act. Members of the Press Council are approved by the president, but no government official sits on the council and government interference in the institution or its membership is not permitted. It is made up of journalists, media owners and other members of civil society.

The Press Council's main function is to resolve media disputes between society and the press. It cannot overturn defamation laws that exist under the country's' penal code but it makes recommendations for remedies or appropriate damages. It also promotes a journalistic code of ethics, develops communication between the press, public and government and campaigns for journalistic professionalism.

Its headquarters are based in Jakarta, but in 2014 the Press Council established local ombudsmen to address cases around the country, one of which, in Semarang, is managed by AJI's local chapter.[22] Two other cities, Purwokerto and Solo, have been designated.

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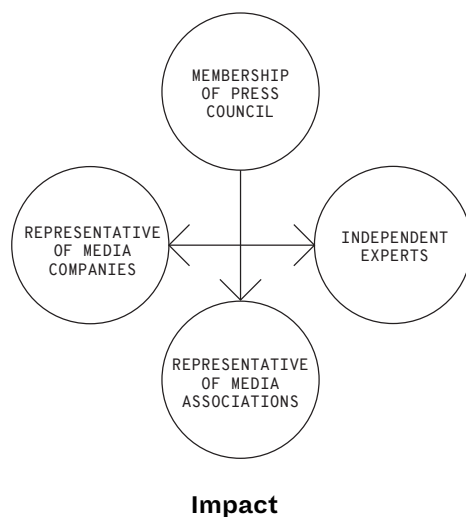
The Press Council, often touted as a model for the region, has taken on many actions to protect freedom of the press from outside interference. Some highlights include:

— Developed guides for reporting during unrest[23] and for responding to emergencies, including recommendations to media groups for evacuating journalists at risk.
—Issued revised code of ethics endorsed by an increasing number of national and regional mainstream media.

—It routinely meets with different sectors of society to brief them on press freedom, encourage more professional journalism and on the use of right of reply in lieu of legal action for those with complaints against the press. For example, it held seminars for judges, prosecutors and police officers, lawyers and military officers on the need to decriminalise defamation. One result is that, in 2012, the Supreme Court disseminated a letter to court advising for a Press Council representative to testify as an expert witness in all cases relating to journalism.
—Established task force to follow up with media and authorities on cases of violence.
—Participated in AJI's programme for multi-stakeholder forums to promote the practice of peace journalism in conflict areas. The forums brought together representatives from media, local government and civil society, including religious leadership, such as Nahdlatul Ulama (NU), the largest Islamic organisation in the country, which has 40 million members.
—Issued revised code of ethics endorsed by an increasing number of national and regional mainstream media.

Advantages and Challenges

As a respected, independent institution and authority over journalist matters, the Press Council is in a unique position to bring together many sectors – the judiciary, police, politicians, community leaders, regional leaders and media, among others – and find common ground. It also able to follow up on attacks, monitor investigations and find non-violent, amicable resolutions to complaints against the media.

Advantages   As a quasi-government institution, it can engage national and provincial governments, police, the military, the judiciary and other official actors.
Strong track record in protecting media freedom with a mixed, non–governmental make up, giving it credibility among non–governmental stakeholders.
Good collaborative relationship with other organisations protecting freedom of expression and journalists.

Disadvantages Capacity is limited for handling the expansive area and the number of complaints.

#5
Implementation and Impact of the UN Plan of Action for the Safety of Journalists and the Issue of Impunity
IMPROVED REPORTING ON CASES OF KILLED JOURNALISTS AND JOURNALIST SAFETY INDICATORS MAIN OUTCOMES OF PLAN

The UN Action Plan for the Safety of Journalists and the Issue of Impunity has yet to take hold in a significant way in Indonesia. Programmes to address safety for journalists, mainly the activities of the organisations profiled above, have been in play since before the Plan's launch in 2012.

UNESCO-Indonesia engaged with the Press Council to ensure Indonesia was included in the UNESCO Director General's report on impunity in cases of killed journalists. The bi-annual report requests countries provide information on investigations into journalist killings. Raising the level of the states' participation in the Director General's report is one of the Plan of Action's objectives. In the most recent report, Indonesia is among the countries that provided information.[24]

Jakarta hosted World Press Freedom Day in 2017, an event likely to bring more attention to the Plan among local stakeholders.

#6
Lessons Learned
NEW STEPS NEEDED TO STRENGTHEN EXISTING RESPONSE STRUCTURE

Stakeholders in Indonesia have informally shaped a well-functioning response structure for journalists and have a combined ability to monitor attacks and raise awareness of key issues affecting journalism among media and other parts of the population. They are in a position to promote the state apparatus on behalf of journalists. This organic structure needs reinforcing

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through more active engagement of stakeholders outside the three main groups analysed, as well as increased capacity.

Some of the more successful work has been post factum response after a journalist is attacked. Campaigning, legal assistance, and monitoring of investigations following attacks against journalists has been well implemented in many cases, and in one key case, the murder of Prabangsa, led to a successful prosecution.

Well-coordinated programmes to educate stakeholders, promote dialogue and understanding among authorities, journalists and other sectors in conflict with the media appear to have effectively decreased tensions in Ambon and other areas where journalists were confronted with hostilities.

Some considerations for how to enhance the level of safety response in Indonesia are:

— Create a task force that includes the Human Rights Commission along with the Press Council, civil society and media.
— Measures, such as seminars with the military and police, the Muluku Media Center and education on the rights of journalists aimed at reducing tensions between the media and other parts of society should be replicated in other places; resources to do this should be made available through the government, media and international funders.
— Expand reach of legal assistance and education for journalists about their rights and legal avenues for accountability when those rights are violated.
— Update safety training programmes and implement in multiple areas so more journalists can benefit.
— Media companies should take a leading role when their journalists are attacked and do more to promote safe working conditions, such as ensuring staff have access to safety tools, training and adequate insurance.
— Raise more awareness of the UN Action Plan among Indonesian stakeholders, and develop a country-focused implementation strategy.
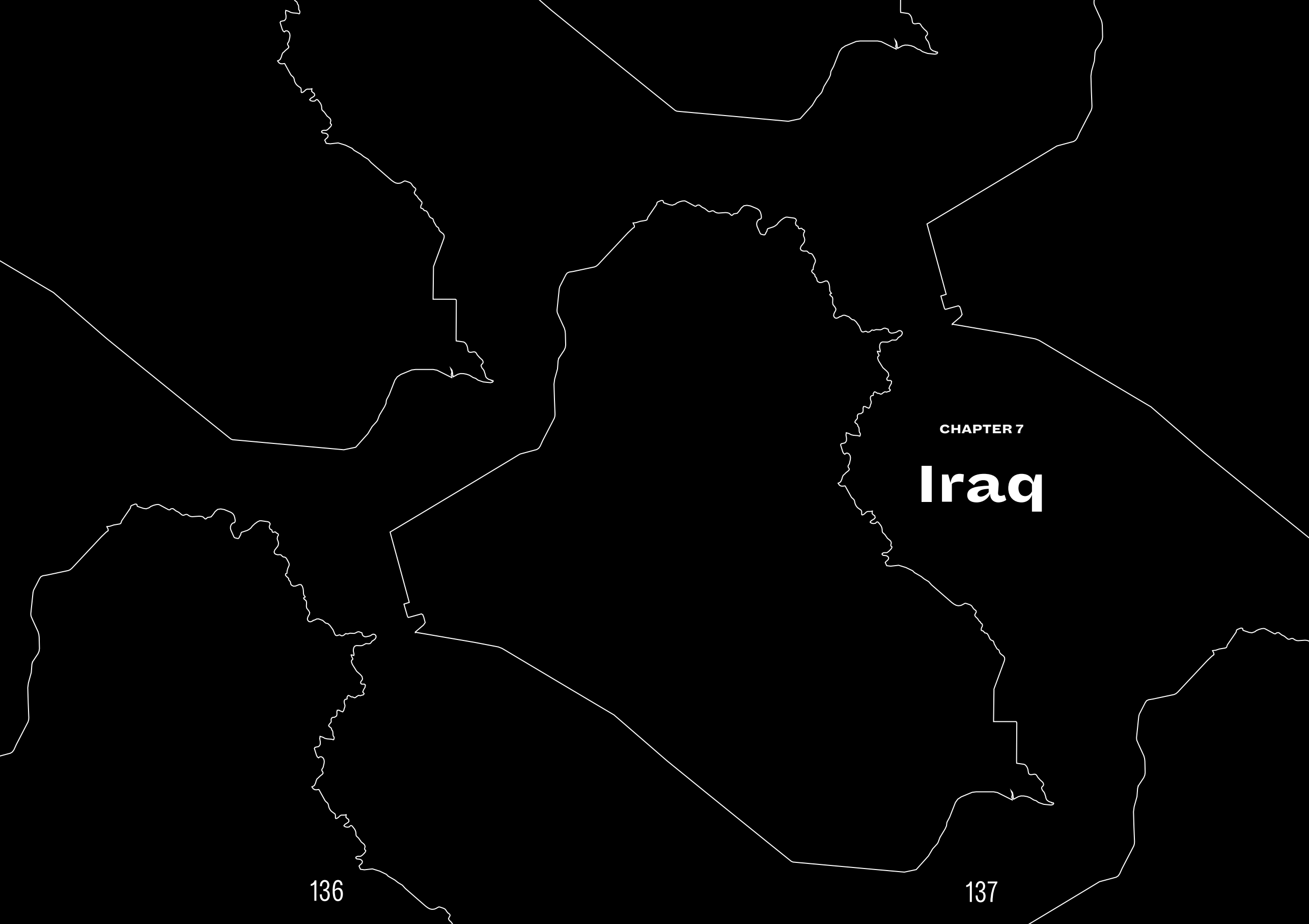
Iraq

Iraqi journalists light candles at the site where Mohammed Badawi, the Baghdad bureau chief of Radio Free Iraq, was shot dead by a Kurdish officer in Baghdad's Jadriyah district 22 March, 2014.

Photo: REUTERS / Thaier al-Sudani

#1
Overview

THREATS FROM ISIS AND MILITIAS,
IMPUNITY AND HOSTILE LEGAL SYSTEM
THREATEN JOURNALISTS

Iraq's media scene has thrived in the post–Baath era, as hundreds of newspapers, magazines, TV channels and radio stations were launched, along with a great number of individuals joining the journalism profession.

Some of those media houses and journalists were independent, and most of them were backed by political and religious groups, all benefitting from the booming economy in Iraq, especially between 2009 and 2014.

With the growth of media houses and journalists, the challenges facing this profession increased, ranging from censorship to death threats and assassination, and carried out by powerful political and religious figures and/or security and police forces, which are controlled by these figures and their parties. The violations against journalists in Iraq have consistently placed it among the bottom countries of Reporters sans Frontières' Press Freedom Index for more than a decade.

The increased security challenges following the Islamic State of Iraq and Syria (ISIS or Da'esh) takeover of two thirds of Iraqi territories in 2014 placed more limitations on journalists' ability to report freely and safely. Not only is ISIS a threat to journalists, but a surge in armed militias formed to counter the terrorist group is as well. These paramilitary groups, equal in power to the army and the police, intimidate journalists with impunity.

Nearly 400 journalists and media workers have lost their lives in Iraq, both Iraqis and foreigners, since 2003, according to the Iraqi monitoring group the Journalistic Freedoms Observatory (JFO). In 2015 ISIS kidnapped 48 journalists and media workers after it took control of the city of Mosul, according to JFO's research. Thirteen of them were brutally executed on charges including treason and spying. In nearly every instance where a journalist has been killed, the perpetrators have not been prosecuted. For the last eight years, Iraq has ranked either first or second in the Committee to Protect Journalists' Global Impunity Index.

Iraq's legal environment, ranked by the international NGO Freedom House to be one of the worst in the world in terms

of press freedom, heavily regulates the press while offering very few protections. Powerful individuals widely misuse the law as a means of pressuring journalists into curtailing or retracting their reporting.

Some parts of the media sector engage in poor practices, such as bringing strong political or sectarian affiliations into their work and failing to equip or take protective measures for their own journalists.

Given this highly challenging environment, stakeholders in Iraq, with backing from international actors, have launched several initiatives to improve the security of journalists. They include a Memorandum of Understanding (MoU) between security forces and journalists, a network to provide legal assistance and a system to monitor and document attacks against journalists. Meanwhile, implementation of the UN Plan of Action for the Safety of Journalists and the Issue of Impunity in Iraq, a focus country for the Plan, has met with limited success.

#2
Threats and Challenges
Facing the Media
ISIS LEADING THREAT, FOLLOWED BY GOVERNMENT OFFICIALS, ARMED GROUPS AND TRIBAL CONFLICT

Iraq has long been one of the most dangerous countries in the world for journalists. They face threats from terrorists, individuals in or connected to the government and more recently, armed groups formed to combat ISIS.

In a November 2016 survey by the NGO Burj Babel for Media Development, undertaken for this report, more than half of respondents said bombings and terror attacks are the most significant problem, particularly because attacks now take place in the heart of the capital. The car bomb attack on May 2, 2015 that claimed the life of Ammar Al-Shabandar, a known journalist and the programme manager for the Institute for War and Peace Reporting in Baghdad, is one example. This contrasts with a 2014 survey in which security forces were named as the number one threat against journalists.

The second biggest threat was from officials and influen-

tial individuals targeting journalists, and the third was targeted attacks by armed groups.

Since 2014, when ISIS began invading, Iraqi and foreign reporters have faced a new wave of attacks.[1] These attacks took place in ISIS-controlled areas, and also in cities where Iraqi forces and the US-led international coalition launched liberation offensives against the terrorist group. Over 34 reporters and cameramen were killed in battlefields, even before the start of the battle for Mosul. During the battle of Mosul alone, 16 journalists were killed or injured, according to the Journalistic Freedom Observatory.

Journalists are even more vulnerable because of lack of training and protective gear. Burj Babel showed that 47 percent of respondents did not have any protection while covering battles, while 72 percent stated that they were not trained in emergency skills, such as how to handle kidnapping attempts.

Survey respondents rated journalists being targeted by officials and influential individuals as the second biggest threat to the safety of journalists.[2] In these cases, the authorities rarely identified the culprits, let alone prosecuted them.[3] Failure to prosecute is in part due to the absence of the rule of law amidst the prevalence of armed groups, but also because of the potential involvement of powerful groups and individuals.

Ziad Al-Ajili, the director of the JFO, explained, "Despite investigations that took place, and clear evidence of conviction, no real measures were taken; as in all cases, the culprit was announced as unknown by the authorities". According to the JFO's research, most of the crimes targeting journalists and media teams are a consequence of their reporting on governmental corruption and criticism of armed militias.

One example is the murder of Hadi Al-Mahdi on September 8, 2011. Al-Mahdi was known for his explicit criticisms of then Prime Minister Nouri Al-Maliki on his daily radio programme. Another example is the case of Raad Al-Jebouri, a TV presenter for the Al-Rasheed satellite channel, who was assassinated on May 6, 2015. The victim published several articles on social media, which were considered by some as crossing red lines set by the authorities. Similar cases took place in the Kurdistan region of Iraq, most prominent among them the case of Zardasht Osman, who was kidnapped in Erbil and assassinated after being brutally tortured in 2010. He had recently published an article criticis-

ing Masoud Barzani, the Kurdistan Regional Government's (KRG) president.

The targeting of journalists and media workers by militias and armed groups was determined as the third greatest risk according to the 2016 Burj Babel survey. This threat became increasingly prevalent after government calls to form Popular Mobilization Forces in response to ISIS takeovers of territories in 2014. Such militias were armed but not monitored or controlled by the state and have threatened journalists who report on their activities.
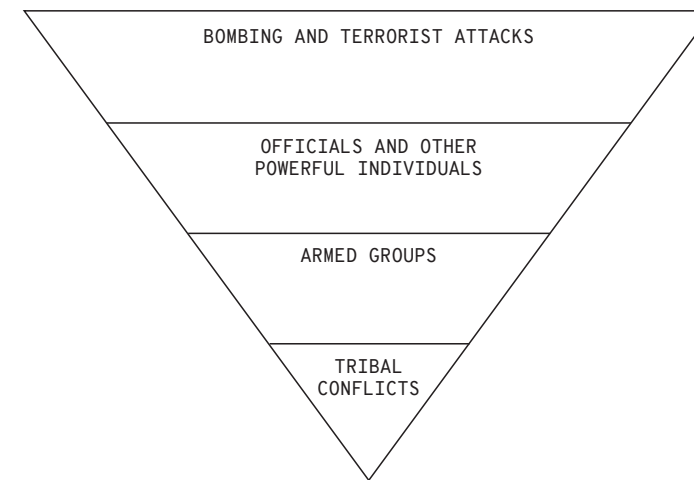
That absence of the rule of the law is the main reason behind the increasing power of unofficial armed militants, and eventually the threat to journalists' lives, said Afrah Shawqi, a journalist and the head of the Fine Arts and Media Department and the Women's Committee at the Ministry of Culture, in an interview with Burj Babel for this report. The journalist's life is subject to the satisfaction of armed militias, or top influential officials who have power and money. Any article published including criticism of them means that a journalist's life it at stake.

Shortly after conducting the interview, Shawqi was abducted by a group of unknown armed men because of an article she had written on armed groups. She was released after the prime minister's intervention and a public outcry.

The fourth threat according to the survey is related to tribal conflicts.[4] Tribal leaders' authority is increasing in Iraq along with the decline of the rule of law. When a journalist reports on tribal practices or puts a tribal figure under the spotlight, he or she faces pressure from the whole tribe. As journalists themselves may be part of a tribe, reporting on anyone from another tribe can be perceived as an attack against that tribe. Tribes may also settle acts of violence against a journalist without referring the case to state law and order institutions.

The survey also looks at gender. It found 16 percent of respondents believe the gender of the journalist is irrelevant when it comes to life threats, some saying male journalists are more subject to life-threatening situations since female journalists are less likely to take on frontline coverage. As a profession, journalism in Iraq does not practice gender equality. Women rarely reach decision making positions in the major media outlets and are frequently subjected to sexual harassment.

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According to 39 percent of the participants of the survey

BOMBING AND TERRORIST ATTACKS

OFFICIALS AND OTHER POWERFUL INDIVIDUALS

ARMED GROUPS

TRIBAL CONFLICTS

#3
State Responses and Legislation Impacting Safety of Journalists
LAWS REGULATE BUT DON'T PROTECT THE MEDIA

In Iraq, the legal framework for protecting freedom of speech and, by extension, media workers and journalists, is very weak. Although the constitution guarantees freedom of expression and freedom of the press,[5] it also imposes limitations on these rights by making them conditional on not disturbing public order and morality. These provisions are set out in elastic and vague terms that leave interpretation to the judiciary and lawmakers.

Most laws in Iraq are inherited from the Baathist dictatorship, which had more interest in restricting journalists than protecting their rights. Some legislation appears to protect freedom of speech and media freedom on the surface, but in practice, political figures and powerful parties readily exploit legal loopholes to escape prosecution.

Iraq's penal code[6] contains provisions that debilitate public discourse. According to Dlovan Berwari[7], a lawyer who works on legal defence for journalists as part of one of the initiatives analysed in this report, "Most articles of this law that are used in restricting freedom of expression, especially those related to

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Article 38, provisions 1 and 2 of the Iraqi constitution of 2005

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Iraqi Penal Code No. 111 of 1969

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A lawyer who works with the Network of Lawyers for Freedom of Expression Organisation (NLFEO)

defamation, slander, and insult, are covered by articles 433-436 of the Penal Code".

These laws favour civil servants and government figures, who frequently invoke such accusations against journalists seeking to expose corruption, knowing journalists are unlikely to be able to pay the large compensation sums demanded or secure legal counsel. This forces most journalists to withdraw their articles and apologise in order to avoid prison. This kind of misuse of the laws has become a widespread trend.

There are several laws that are concerned with media and the work of journalists; chief among them are the federal law Journalists Rights Law No. 21 of 2011 and Law No. 35 of 2006, which contains similar provisions but applies only in KRG. These are also not viewed positively by the media. In Burj Babel's 2016 survey, 73 percent of respondents said that "the [federal] law in its current form does not provide any guarantees to journalists, neither in the sense of free access to information, nor in the sense of professional protection".

Though civil society organisations (CSOs) and media organisations initially proposed the bills behind these laws to secure better protection for journalists and media workers, they found several articles objectionable due to their use of elastic terminologies and referrals for interpretation to other, outdated laws that limit free expression and access to information.

For example, the federal law limits access to information that is classified, but classified information is defined by older, pre-existing laws, such as the Iraqi penal code of 1969, the publications law of 1968, the Ministry of Information law of 2001, the law of censorship over works and cinematic materials of 1972, and the press syndicate law of 1969, all of which are not press friendly. The federal law, according to Mustafa Nassir, a journalist and head of the Society to Defend Press Freedom, was ratified within a political deal aimed to strengthen the control of certain political parties on the media.

Another problem related to the law is that it only covers those who are considered journalists according to the press syndicate law, which defines a journalist as a person who is a member of that syndicate, and so puts limitations on journalists who are not members. Members must practice traditional media and so online journalists are excluded.

A 2011 bill on cyber crimes also aimed to restrict the work of online journalists by designating over 80 online actions – many of which constitute the practice of freedom of expression – as cyber crimes. This bill allowed for significantly high penalties for cyber crimes, especially when compared with the other countries in the region. Civil society and international human rights groups launched a widespread campaign and managed to stop the bill from becoming law, but the question remains whether the parliament will attempt to pass it in the future.

One mechanism to protect journalists exists within the parliament. Parliament forms fact-finding committees and follows up on the activities of the police and the judiciary, according to Maysoun Al-Damalou, head of the Parliamentary Culture and Media Committee in the Iraqi Parliament. However, these committees rarely gather conclusive evidence.

Iraq has signed and ratified international treaties and conventions to uphold human rights, such as the International Covenant on Civil and Political Rights (ICCPR). It is also party to the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions of 2005[8] and became a first phase country for the implementation of the UN Action Plan in 2013.

In recent years, the government has shown more inclination to work with journalists to improve tensions and security, participating in a series of dialogues that resulted in a Memorandum of Understanding (MoU) between the media sector and security forces.

#4
Analysis of Key Safety
Mechanisms and Programmes

— Dialogue between Journalists and Security Forces
— The Network of Volunteer Lawyers for Freedom of Expression (NLFEO)
— Monitoring violations

Several projects aimed at improving the environment for journalists in Iraq are underway. In one, the state is a participant in an agreement and series of training sessions to foster greater understanding between security forces and journalists. Another is a pro bono network of lawyers offering legal aid to journalists. The third project is the work carried out by groups that monitor and document attacks against journalists in Iraq and Kurdistan.

Dialogue Between Journalists and Security Forces
DIALOGUE LEADS TO MEMORANDUM OF UNDERSTANDING (MOU), TRAINING AND ULTIMATELY EASES TENSIONS BE-TWEEN SECURITY FORCES AND MEDIA

Clashes between security forces and journalists and media workers have been a major threat to the work of journalists in Iraq. At the same time, the deterioration of the security environment in most cities in Iraq, particularly following the occupation of territory by ISIS, makes the relationship between the media and security forces essential to journalists operating in those areas. To address this problem, the NGO Burj Babel executed a three-phase programme to improve relations between journalists and security forces.

The first phase kicked off in 2013 with a series of meetings between decision makers in the Ministry of Interior and several reputed journalists. In these discussions, parties exchanged complaints about limitations authorities placed on the press' ability to operate freely and the lack of experience of security personnel in dealing with journalists. It was underscored that security personnel lack clarity on what is permissible, particularly when dealing with terrorism challenges and increasing security threats. Also raised was the fact that journalists often gave mixed signs while covering demonstrations. Many journalists both participate in and report on demonstrations, a situation authorities used to justify the incidents that took place during 2011 demonstrations, when several journalists were arrested and tortured. Security forces also complained journalists do not relay information or quote accurately.

The project also included a questionnaire answered by 208 journalists from various media outlets. Nearly seven percent of the participants stated that they believe security force employees do not know the rights of journalists, and 45 percent said security forces denied the media the right to cover and report on events. Most agreed that a failure to punish security personnel responsible for violations against journalists is the main reason for a lack of trust between the two parties, and that an awareness of rights and obligations is largely absent among both media and security officials.
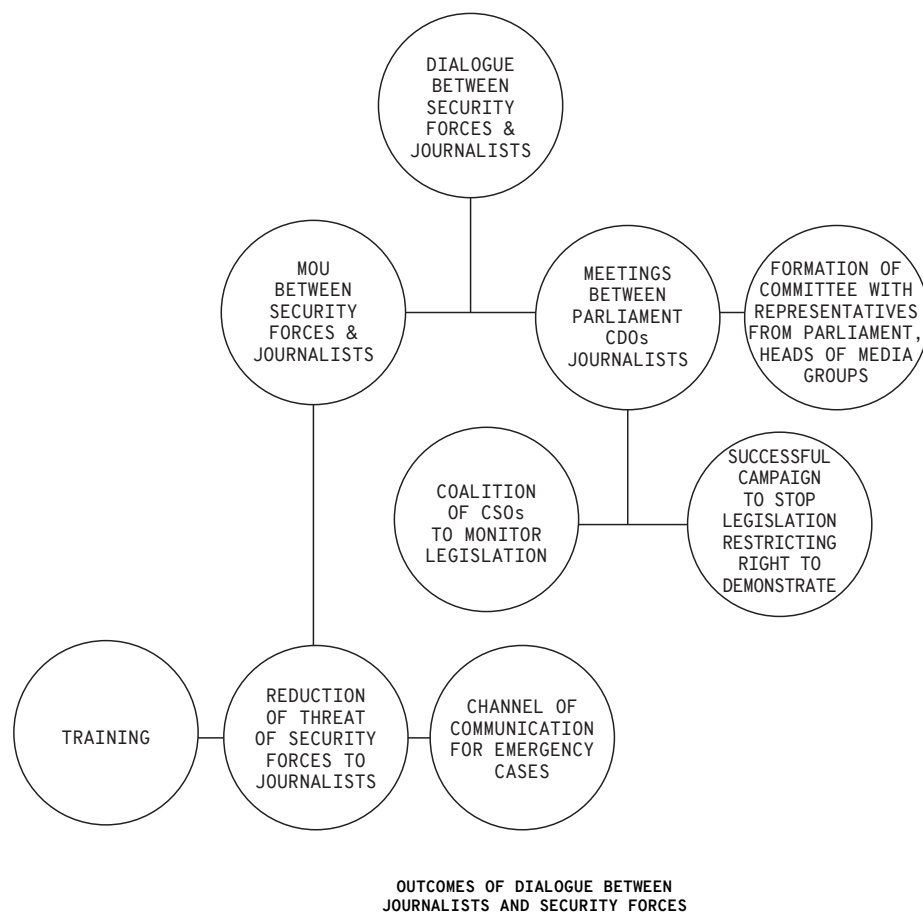
The series of meetings and discussions resulted in a Memorandum of Understanding (MoU) that was signed by journalists and security forces at a 2014 conference sponsored by the Media and Communications Commission of the Iraqi Parliament. The head of the commission, officials from the Ministry of Interior and the High Commission for Human Rights of Iraq, as well as representatives from media houses and journalists, were present. Along with the MoU, another document was drafted outlining practical steps.

The second phase of the project, implemented in 2014, concentrated on holding joint training courses for journalists and security personnel using a curriculum provided by UNES-CO: Freedom of Expression and Public Order. Four courses were conducted, lasting five days each, resulting in the training of 100 security personnel and 20 journalists.

The third phase of the project included training a new group of Ministry of Interior personnel. It also included meetings between parliamentary committees and representatives from Burj Babel, other CSOs, individual journalists, activists and lawyers as an advocacy effort to promote legislation that guarantees freedom of expression. In pursuit of the MoU, a 30-member committee was formed that included the head and members of the Culture, Media and Sport Committees, members of human rights and legal committees, representatives from the human rights and the media and communications commissions, as well as the heads of several media institutions. The committee held six sessions at the Iraqi Parliament.

In the course of these discussions, Burj Babel identified the need to postpone voting on the Right of Demonstration and Freedom of Expression Law that would require prior approval for demonstrations and successfully campaigned with other civil society organisations to delay the vote. These efforts subsequently evolved into a national coalition that monitors pending legislation. Some 45 CSOs and individuals are members.

This mechanism of direct dialogue was duplicated in the Kurdistan region, but was implemented by the NLFEO, with the assistance of the Metro Center. A similar MoU was signed between Kurdistan's Ministry of Interior and the Kurdistan Journalists Syndicate.

DIALOGUE
BETWEEN
SECURITY
FORCES &
JOURNALISTS

MOU
BETWEEN
SECURITY
FORCES &
JOURNALISTS

MEETINGS
BETWEEN
PARLIAMENT
CDOs
JOURNALISTS

FORMATION OF
COMMITTEE WITH
REPRESENTATIVES
FROM PARLIAMENT,
HEADS OF MEDIA
GROUPS

COALITION
OF CSOs
TO MONITOR
LEGISLATION

SUCCESSFUL
CAMPAIGN
TO STOP
LEGISLATION
RESTRICTING
RIGHT TO
DEMONSTRATE

TRAINING

REDUCTION
OF THREAT
OF SECURITY
FORCES TO
JOURNALISTS

CHANNEL OF
COMMUNICATION
FOR EMERGENCY
CASES

OUTCOMES OF DIALOGUE BETWEEN
JOURNALISTS AND SECURITY FORCES

Impact

The project witnessed the first direct dialogue between Iraq's security apparatus and the media. Actions resulting include an MoU, training courses and legislative campaigns.

The workshops and the MoU organised within the project have engendered an improvement in the level of threat journalists perceive in security forces, as indicted by Burj Babel's 2016 survey. Violations committed by security forces no longer ranked as the top threat for journalists in contrast to earlier surveys, though another factor behind this shift may be the emergence of ISIS as the greater threat. The attitude of security forces has changed for the better compared to 2011, according to 73 percent of journalists. Respondents also suggested the environment for journalists covering mass demonstrations has improved.

Some specific outcomes are:

— Journalists and Iraqi security forces signed a MoU in 2014 affirming the need for better cooperation and understanding; a similar MoU was signed by parties in Kurdistan.
— Since 2014, training courses for 100 security personnel and 20 journalists and additional training for new Ministry of Interior personnel have taken place.
— The project resulted in the Baghdad Operations Command reversing a policy that required the press to obtain prior permission to report on events.
— The attitude of security forces toward journalists has improved, according to journalists.
— Stakeholder meetings with parliamentary committees gave civil society the opportunity to successfully campaign for the postponement of voting on the Right of Demonstration and Freedom of Expression Law, which fell short in its protections of freedom of expression and assembly; civil society groups created a 45-member coalition to monitor future legislation.

Advantages and Challenges

The dialogue process has advanced successfully due to the strengths of its implementing group, the ability of the parties involved to find common ground and the commitment shown thus far by the government toward implementing positive steps. Greater awareness of the MoU, formalisation of protocols around its principles and the extension of the dialogue to unofficial forces, such as paramilitary groups, are needed for continuing improvement in the environment for journalists.

Advantages — Despite previous tensions, the project's main implementer, Burj Babel, is in a position to bring parties into face-to-face dialogue through its director's good relationships with stakeholders, including those within the Ministries of Interior and Defence.
— Mass arrests of journalists who were covering demonstrations in 2011 and subsequent outcry from the media community and civil society furnished new incentives to

address the problem.

— International support enabled Burj Babel to implement a multi-year project and motivate government stakeholders to engage. Decision makers from the Ministry of Interior were cooperative toward the initiative and willing to host meetings.

— Dialogue extended beyond security institutions to decision makers in parliament to enable civil society access and to have impact on legislation.

Challenges

— To be sustainable, the MoU should be replaced with a formal multilateral agreement with more practical details and steps to be followed as protocol rather than a set of principles for the parties to follow.

— The majority of armed forces in Iraq are not aware of the MoU and many journalists are not familiar with its content or how to utilise it. Greater information dissemination within the government bodies —establishing training units for personnel within ministries is one way— and awareness-raising by NGOs is needed.

— The MoU does not cover unofficial armed forces owned and controlled by the political parties such as para-military groups. These are a grave threat to journalists and need to be brought into the dialogue.

RELEASED FROM CAPTIVITY
BUT CAPTORS STILL ATLARGE;
AN IRAQI JOURNALIST'S ACCOUNT

On the night of December 26, 2016, armed men took journalist Afrah Shawqi, a veteran journalist who is also an employee of the culture ministry, from her home. Using channels established through a multi-year dialogue project to improve relations between journalists and security forces, colleagues raised her case at high

levels of the government. She was released a week later. Shawqi talked to Dhikra Sarsam, a co-author of this report, about the reasons behind her kidnapping, her release and decision to go into exile. Here are excerpts from Shawqi's account:

"The incident was because of some social media posts and newspaper articles I had written. I was accused of publishing articles critical of sectarian armed groups.

I never thought that I would get released. I completely lost hope due to the insecure situation in Iraq and believed that my fate was death. I wrote my will and gave it to the kidnappers, but still hoped every moment that I would get released. During the last four days of the kidnapping it seemed that some arrangements were taking place for my release but the kidnappers said that it wouldn't be easy to secure my release.

The most important factors [behind my release] were popular support, solidarity and political pressure.

After my release, I was provided security protection. For two weeks a security unit was assigned to protect me and my movements were limited, but after two weeks everything became as it was. Some officials didn't make any efforts to [investigate] my case because some of them have links to militias. Some media outlets were afraid to speak about my case.

Many reasons pushed me to leave the country but the most decisive one was the fact that I'm still at risk and threats kept being sent to me. Also the criminals are still free; they have weapons, money, badges, armoured cars, They could capture me or my children at any moment according to what they said to me before my release.

Because the situation in Iraq is dangerous, journalists must protect themselves by changing their whereabouts from time to time and avoid addressing hot topics explicitly which may put them in danger. The government should disclose the findings of hundreds of investigative committees that it claims it formed at the time of incidents, expose the perpetrators".

THE ABSENCE OF RULE OF LAW HAS GIVEN RISE TO UNOFFICIAL ARMED MILITANTS THAT POSE THE GREATEST THREAT TO JOURNALISTS.

The Network of Lawyers for Freedom of Expression (NLFEO)

PRO BONO LEGAL ASSISTANCE OFFERS DEFENCE TO JOURNALISTS VULNERABLE TO LEGAL ACTION BY POWERFUL PLAINTIFFS

Journalists and champions of freedom of expression are generally not aware of the laws in Iraq, be it the laws that protect their right to freedom of expression, or those that restrict it and criminalise their actions. In addition, journalists are typically not in a financial position to hire legal counsel. As a consequence, they are often pressured to quit or to settle through tribal law.

To remedy this, the NGO the Volunteer Network of Lawyers for Freedom of Expression (NLFEO), a group of lawyers from all Iraq provinces, defends journalists and media workers or others under threat because of exercising their freedom of expression.

The mechanism includes a hotline for free legal advice for journalists facing prosecution or receiving threats. If needed, the individual will be assigned a lawyer or legal team depending on the size of the case and the level of the threat. The NLFEO has also assigned lawyers to follow up on investigations in cases of journalists killed because of their work. Services are provided pro bono.[9] Dlovan Barwari, a lawyer, serves as the network's manager. The NLFEO also publishes reports aimed at raising awareness among journalists and media workers, as well security forces and government agencies, on the legal rights of journalists and media. These publications are available for free in both of the formal languages of the country, Arabic and Kurdish.

In some cases, the NLFEO took on lobbying and advocacy campaigns. For example, when the head of the Media and Communications Commission launched a lawsuit against journalist Muntadhar Nassir over an article he had published, the NLFEO and Burj Babel, along with other CSOs, held a press conference to support the defendant, launched a campaign on social media, organised sit–ins before the Commission's headquarters and organised a demonstration for journalists in front of the court. It is believed that this public pressure contributed to the court clearing the journalist.

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IMS provides funding for legal fees, documents and other expenses.

Impact

The establishment of a network of lawyers dedicated to defending freedom of expression aims to provide an important resource for journalists. In a short time, the NLFEO has had tangible results. In addition to the direct counsel it has provided, the knowledge that journalists have access to legal help deters the government and powerful individuals from misusing the law to intimidate or pressure journalists into withdrawing their articles and statements. It deters them from filing defamation lawsuits, a tactic commonly used against journalists.[10] Members of the NLFEO maintain close links with civil society and have drawn on these to launch advocacy campaigns in support of its cases. Since its founding in 2015, the NLFEO has:

— Handled more than 400 calls from journalists and writers who faced threats and sought legal counselling between 2015 and 2016.
— Won 41 cases in courts throughout Iraq between 2015 and 2016; defendants mainly faced prosecution from government or political figures for assumed legal breeches.
— Assembled a team of 13 lawyers to follow up on the murder of Widat Hasan. Hasan was abducted, tortured and then killed in Duhok in August 2016.
— Produced a legal guide for journalists and distributed 2000 copies.

Advantages and Challenges

The NLFEO's activities are very specific, practical and measurable, compared with other initiatives that seek longer term changes at policy level. Its structure is low cost and its main actors, members of the legal community, bring political weight to the group, as well as legal expertise.

Advantages Lawyers participate in the network on a voluntary basis, keeping costs low.
The lawyers within the network are also active in civil society and able to mobilise public opinion in support of cases.
Addresses specific need within the freedom of expression community, with targeted solutions.

Challenges The network is not as widely known among journalists and the public as is needed for maximum impact.
Lawyers are themselves at risk and subject to threats and attacks.
Greater international support and monitoring would strengthen the network and pressure the government to provide protection to its actors."

Monitoring Violations Against Journalists
RIGOROUS MONITORING FORMS
BASIS FOR ADVOCACY

Another important tool for protecting journalists and free speech advocates is monitoring the violations committed against journalists, media workers and media institutions. This work has been undertaken primarily by two NGOS in Iraq: The Metro Center operating in the Kurdistan region and the Journalist Freedom Observatory (JFO), which covers Baghdad and other parts of Iraq.[11] The National Union of Iraqi Journalists (NUIJ) also monitors attacks. Local groups collect information on attacks against journalists that can then be used by local and international groups as the foundation for advocacy.

Metro, founded in 2009 by respected journalist Kamaran Ali, who also founded Metrography[12], a similar organisation that works with photographers, and the JFO, founded by Zyad Al-Ajili in 2004, publish annual reports in Arabic, Kurdish, and English documenting attacks against journalists. Kamaran Ali was killed in 2014.

These groups are largely funded by international organisations. In addition to support they received from International Media Support, Norwegian People's Aid, Free Press Unlimited and the National Democratic Institute also funded these groups.

Impact

The work of monitoring groups collecting and disseminating data has played an important part in the development and functioning

of other initiatives addressing the safety of journalists. On a national level, the JFO's data on press freedom violations, particularly the 2011 mass arrest of journalists, pushed the government to acknowledge a pattern of violations committed by security forces against journalists, rather than portraying them as isolated incidents, and to enter the dialogue initiative. Reporting by the JFO and other organisations led Baghdad's civil society to mobilise against legislation that would have criminalised protests without registration and online journalism in Iraq. Reports by monitoring groups have also been used as evidence in legal proceedings.

In response to the Metro Center's reports in the KRG, the regional government agreed to implement the Access to Information Law, originally adopted in 2013. This will potentially reduce the number of violations against journalists since lack of access to formal sources of information has been a source of tension leading to attacks on and prosecutions of journalists. Iraq's deputy prime minister cited Metro for its role in informing policy.

Reliable documentation of attacks and press freedom trends is also key for building international pressure. The Iraqi governments, both federal and regional, are motivated to show that they are democratic governments that respect human rights and abide by international treaties. Reports from these groups contradict this and have been used in international forums and mechanisms, including the Universal Periodic Review process, to bring international scrutiny at a time when the government needs financial and logistical support from the international community.

Advantages and Challenges

Professionalism and international reach are important factors supporting the ability of monitoring groups to impact policy and engage the government, but decreasing reliance on international financial support is an important challenge moving forward.

Advantages
— Reliable data and reporting on violations against journalists is an important foundation for advocacy and often used as evidence in legal proceedings.
— Monitoring by local groups is a tool for building international pressure on the state; Iraq, as a recipient of international aid, is sensitive to international opinion.
— The groups conducting the monitoring are well reputed and backed by international organisations. Their work is cited in international reports. As a result, government bodies and influential parties must confront poor records in protecting press freedom.

Challenges
— Monitoring organisations are reliant on international support. A more sustainable funding model is needed.

#5
Implementation and Impact of the UN Plan of Action for the Safety of Journalists and the Issue of Impunity

Iraq is one of five countries chosen to pilot the UN Plan of Action. Though UNESCO-Iraq has engaged with Iraqi government bodies, government responsiveness and the level of coordinated participation by UN agencies has been disappointing.

In an interview for this report, Dhya Subhi, the media manager of UNESCO-Iraq, outlined the main challenges facing the UN Action Plan. Suhbi, who estimates that only 20 percent of the Plan has been implemented, pointed to major political obstacles to gaining more government commitments toward implementation, lack of coordination among UN agencies and other international groups and poor practices among the media with regard to safety and responsible reporting. Specifically, she highlighted the following:
— Competition and partisanship among concerned government bodies crippled the decision–making process when it came to adopting specific measures.
— Lack of ownership by government bodies, particularly the Ministry of Interior, Ministry of Defence and the National Security Agency, which tend to defer responsibility for the Plan to each other.
— Lack of cooperation from the justice system in Iraq to implement the Plan, to a point where it refused to participate

in any event that was organised to implement the Action Plan. This adversely affected the Plan's ability to end impunity of perpetrators responsible for violence against journalists.

— Lack of coordination between non–UN international organisations and UN agencies and among UN agencies themselves.

— Finally, Iraqi media often does not adhere to codes of ethics and involve their workers in political and sectarian struggles. Media institutions and syndicates have not sufficiently raised safety awareness among journalists.

One of the Plan's objectives is to increase responsiveness from states when UNESCO requests information on cases where journalists have been killed, a UNESCO impunity accountability mechanism established in 2008. Despite the fact that Iraq has some of the highest rates of violence and impunity in the world, the government has not answered any requests for information for a total of 145 cases. Toward the end of 2016, UNESCO brought the legislative and the executive branch stakeholders together to discuss a mechanism for reporting on killings and responding to the UNESCO requests. It was agreed that the Minister of Justice will be the focal point between UNESCO and the government.

Other UNESCO activities include the publishing of three handbooks on safety distributed to local NGOs and media institutions in response to the rise of violence perpetrated by ISIS, as well as training courses.

#6
Lessons Learned

— Government engagement with specific commitments by relevant bodies can bring meaningful, sustainable impact.
— When specific needs are identified, effective responses can be developed.
— Moinitoring and data collection help build strong safety responses.

Given that the challenges facing Iraq's media are formidable and stem from many aspects of Iraq's current political and security

situation, not least the emergence of ISIS, it would not be correct to say the overall situation has improved for journalists through the approaches examined in this report. The work accomplished through these initiatives, however, has lessened some of the dangers and pressures under which the media work. And while the UN Action Plan's implementation has fallen short of expectations, it has helped raised awareness among stakeholders around safety issues.

The Iraq experience indicates that government engagement with specific commitments by relevant bodies can bring meaningful, sustainable impact. Where the government has shown responsiveness – in the dialogue and MoU between media and security forces— there has been concrete improvement, as indicated by the comparison of surveys taken between 2014 and 2016, which show a drop in the number of participants who see security forces as a significant threat. On the other hand, the government institutions' unwillingness and inability to come together through the UN Plan of Action will make progress against impunity, among other issues, difficult to achieve.

Another lesson from Iraq is that targeted responses to specific needs can be effective in place of a larger, more comprehensive structures. The NFELO project has brought results in a short time through legal defence to mitigate the problem of widespread misuse of the law to intimidate the practice of freedom of expression.

The current mechanisms in Iraq have demonstrated potential success, but they lack the support to become nationwide mechanisms. Approaches for sustainability and growth are important for the development of programmes aimed at improving the security of journalists long term.

Looking forward, recommended steps include developing the MoU into a formal multilateral agreement with practical steps to be followed as a protocol rather than a set of principles, and engaging media itself as a partner in monitoring work as much as possible.

Nepal

Man reads a local Nepalese newspaper in 2017. Politically motivated attacks against journalists have continued, often because they are seen as representing one ideological tilt by supporters of another.

Photo: Photo: Binod Bhattarai
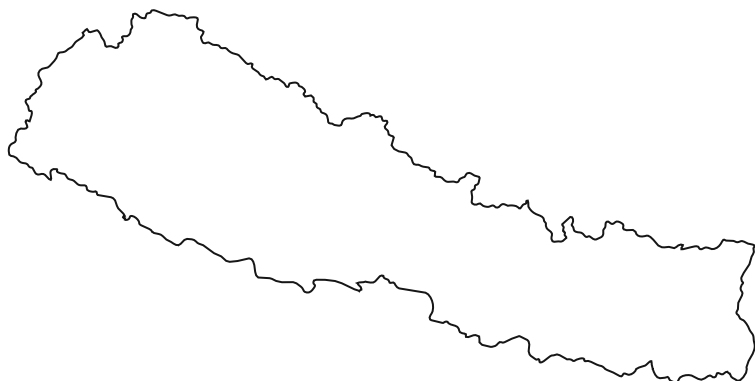
#1
Overview
SUSTAINED POLITICAL TURBULENCE
CREATES FRACTURED MEDIA

Nepal has arguably had the most eventful periods of its modern history in the past two decades. It became a democracy in 1990 but was soon caught up in an armed conflict between the state and Maoist rebels that lasted a decade (1996-2006). A bloody shoot-out at the royal palace in June 2001 resulted in the death of the king, queen, crown prince and other members of the royal family, after which the king's surviving brother was crowned as monarch.

The conflict escalated following the installation of King Gyanendra, who, in 2002, sacked the prime minister, Sher Bahadur Deuba, and began appointing prime ministers before taking over powers to rule as chairman of the Council of Ministers from February 2005.

Following the takeover, the king had ordered the arrest of political leaders and also suspended media rights, and called the military in to censor content. A popular revolt against the king was followed by an India-brokered agreement between the parliamentary parties and the Maoists. These protests began in late 2002 and culminated in the restoration of parliament and peace negotiations, which led to the signing of the Comprehensive Peace Agreement in November 2006, and election of a constituent assembly to prepare a new constitution in 2008. This assembly, however, failed to deliver a constitution.

Following another election in November 2013, the second constituent assembly promulgated the current constitution on September 20, 2015. The constitution was generally welcomed, as it promised to bring the protracted political transition to an end, but it was also met with intense opposition. Three main political parties with the majority needed for promulgation had passed the draft without much debate, which caused dissatisfied groups to launch protests that paralysed Nepal's southern districts for almost six months. Over 50 people were killed during the protests[1] against the constitution and over 170 journalists were threatened or attacked.

Journalists had actively supported the political protests calling for the establishment of democracy in both 1990 and 2006. Nepal's media reported on violations of media rights

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The Human Rights Yearbook 2017 by the Informal Sector Service (INSEC) says 53 people were killed. According to Binod Dhungel's 2016 Trespassed on Press by the Center for Media Research, Nepal, Kathmandu, the number is 58.

during the insurgency and the largest journalist organisation,
the Federation of Nepali Journalists (FNJ)[2], led protests opposing
control on media freedoms.

The country's historically partisan media[3] has largely
failed to become more professional even after the restoration
of democracy. As a result, politically motivated attacks against
journalists have continued, often because they are seen as repre-
senting one ideological tilt by supporters of another.[4] A 2016 study
among radio journalists carried out by the Community Radio
Support Centre and the Nepal Forum of Environmental Journalists
found that 40 percent of all respondents held memberships to
political parties.[5] Many leaders of political parties are chairmen of
local radios or have relatives based there as proxies.[6]

Nepal's identity-driven politics has made polarisation
more complex. In addition to political affiliations, journalists are
often perceived or expected to support the caste or ethnic group to
which they belong. A participant at a consultation organised as part
of this study said he was accused of betraying his social group for
writing a story saying the government wrongly designated people
who had been killed during the plains protests as martyrs.

Media Environment and
Media Groups, Associations

In 2016, Nepal had 3,795 newspapers, the majority of them week-
lies and based in the districts, registered at the Press Council
Nepal (PCN) in 2016, though only around 615 regularly published.[7]
Most of the newspapers are small, often family operations that
rely on government support through Public Welfare Advertising
(PWA) by the government.

In 2016 Nepal had licensed 702 FM radio stations, of which
565 were broadcasting, and 93 television stations, of which 25
had regular broadcasts. The Ministry of Information and Commu-
nication (MoIC) had also licensed four internet protocol television
stations, 853 cable television distributors, seven digital cable
operators, one direct-to-home (DTH) operator, and had granted
cable downlink permits to 162 operators.[8] Similarly, there were 432
online new sites registered at the PCN.

The PCN is a legally mandated self-regulatory body, and
its main function is to oversee compliance to the journalists'
code of conduct. Until January 2016 it received and reviewed

complaints only against the print media and journalists. From
January 15, 2016 the PCN began monitoring both the broadcast
and online media. Nepal does not have an independent regulator
for broadcasting.

Nepal has several organisations that represent journalists
and the media, including non-governmental organisations (NGOs),
unions, and training institutions. The Federation of Nepali Jour-
nalists (FNJ) and the Freedom Forum are the most visible when it
comes to working on matters related to safety of journalists.

Sancharika Samuha (SAS) is the largest organisation of
women journalists. It supports capacity building for women jour-
nalists, and produces content on women and gender issues for
news features, radio and television programmes. SAS also uses its
network to respond to the safety needs of women such as harass-
ment and sexual violence.

Other journalist organisations work for the welfare of jour-
nalists belonging to different social identities — Dalits, Janajatis
and Madhesis among others.[9] These groups issue statements and
advocate for safety and protection, particularly when their mem-
bers are attacked.

Several journalist organisations are known for their links
to various political parties. These include the Nepal Press Union,
a sister organisation of the Nepali Congress Party, Press Chautari
Nepal, which is known for its links to the Communist Party of Ne-
pal (Unified Marxist-Leninist) or UML, and the Press Centre Nepal
(formerly Revolutionary Journalists Association), which is close to
the main Maoist party, and other organisations that are aligned to
other political parties.[10] Most members of these organisations are
also members of the FNJ. These groups engage in limited activi-
ties to promote safety for journalists.

The Media Society Nepal is the chief membership associ-
ation for media owners and represents large Kathmandu based
media companies. It primarily works for the professional rights
and welfare of broadsheet national dailies and satellite televi-
sion stations.

The radio sector is supported by two major organisations:
the Association of Community Radio Broadcasters (ACORAB) and
the Broadcasting Association of Nepal (BAN) for private broad-
casters. Both organisations have member stations across the
country. ACORAB functions as a lobbying and advocacy organisa-
tion for community radio and supports training.

#2
Threats and Challenges
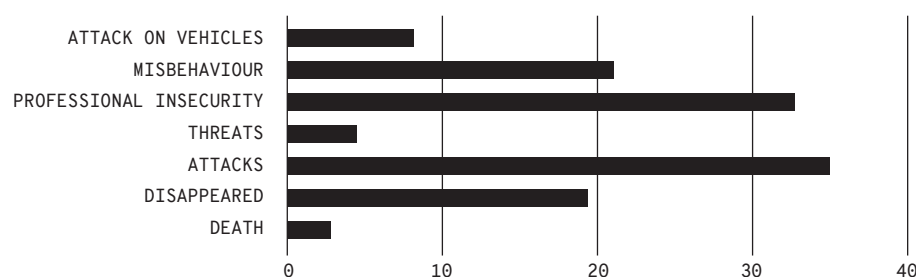# Facing the Media

ATTACKS AGAINST JOURNALISTS LINKED TO POLITICAL VOLATILITY, POLARISATION AND IMPUNITY

Concerns about the safety of journalists emerged alongside the conflicts of the first several years of the century and continued throughout the prolonged political transition to democratic rule. Attacks had increased sharply during the conflict, and journalists were threatened, harassed, abducted and even killed. Nine journalists were killed after the peace process began[11] in 2006. Threats to journalists have since soared every time the political climate has intensified, particularly around matters related to the constitution.

From August 2015 to February 2016, the period covering the promulgation of the constitution, 177 journalists and media workers were threatened or attacked in as many days, the majority taking place in the plains districts where protests by the Madhesis were centred.[12]

Despite these upsurges, attacks on journalists on the whole have eased since the start of the peace process. In the period from 2005 to 2006, a peak year, the FNJ reported 1,683 incidents, including two killings. FNJ data for 2015 to 2016 reported 139 incidents and no deaths, though it should be noted FNJ changed its methodology in 2015 to differentiate attacks with journalism as the motive from incidents involving individual journalists that are not connected to their work.

The threats faced by journalists vary across the country in type and severity. Certain risks peak during political upheavals, while others are of a persistent nature – reporting on local corruption and local politicians pose particular risks, for example. The sense of insecurity is magnified by impunity for those who have attacked the press.[13]

Violations of media freedoms in Nepal (May 2015 to April 2016)

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Freedom Forum

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Dhungel, Binod, 2016. Trespassed on Press, Center for Media Research, Nepal, Kathmandu

13
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A consultation with journalists in the districts

In November 2016 the Freedom Forum published findings of a study by Dharmendra Jha and Taranath Dahal that listed 23 cases of journalist deaths and three disappearances[14] between 1996 and 2016. Of the victims, 14 were killed during the conflict and nine after the peace process began in 2006. It found that two thirds of the 26 cases had not been investigated, and no charges had been pressed. The failure to press charges was due to political pressure and threat[s] from oppressors, the report said.

According to the report, nine cases – eight killings and one disappearance — had reached the courts, where five were ruled on, two awaited rulings. The government had withdrawn one case. The government had also withdrawn another case, which was then returned to the court following public outcry.

In two cases – one disappearance and one killing of a media owner – the government had not made investigation reports public. The Freedom Forum said state security forces were responsible for killing seven journalists, and the then Communist Party of Nepal Maoist (CPN-M) was responsible for nine.

One outcome of continued attacks on journalists and media has been increasing self-censorship. In a 2014 study involving journalists from 31 of Nepal's 75 districts, respondents identified different sources of risk in reporting; responding to this risk, the media softened or diluted news relating to those individuals or groups. Forty-five percent of respondents said they feared attacks from people they reported about, and gave this fear as a reason for self-censoring their work. Similarly, 71 percent had identified the absence of the rule of law as a reason for self-censorship; 66 percent said they self-censored because those who had attacked journalists did so with impunity.[15]

The respondents had also identified sensitive topics. These included reports on local politics and/or political leaders, national politics/leaders, local police, local governance and corruption, local crime and armed groups. Overall, 63 percent of the respondents had said that they self-censored their work.

As part of this study,[16] in 2016, a consultation took place with journalists in the plains districts of Nepal, where frequent attacks against journalists take place. During the consultation, participants identified several sources of threats and harassment. Police, said one, react angrily when coverage of protests cast them in a bad light. Business associations also intimidate journalists or seek use their influence as advertisers to control

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Dharmendra Jha, Taranath Dahal, 2016. Dandahintako Nirantarta: Nepalma gata dui dashak bhayeka hatya ra bepatta pariyeka patrakar/sancharkarmiko kanooni upachar ko abastha (Continuation of Impunity: The situation of the legal process of journalists killed and disappeared in Nepal over two decades) (unpublished)

15
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Bhattarai, B., Mainali, R., 2014. Killing Journalism Softly, Alliance for Social Dialogue, The Writing Workshop P. Ltd, Kathmandu

16
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The participants, 14 in total including three women, came from Mahottari, Dhanusha, Sarlahi, Bara, Rautahat, Makwanpur and Chitwan districts.

coverage. Journalists also said they fear reporting on criminal gangs that have connections with police and politicians.

Participants also said threats emerged due to the conduct of the journalists themselves, including poor factchecking or political bias. Media owners have exerted pressure on their own journalists in support of political interests. When journalists attempt independent coverage, political parties have responded with threats, while volatile protests have lead to violent incidents. In one case in Guar, protesters torched a newspaper delivery van.

Many journalists also say professional insecurity poses a threat. Media companies often ignore the legal minimum wage and minimal standards for working conditions. The resulting financial insecurities cause journalists to take on side jobs that often conflict with their interests as journalists. Gender inequality in Nepali society makes conditions worse for women, who work under generally unequal conditions and experience continuous pressure from family and society to seek more secure and rewarding jobs.

In 2016 SAS carried out a survey of 1,143 women journalists and found that demanding or unsociable working hours, gender inequality at media companies, financial insecurities, lack of transport facilities, discouragement from families and domestic responsibilities were the major reasons why they quit journalism. Nearly all the women surveyed said they earned the minimum wage or less.[17]

A previous study by the International Federation of Journalists (IFJ) conducted in March 2015 founds sexual and non-sexual harassment of women journalists occurs frequently but that most organisations did not have policies to combat sexual harassment or mechanisms for filing complaints. Where such mechanisms are in place, women find it difficult to report harassment for fear of how such a step will affect their image and career, the report said.

17
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Sancharika Samuha, 2016. Women Journalists in Nepal: A research on the professional status of women journalists in Nepal, Forum of Women Journalists & Communicators

From the Journalists' View

A consultation with journalists from seven districts — Mahottari, Dhanusha, Sarlahi, Bara, Rautahat, Makwanpur and Chitwan — was organised as part of this study. The discussions revealed that safety concerns in Nepal stem from a number of factors, including the professionalism and capacity of journalists. Some points from the discussion are reproduced below.

A participant working for a large Kathmandu-based daily said, "I face many threats. My office tells me to work in a balanced way. They don't want to listen to problems. They don't issue statements." Others said journalist associations do issue statements and even send missions to produce reports — after which the issues are forgotten. Local journalist associations are more supportive. "But journalists who are not members of different associations are not protected in the same manner," another participant said. "I have felt that personally".

Another participant extolled the benefits of safety training: "I attended a safety course and it helped me twice. Once when I was abducted by timber smugglers and the second time when the army held me for taking pictures near the barracks." He added that he had given them what they wanted: his wallet, his ID, and had avoided eye contact and arguments as he had learned in the training. Later he was released.

Political allegiances and lack of professionalism also concerned the participants. "These days journalists use very strong words and phrases and often do not check facts, and these put them at risk," one said.

Often journalists have been attacked not for their journalism, but for other reasons. "There are many journalists in the plains but they do not do just journalism," another participant said. He added, "Every political party has a journalist association; they write against other (parties) and cover up incidents involving their own."

#3
State Responses and Legislation Impacting Safety of Journalists
LEGAL FRAMEWORK FALLS SHORT OF INTERNATIONAL FREEDOM OF EXPRESSION STANDARDS; GOVERNMENT INSURANCE PROGRAMME AND WORKING JOURNALIST ACT CAN IMPROVE PROFESSIONAL SECURITY IF BETTER IMPLEMENTED

Nepal's new constitution, approved in 2015, does enshrine freedoms of expression, information and media, but at the same time, it also curbs these rights. The constitution stipulates that "the government can impose reasonable restrictions on any act which may undermine nationality, sovereignty, independence and indivisibility of Nepal, or federal units, or jeopardizes the harmonious relations subsisting among the people of various caste, ethnicity, religion or communities, or incites racial discrimination, or untouchability, or disrespects labor, or any act of defamation, contempt of court, or an incitement of offence, or is contrary to decent public behavior or morality. Experts have criticised the constitution for its use of terms and phrases that are open to interpretation and misuse and for failing to meet international standards".[18]

One law enacted after the restoration of democracy in 2006 has remained a serious challenge for expression online. Section 47 of the Electronic Transactions Act 2008 stipulates that "a fine, imprisonment or both can be meted out as punishment for individuals who publish online materials which may be contrary to the public morality or decent behaviour, or any types of materials which may spread hate or jealousy against anyone or which may jeopardise the harmonious relations subsisting among the peoples of various castes, tribes and communities".[19] There have been instances where the police have used this act to press charges against citizens who had made comments on social media about their services, and also against journalists. In some cases, material that has appeared in print has also been subject to charges after it appeared online.

In February 2016, the government formed a 21-member committee[20] comprising of representatives from media organisations and the president of the FNJ and led by the head of the Administrative Court. The committee was tasked with preparing a new communication policy, and recommending legal provisions and regulatory mechanisms. It produced a 60-page report recommending the establishment of a new mass communication authority, a public service broadcaster, and an advertising commission; it also recommends maintaining the country's Press Council intact. The government approved the report in late 2016.

The report mentioned journalist safety in only two paragraphs toward the end, where it argued that respectable journalism can aid the safety of journalists and that safety of journalists is about the protection of journalists' health and welfare. It added that "it is important to stop and control violence targeted against journalists, media workers and media organisations, and that it is equally important to end impunity and self-censorship, and also to ensure social security of journalists". [21]

The report was problematic in that it ill defined the relationships and roles of different institutions. It also had sections that could have allowed conflict of interest in appointments of positions. In February 2017 the government formed another committee to advise on the report's implementation. Thereafter, the government published a 15-page version of the new communication policy. [22]

In June 2016 the government approved the Online Media Operation Directive 2073, which also contains requirements that can be used to limit press freedom. The directive reflects not only the wording of the reasonable restrictions the constitution refers to but also requires that journalists provide authoritative sources, a term that remains undefined in the directive. It also requires media worker registration, which must be renewed on an annual basis. All three stipulations raise points of concern when it comes to protecting press freedoms.

In February 2016, Nepal's Supreme Court strengthened protection for journalists and their sources. It ordered investigative agencies to mandatorily obtain district court approval before accessing personal call and SMS details of suspects, which the police had been accessing without any authorisation. The court decision was a response to a petition filed by three lawyers, Baburam Aryal, Tanka Raj Aryal, Santosh Babu Sigdel, and Taranath Dahal, former president of the FNJ. The ruling also requires the government to take legal action against officials who provide illegal access to call and SMS details of individuals during investigations, unless it has been carried out with a court order. The verdict

18
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Mendel, Toby, March 2012. "Analysis of Constitutional Proposals on Freedom of Expression, Media Freedom and the Right to Information," International Fact Finding and Advocacy Media Mission to Nepal: February 23–27, 2012. This document was also published by the FNJ the same year.

19
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Nepal Law Commission, English translation, downloaded from: www.lawcommission.gov.np

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Including representation by presidents/chairpersons of major media associations, some NGOs and two independent experts.

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Report submitted to the government by the committee headed by Kashi Raj Dahal. (This version was not available on the MoIC website on June 7, 2017.)

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https://moic.gov.np/upload/documents/rastriya_am_sanchar_niti_2073_1483446627.pdf (viewed on 7 June 2017)

also orders the government to enact a law for accessing private information for individuals if required for investigation.

The government implemented a Public Welfare Advertising (PWA) programme, the objective of which, according to media expert and journalist Harsha Man Maharjan, has been to offer handouts to the media as opposed to contributing to the general wellbeing of the citizenry.[23] According to Maharjan, who examined the practice in a 2014 study, PWAs had also been used in the past to reward supportive media and discipline unfriendly or critical media.

In October 2013 the government began paying premiums for accidental insurance for journalists, aimed at assuring financial security and supporting the enhancement of professionalism. The insurance scheme, arranged under section 45 of the Good Governance (management and operation) Act 2064,[24] also covers support to dependents in the event of the death of the insured. The insurance provides Rs.500000 (US$5000) upon death and disability caused by accidents, and up to Rs. 200,000 (US$2000) for medical expenses incurred for injuries sustained while performing journalism-related duties. The insured would be required to cover 20 percent of the medical costs upfront.

The government provides 75 percent of the premium and 25 percent has to be paid by the insured or his or her media company. However, this payment scheme is available only for media that participate in the PWA programme. For other journalists, the self-payment portion is double, in effect sanctioning journalists and media that do not qualify for PWAs. Furthermore, to qualify for insurance, journalists have to be accredited by the Department of Information and Communication, the criteria of which not all journalists meet, and be members of the FNJ. The insurance scheme covered 1,417 journalists by the end of December 2016.[25]

The government has also adopted the Working Journalists Act, entitling journalists to higher wages and other protections, but it is not implemented uniformly across the media.

Since 2012, Nepal has been a focus country of the UN Plan of Action for the Safety of Journalists and the issue of impunity, under which stakeholders have been working to develop a mechanism to protect freedom of expression practitioners, including journalists, and investigate attacks. This mechanism is to be led by the National Human Rights Commission.

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Harsha Man Maharjan, April 2014. Rethinking Public Welfare Advertisement in Nepal: From Media Welfare to Public Welfare, Policy Discussion Paper, Alliance for Social Dialogue, http://asd.org.np/wp-content/uploads/2015/03/Rethinking-Public-Welfare-Advertisement.pdf (viewed December 14, 2016)

24
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Ministry of Information and Communications (undated). Journalist accidental insurance (management) guidelines, 2070, http://moic.gov.np/upload/documents/Patrakar-Nirdesika.pdf (viewed on December 14, 2016)

25
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The list of insured journalists is available for download at http://fnjnepal.org/?cat=16 (viewed on January 10, 2017).

#4
Analysis of Key Safety Mechanisms and Programmes

— The FNJ
— Nepal International Media Partnership
— NHRC Mechanism

Approaches to supporting safety in the past have included training on conflict, sensitive and peace journalism, safety and support to journalists who were attacked, and even the establishment of a safe spot in Kathmandu for journalists to stay in 2003 and 2004. Another initiative involved direct support to those affected – for example, support that International Media Support (IMS) has provided using funds contributed by the Danish Journalist Union. These funds provided emergency grants to journalists at risk or in need of medical attention.

A similar initiative coordinated by the IFJ and funded by the Australian-based Media Safety and Solidarity Fund provides scholarships to children of journalists who have been killed. An informal coordination arrangement – led by Bishnu Nisturi, former FNJ president – administers the scholarships, which began with 12 recipients, and had reached 32 at its peak. In 2016 there were 23 students on scholarships.

Most efforts for journalist safety in Nepal have been largely short term and funded by international donors. They provided immediate relief but the root causes for the attacks – weak law enforcement, lack of professionalism among journalists, impunity, and low capacity, among others – were not adequately addressed. This explains why attacks on journalists and media have continued and why it has taken so long to address impunity for the enemies of the press.

The Federation of Nepali Journalists

In addition to its involvement in these projects, the FNJ monitors violations of media rights. It issues press statements denouncing almost all incidents; organises advocacy on media rights, and is also invited to government committees to formulate media policies. In 2014, the FNJ, with support from IMS developed a template for collecting and recording data on attacks on media

and journalists systematically.

The FNJ has been very effective in bringing journalists under one umbrella for advocating changes in policy and extracting concessions from successive governments. Advocacy by the FNJ and its partners has helped take many cases of attacks against journalists to court, though many cases remain un investigated.

The FNJ has a Journalist Support Fund of US$101,000 (Rs.11 million) as a fixed deposit, interest from which is used for supporting medical treatment for journalists, and occasionally, safety activities, though the amount generated falls short of meeting the needs of cases.

International Partnership

International media development and press freedom organisations began taking increased interest in Nepal's media and journalism environment after Nepal's conflict escalated at the turn of the century. Typically, these agencies initially carried out individual assessments and interventions that were largely uncoordinated. The first collaborative efforts to support journalists' safety began in 2005 following the king's decision to suspend democracy. The IFJ organised a mission supported by IMS, which led to publication of a report on press freedom violations; this in turn served as a basis for international media development organisations to come together and devise collaborative responses, and to organise further missions.

The early missions were largely quick reactions to developments and were carried out jointly by international organisations and their national partners. The first mission was organised to assist in securing the release of journalists who had been arrested and to send the message that attacks on media freedoms were unacceptable. This was necessitated by repeated accounts of harassment, threats, detentions and disappearances of journalists, as well as direct and indirect censorship following the royal coup.[26] The second mission took place in late 2005, just before the popular protests, and the third soon after the change in regime. These missions aimed to express solidarity with the Nepali media at a difficult time. The fourth mission aimed to reassess the situation, and the 2008 mission had a continued focus on safety and also aimed to ensure that the gains made during the popular protests were codified into appropriate regu-

lations.

However, by late 2008 the situation for journalists had become very unsafe once again, and the February 2009 mission sought to reassess the situation and advocate against the increased violence. The mission in February 2012 focused on establishing a locally led, independent mechanism for addressing safety, impunity for the enemies of the media, and professional development. It was then the missions and the earlier efforts were formally named the Nepal International Media Partnership (NIMP). NIMP partners visited Nepal again in April 2015, mainly to support the NHRC and its local partners in establishing an independent mechanism on the safety of journalists.

The main outcome of the missions has been the ability of NIMP members to assure local stakeholders of continuous and strong support and encourage their work for press freedom and safety for journalists. It has also resulted in the institutionalisation of an informal partnership that responds to the situation in Nepal as needed. The further missions and international statements coming out of these efforts also helped dissuade the authorities from restricting press freedoms because the message was conveyed that authorities' activities were constantly being monitored and compared with international standards.

Safety Mechanism at the National Human Rights Commission

In December 2016 Nepal did not have a specific mechanism to deal with the safety of journalists, but an initiative supported by members of NIMP[27] at the National Human Rights Commission (NHRC), an independent constitutional body, had made some headway. In the past, it was journalists' associations and NGOs that undertook safety and protection measures, with support from external donors. These associations organised fact finding visits to Nepal's districts, publicised their reports and undertook advocacy to seek justice for the victims. However, the intensity of these activities fluctuated as funding fluctuated. The efforts were effective in the short term, but largely failed to end attacks on journalists, and to end impunity for those responsible for attacks.

Widespread impunity and scattered safety efforts from Nepali stakeholders prompted the NIMP team that visited Nepal in February 2012 to recommend the establishment of an indepen-

dent multi-stakeholder mechanism for addressing the culture of impunity and attacks against media and journalists. The FNJ had made a similar request to the NHRC days before the NIMP statement.

Progress and Setbacks for the Safety Mechanism

In 2012 the NHRC began making efforts toward establishing an independent, multi-stakeholder safety mechanism in consultation with the FNJ and members of NIMP. The 2012 NIMP statement had called on the NHRC – which has a mandate to investigate human rights abuses – to lead on the formation of a high level, independent task force with a mandate to take action to address the culture of impunity, including by carrying out transparent investigations of serious cases and working with the authorities to ensure that convictions are secured.[28] This statement was preceded by a separate request by the FNJ to the NHRC seeking its support for addressing impunity for those responsible for attacks on journalists.

NIMP provided technical support to the NHRC and the FNJ for conceptualising the safety mechanism.[29] Following discussion on several drafts of a concept note with stakeholders, in December 2012,[30] the NHRC agreed in principle to establish a mechanism that would protect and promote the safety of journalists and free-expression advocates,[31] and instructed its Secretary to prepare Terms of Reference (ToR) for its operation, to be presented to the Commission for approval. The concept note had envisaged a mechanism led by a member of the NHRC with senior officials from the Prime Minister's Office, the Attorney General's Office, the Nepal Police, the chairperson of the FNJ or a representative, a representative from a human rights organisation and an independent expert.

The idea was to put in place a body that would allow all key organisations responsible for ensuring rule of law and media and human rights stakeholders to use the platform for discussing safety issues, following up on progress, deciding on and taking necessary actions to promote the protection of freedom of expression of human rights defenders, particularly those threatened or attacked for expressing themselves, while collecting information and publishing opinions. The mechanism intended to take both proactive and reactive measures to prevent

attacks and violence against those exercising their right to free expression and to provide follow-ups to ensure the prosecution of suspects and justice for the victims.[32]

In 2012, the office terms came to an end for the NHRC commissioners appointed following the political changes in 2008. This, coupled with delays in the appointment of new commissioners – also owing to the November 2013 election – stalled the establishment of the mechanism. New commissioners were appointed to the NHRC in October 2014.

Meanwhile, a UNESCO project on safety for journalists that had established such a mechanism as its main output provided various platforms for discussing the proposed mechanism with stakeholders. A NIMP mission visited Nepal in April 2015 regarding the safety project. The NHRC shared the draft rules that had been prepared for setting up the mechanism. However, NIMP efforts to provide support for finalising the documents were halted by the devastating earthquake of 2015, which killed about 9,000 people and destroyed over half a million homes. The earthquake also shifted national focus – including that of the NHRC and the FNJ – onto recovery and reconstruction.

In 2016, IMS and the Open Society Foundations (OSF) organised pilot missions to the districts, with both FNJ and NHRC officials participating. They also took a team from the NHRC (a commissioner and one official) and an office holder from the FNJ to Colombia to observe the safety mechanism in place in that country. Among others, the team visited different state agencies to understand how the Colombian mechanism provides protection measures and the roles of different stakeholders in risk assessment.

Proposed Structure of Mechanism

In June 2016, NHRC staff prepared a draft set of regulations.[33] Per the draft, the mechanism would have the following components:

— A Directive Committee with overall responsibility for the running and oversight of the mechanism.
— An Action Team responsible for running the day-to-day activities of the mechanism.
— A Rapid Response Network, a group of individuals formally accredited by the Directive Committee to provide rapid responses as needed when information about an attack has been received.

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IMS, 2012. Joint statement of the International Fact Finding and Advocacy Media Mission to Nepal (IMM), February 27, 2012. Safeguarding Media Rights and Ending Impunity in Nepal (report), pp 29

29
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Details on the different types of safety mechanisms and possible designs are discussed in in a discussion paper by Toby Mendel. See: Mendel, Toby, April 2016. Supporting Freedom of Expression: A Practical Guide to Developing Specialized Safety Mechanisms - Discussion Paper, Centre for Law and Democracy, UNESCO.

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The decision was communicated to NHRC staff for implementation on January 6, 2013.

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The idea was to extend protection to everyone who was attacked for expressing herself/himself rather than only journalists, as this could then include all human rights defenders.

32
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NHRC concept note (final draft) (unpublished)

33
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Narrative Report by Toby Mendel, Centre for Law and Democracy, December 2016 (unpublished)

Network members would receive training by the NHRC.
— Rapid Response Teams, which are groups of individuals from the Rapid Response Network constituted on a short term, urgent basis to undertake safety activities on behalf of the Safety Mechanism.

STRUCTURE OF PROPOSED MECHANISM TO PROTECT FREEDOM OF EXPRESSION

RAPID RESPONSE TEAMS → RAPID RESPONSE NETWORK → ACTION TEAM → DIRECTIVE COMMITTEE
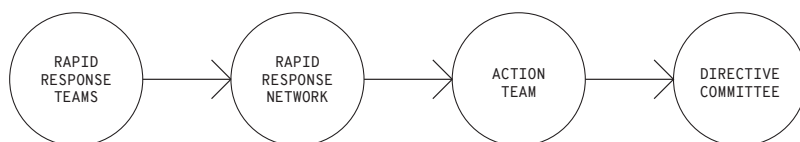
The document envisages that the NHRC and three representative stakeholder organisations – the FNJ, the Nepal Bar Association (NBA) and the NGO Federation – be at the centre of the system. The member of the NHRC leading on this issue would head the Directive Committee and also sit on the Action Team. There would also be a working level focal point in the Action Team who would be a member of NHRC staff.

Three representatives from the FNJ, the NBA, and one NGO would be represented in both the Directive Committee and the Action Team. And the same civil society organisations would provide the majority of the people who would be trained to participate in the Rapid Response Network and then the Rapid Response Teams.

In December 2016, the Chief Commissioner of the NHRC said the commission was interested in the proposal but would like to have a joint meeting with the commissioners and the FNJ to fine-tune some aspects before approval.[34] A Commissioner has since been assigned to follow up on the tasks related to the setting up of the mechanism.

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Personal communication with Anup Raj Sharma, Chief Commissioner. FNJ president Mahendra Bista and the author were present at the meeting held at the NHRC on December 12, 2016.

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Of the five countries originally highlighted, implementation proceeded in four —Iraq, Nepal, Pakistan and South Sudan. The fifth, Mexico, did not accept, though UNESCO implemented programmes at a regional level in Latin America.

#6
Implementation and Impact of the UN Plan of Action for the Safety of Journalists and the Issue of Impunity
FOLLOW-THROUGH NEEDED FOR PLAN TO MAKE LASTING IMPACT

Nepal was one of the five[35] countries chosen as an initial focus country for the Plan of Action. Under the Plan, UNESCO Kathmandu implemented a two-year project from 2013 to 2015 to address safety in journalism.

The project included the establishment of the national mechanism as well as training courses for journalists on safety and developing safety materials for women journalists, among other activities. It received over US$500,000 in funding from the UN Peace Fund for Nepal.[36] Stakeholders however, have been disappointed with the lack of follow-up to the project and low participation from other UN agencies.

UNESCO Kathmandu was contemplating a follow-up to its safety project in December 2016.

Outside this project, the United Nations Development Programme (UNDP) Nepal organised trainings under its Conflict Prevention Programme (2010-2017) on conflict sensitivity and conflict-sensitive journalism for different stakeholders, including journalists. But these activities did not focus on journalist safety and were largely one-off events.

36
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http://www.un.org/apps/news/story.asp?NewsID=45115#.WOO8xNLyvDc

#7
Lessons Learned
MECHANISM HAS POTENTIAL TO IMPROVE SECURITY OF JOURNALISTS AND ADDRESS IMPUNITY BUT IMPROVEMENTS IN PROFESSIONAL CONDUCT, SAFETY PRACTICES

Nepal's violent conflict that saw increasing attacks against journalists ended in 2006. While the safety situation has improved and the nature of risks has changed with the environment, journalism is not risk free. The type of violence has changed – there have been fewer killings and abductions – but threats, harassment and attacks against journalists and the media have not stopped. The volume of attacks has increased or decreased with changes in the political environment and therefore the overall situation remains unpredictable.

This assessment suggests a number of reasons for this situation: a shrinking space for journalism and free expression in the overall policy and legal framework; low capacity and professionalism among journalists; an underdeveloped media sector and a protracted political transition in the country where both rule of law and effective law enforcement fall far short of that in established democracies.

The safety measures have had some impact but the gains have not been sustained because of inadequate parallel attention for supporting the development of professional journalism and for putting in place a national institution to continue safety work in a coordinated manner. Progress in the development of a mechanism under the NHRC is encouraging but it is yet to be fully established.

Some lessons that can be drawn from the Nepali experience as they relate to safety of journalists are:

— Enabling policies and laws are crucial for building an environment where journalists can practice their profession freely and fearlessly. Nepal's policies and regulations still fall short of international standards and this continues to cloud the environment in which journalism is practiced. The broad and vaguely worded laws are always susceptible to misinterpretation and this will remain a challenge until the laws are amended. Nepal also lacks professional independent institutions to set standards for journalism, and to monitor compliance.

— A multi–stakeholder mechanism on the safety of journalists has the potential to improve impact and sustainability to journalist safety measures. Nepal has been working on establishing an independent, multi–stakeholder mechanism on the safety of journalists since 2012. It had not been formalised at the time this report went to print. While the draft procedures prepared for the NHRC mechanism suggest that it could be a viable model for an institution to work on safety for journalists, its effectiveness will depend on how professionally the body is run and managed, which would require full support of all the stakeholders – both those working on the mechanism and outside it – and impartiality.

— Professional practice – or lack of it – has emerged as an important factor influencing the safety of journalists. Professional conduct is perhaps the best defence for operating in the highly partisan, contested and uncertain environment that Nepal has become. The erosion of impartiality in coverage and the lack of effective institutions to provide immediate redress for wrongs caused by media coverage creates a space for violence that is abetted by the impunity for those who have attacked and killed journalists in the past.

BROAD AND VAGUELY WORDED LAWS ARE ALWAYS SUSCEPTIBLE TO MISINTERPRETA- TION AND THIS WILL REMAIN A CHALLENGE UNTIL THE LAWS ARE AMENDED.

Pakistan

#1
Overview
JOURNALIST SECURITY CRISIS ACCOMPANIES
MEDIA GROWTH AS MEDIA AND CIVIL SOCIETY
ACTORS DEVELOP JOINT RESPONSES

Never in Pakistan's history have media practitioners had the luxury of operating without a certain degree of danger and fear. Countless stories of journalists defying crackdowns and suffering torture and harsh treatment in detention throughout the country's history testify to media practitioners' suffering as well as their resolve to protect freedom of expression, the right to information and to voice opinions.

After 9/11, however, the list of perpetrators of violence against journalists expanded further, from state actors and politicians to militant extremists, separatist insurgents and other non-state actors. This happened alongside a great expansion in the national media landscape starting in 2002, when electronic media operations first opened up to the private sector. Prior to this, the state had monopoly over both radio and TV channels in the country.

With the unprecedented growth in the reach and coverage of Pakistani media after 2002, journalists were also exposed to greater work-related safety risks. Hundreds of journalists have been victims of attacks, threats and various forms of intimidation. There have also been targeted attacks on media organisations' offices and other property, apparently aimed at scaring media into submission or silence. These have, with a handful of exceptions, taken place with impunity. The government, in the meantime, not only failed to respond to the security crisis in the media sector, but imposed a slew of regulations controlling various aspects of news coverage.

Against this backdrop, Pakistan was chosen as one of five pilot countries for implementation of the UN Plan of Action on the Safety of Journalists and the Issue of Impunity, which was unveiled in 2012 and launched in Pakistan by UNESCO in March 2013. Pakistan continues to be a country of focus for the UN Plan of Action.

Aligned with the Plan's launch, media and civil society stakeholders, with international support, have undertaken several initiatives that utilise partnerships and coordinate joint actions

to address the acute problems facing Pakistan's media. This report examines four such mechanisms: the Pakistan Journalist Safety Fund (PJSF), the Pakistan Coalition on Media Safety (PCOMS), the Pakistan Press Club Journalist Safety Network and Editors for Safety. Together, they show strong progress in promoting unity and collaboration among stakeholders, government engagement, coordinated responses to threats and gaining commitments to address impunity.

#2
Threats and Challenges
Facing the Media
VIOLENT ATTACKS, IMPUNITY AND POOR WORKING CONDITIONS MAKE PAKISTAN ONE OF THE MOST DANGEROUS COUNTRIES IN THE WORLD FOR JOURNALISTS

Journalists and media workers in Pakistan face threats to their safety on account of a wide range of actors and political conditions. The rise of militant extremism and terrorism in the country after 2000 has certainly enhanced the risks, but it is erroneous to attribute the high rates of violence against media practitioners since then to these factors alone.
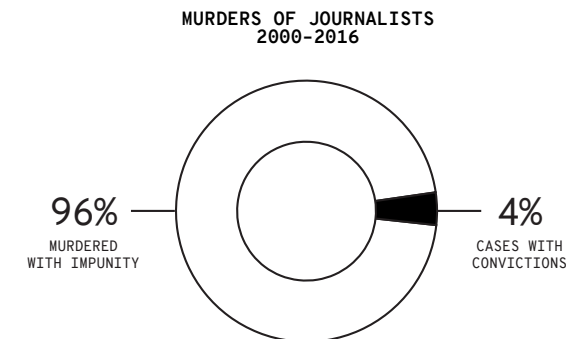
Not infrequently, the state actors that media stakeholders look to for protection from violence have themselves been the source of threats, intimidation and violence toward journalists. Besides threats from government officials and military and security intelligence agencies, threats from political parties, religious leaders, feudal landlords, insurgents, drug and land-grabbing mafia and other criminal elements are also prevalent.

Journalists' vulnerability can also depend on the subject matter they cover or the geographic areas in which they work. Sensitive topics include armed conflict and terrorism, human rights, religious minorities, blasphemy, gender, violence against women, women's rights, the actions of security agencies and corruption.

Between 2000 and 2016, at least 105 journalists were killed in Pakistan in connection with their work, according to Freedom Network, a local watchdog. Over 80 of these deaths were murders. Twenty-five journalists were killed on duty, in suicide attacks or bombings. These deaths represent one of the

highest fatality rates for journalists from any country for this time period.[1]

The rate of conviction for journalists' murders in Pakistan is also among the lowest in the world. The killers have been identified and successfully prosecuted in only three cases – Daniel Pearl, Wali Khan Babar and Ayub Khattak. In international rankings, Pakistan is among the top 10 countries with the highest levels of impunity for perpetrators of crimes against journalists.[2]

1
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www.fnpk.org

2
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Committee to Protect Journalists (CPJ) annual impunity Index

MURDERS OF JOURNALISTS
2000–2016

96%
MURDERED
WITH IMPUNITY

4%
CASES WITH
CONVICTIONS

There is a lack of investigation into these frequent killings, a leading concern for the journalism community in Pakistan. But journalists are also subject to imprisonment or official harassment, as well as to arbitrary physical and digital surveillance from state actors. Online threats, innuendo and instigation to violence represent a very potent threat, particularly in doxing cases, where journalists' personal information, including their addresses, are publicised. This includes information pertaining to female journalists. At the same time, there is a lack of awareness about digital dangers and data protection measures among journalists.

Certain groups face specific challenges. Harassment and intimidation on account of ethnic, religious or sectarian identities is common. Other vulnerable parties include journalists in regions heavily affected by armed conflict, principally in Federally Administered Tribal Areas (FATA) and parts of Baluchistan. Another growing problem is that in Pakistan, the prevailing definition of a journalist largely excludes fixers, freelancers, citizen journalists and bloggers, which denies them the support that regular media practitioners receive from representative associations of working journalists in Pakistan.

Women journalists encounter hostile attitudes and worse in response to their work, and often as retaliation for merely being a woman in the public eye. According to a pilot study conducted in 2016[3] by the Digital Rights Foundation, women journalists in Pakistan increasingly complain of online surveillance and stalking partly because they are women working in a male dominated media world, and partly also because of their work.

Although there have been few violent attacks against women journalists in recent years, gender-based harassment in and outside the workplace is frequently cited as a challenge, made more difficult by the fact that the subject largely remains taboo and those responsible are rarely censured.[4] Women media practitioners also face discrimination. Their work is hampered by overprotective colleagues who advise them against risky assignments. In many media houses, women reporters are paid less than their male counterparts.

Workplace challenges contribute to Pakistan's dangerous environment for journalists. Most media organisations do not have adequate safety protocols or safety equipment. Poor job security and low wages force journalists to take on dangerous assignments to earn a living. Some media owners, mostly businessmen who ignore media ethics or good journalism, use media as a tool to protect or promote their business interests with little heed to security for the journalists their media organisations employ. Journalists themselves can engage in partisan media and unethical reporting. Until recently, there has been a lack of unity and collaboration among media actors on safety issues, often due to a competitive mentality.

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Surveillance of Female Journalists in Pakistan, a pilot study by Digital Rights Foundation, released on December 31, 2016

4
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Dawn, "PTV official convicted in sexual harassment case," October 21, 2016. www.dawn.com/news/1291344

#3
State Responses and Legislation Impacting Safety of Journalists
EXISTING LAWS REGULATE BUT DON'T PROTECT THE MEDIA

Though media practitioners in Pakistan face specific work-related violence and threats of violence, neither the legal framework nor the state's response to journalists' safety issues specifically address these challenges. Yet, there is heavy legislation —no less than 64 laws — that in one way or another govern the media in Pakistan. A bill on the protection and welfare of journalists was first proposed in 2011 but it has not progressed to a stage where it can be voted on. The current information minister and her predecessor stated the government's plans to introduce specific legislation for the security of journalists but that too is yet to materialise into a law. The government has stated its backing of the UN Action Plan for the Safety of Journalists and the Issue of Impunity, but its direct participation in the implementation has been limited.

The Constitution of Pakistan contains a general guarantee for freedom of expression (Article 19) and an amendment to the Constitution in 2010 introduced, among other things, the right to information (Article 19-A). There are also guarantees relating to safety and security of all citizens, media practitioners included, such as the right of individuals to be dealt with in accordance with law (Article 4), and security of person (Article 9). Article 199 of the Constitution entitles citizens to Habeas Corpus. Constitutional rights, it should be noted, do not apply to the Federally Administered Tribal Areas (FATA).

Several media-related statues, such as the Press Council of Pakistan Ordinance of 2002, the Pakistan Electronic Media Regulatory Authority (PEMRA) Ordinance of 2002, and related press registration and defamation laws, all aim at regulating the media. They contain little by way of protections for journalists.

The few codified references to journalist safety that exist place responsibility on media companies. The Code of Conduct of PEMRA states: "Licensee shall provide necessary protection gear and training to its reporters, cameramen and other crew deployed for coverage of any crime incident or conflict zone".[5] The Newspaper Employees (Conditions of Services) Act of 1973 requires a provident fund, medical care and wage board for newspaper employees. The Protection Against Harassment of Women at Workplace Act, promulgated in 2010, does not specify journalism or media as a specific work environment, but women journalists can potentially invoke this law as a protection and redress measure.

The Press Council of Pakistan has the mandate to shield freedom of the press. According to its founding documents, the Council may receive complaints from a newspaper, a journal-

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PEMRA Code of Conduct, 2015, Clause 8 (13)

NEVER IN PAKISTAN'S HISTORY HAVE MEDIA PRACTITIONERS HAD THE LUXURY OF OPERATING WITHOUT A CERTAIN DEGREE OF DANGER AND FEAR.

ist or any institution or individual concerned with a newspaper regarding the Federal Government, Provincial Government or any organisation including political parties for interference in the free functioning of the press[6]. In practical terms, however, the Council offers no remedy in circumstances where media practitioners face threats or attacks in relation to their work.

Recent years have seen some disturbing moves on the legal front that have raised the spectre of additional restrictions on freedom of expression. In particular, there are concerns over the new Prevention of Electronic Crimes Act (PECA), which was presented before the National Assembly during the spring of 2015. The draft was widely criticised, both in Pakistan and internationally, for its criminalisation of freedom of expression online, user data retention guidelines and lack of oversight and transparency. It was passed by the parliament in August 2016, despite fierce opposition by civil society and opposition parties.

In another troubling development, a judicial inquiry into an August 2016 attack in which over 60 lawyers and two journalists were killed in Quetta excoriated the media's coverage, concluding that it was tantamount to promotion of terrorism. It recommended that "if the media broadcasts and propagates the views of terrorists, then those doing so must be prosecuted in accordance with the law".[7]

Progress has been slow in meeting the demands of the media community for special legislation addressing journalist safety. A private member's bill, Journalists Protection and Welfare Act, was backed by 22 senators in 2011 and sits in a sub-committee of the Standing Committee on Information and Broadcasting.[8]

The sub-committee has engaged with stakeholders. Several consultative meetings have taken place to develop a consensus but none has been reached. The present government's legislative push builds on the 2011 draft and some of the changes made are based on consultations with the media and other civil society actors. Media stakeholders have expressed concern that the bill may focus on journalists' welfare but does not cover important safety and protection issues and lacks measures to address impunity.

Pakistan still has far to go in implementing its international commitments. As a state party to the International Covenant on Civil and Political Rights (ICCPR), it is obliged to uphold freedom of expression and put in place effective measures to prosecute perpetrators of attacks against journalists.[9] In its last

Universal Periodic Review (UPR), in October 2012, at least two recommendations that the country accepted specifically called for measures to end impunity for perpetrators of attacks on journalists.[10] As Pakistan's third review under the UPR process approaches, the recommendations have not been enacted, with the exception of two journalist murders in which suspects have been convicted: Wali Khan Babar and Ayub Khattak.

In November 2013, the federal government announced at a UNESCO conference in Islamabad that Pakistan endorsed the UN Plan of Action on the Safety of Journalists and the Issue of Impunity and that the government was ready to support the implementation of the UN Action Plan through policy and resource support. The Federal Minister for Information and Broadcasting serves as a member of the PCOMS steering committee, formed as part of the Plan's implementation. In a 2014 steering committee meeting, Pervaiz Rashid, the Information Minister at the time, announced Pakistan would establish special prosecutors for attacks against journalists, but this commitment has not yet materialised.

#4
Analysis of Key Safety Mechanisms and Programmes

— Pakistan Journalists Safety Fund (PJSF)
— Pakistan Coalition on Media Safety (PCOMS)
— Pakistan Press Clubs Journalist Safety Hubs Network
— Editors for Safety

In response to the lack of government action to curb impunity and attacks against journalists, stakeholders from media and the larger civil society developed several initiatives. Four examples examined in this report were launched through the combined efforts of local and international actors, with the former implementing the initiatives and the latter providing funds and/or technical expertise. Their features include: short-term emergency grants, creation of a national alliance of civil society agents, media support groups, journalists' bodies and media entities focused on journalist safety, a forum of print and electronic media editors using real time e-communication and a partnership between Pakistan's main press clubs and a national media watchdog.

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PEMRA Code of Conduct, 2015, Clause 8 (13)

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Quetta Inquiry Commission Report, para 14.2, www.supremecourt.gov.pk/web/user_files/File/QuettaInquiryCommissionReport.pdf

8
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Senator Khurshid Ahmed led the original submission; Senator Mushahid Ullah is convener of the sub-committee.

9
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Human Rights Committee, General Comment No. 34 on Article 19 of the ICCPR (freedoms of opinion and expression), para 23

10
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Report of the Working Group on UPR, list of recommendations, Section II, paras 122.118 and 122.119. A/HRC/22/12

Pakistan Journalists Safety Fund (PJSF)[11]
RAPID-RESPONSE FILLS GAP FOR JOURNALISTS IN CRISIS

Pakistan Journalists Safety Fund (PJSF) is a short-term, rapid-response mechanism to protect media practitioners in distress, particularly those based in conflict regions, and meet their urgent security needs.

Established in 2011, the Safety Fund provides assistance that can take the form of short-term relocation – typically one to three months — within Pakistan for journalists receiving threats. The Fund also assists with coverage of the cost of medical aid for injured journalists, legal aid to pursue court cases for justice against harm and harassment, and financial assistance for families of journalists killed in the line of duty.

PJSF involves several local and international actors. The mechanism was established by International Media Support (IMS)[12] and is being administered by Pakistani media rights watchdog Freedom Network.[13] Open Society Foundations (OSF) also contributed to the fund. An independent committee comprising of noted civil society and media activists evaluates and decides on all applications for assistance, according to an established criteria and, if approved, the quantity of the funds to be disbursed. The committee members are all unpaid volunteers. The Pakistan Federal Union of Journalists and press clubs verify the situation of the journalists applying for assistance.

Impact

PJSF addresses a major gap in terms of the protection needs of media practitioners in the country. It has helped dozens of journalists escape harm through temporary relocation and support to them and their families. The initiative has also assisted media practitioners injured during the performance of their duties who were not able to get the required medical treatment because of lack of resources. Some specific examples of PJSF support are:[14]

— After a journalist from Waziristan received threatening letters, text messages and phone calls in early 2015 from Tehrike-Taliban Pakistan (TTP), the main militant extremist group in the country, he brought the threat to the attention of the prime minister, a provincial chief minister, the provincial police chief, federal ministers and all major intelligence agencies of the country. The police, he was told in a meeting with the chief policeman, were not in a position to provide security against such a strong group. The authorities and even his own employers instructed him to cease his reporting work and change his location, but did not provide him with any means to do so. In February 2016, he applied for PJSF assistance, which was approved in two days. PJSF relocated him to another city within Pakistan for four months.
— A correspondent for a major Urdu television channel has received multiple death threats from extremist groups since 2008. These escalated in 2015, when TTP sent letters to various press clubs demanding that this and two other journalists leave Pakistan or wait for their death. The correspondent wrote to federal and local senior government officials, security agencies and police but received no meaningful support, despite the seriousness and credibility of the threats; other bodies, such as the union of journalists and the press club, were not able to provide material help. He was connected to PJSF and relocated within the country.

Advantages and Challenges

There are many valuable elements in the PJFS model. Its volunteer committee helps maintain transparency and cost efficiency and its use of partner groups gives PJFS countrywide reach and a reliable means to vet cases. Despite low administrative costs, however, more consistent funding is needed to ensure help is available to journalists when they need it. Additional resources, such as a standing safe house and a legal network would strengthen its programme.

Advantages — Flexible and prompt response. Committee members can communicate their decision on any application by phone, SMS or email. Decisions on applications for assistance have always been made within one day. Using an independent committee comprising of noted civil society and media activ-

ists to make decisions on fund allocations delivers more transparency; the volunteer committee model also keeps administrative costs to a minimum.

— Partnerships with press clubs and the PFUJ offer a local network of logistical support as well as the ability to reach journalists in need throughout the country and verify information.

Challenges

— Short–term duration of intervention has inherent limitations. The threat forcing a journalist to relocate or go into hiding does not usually subside within a few months. More mid–and long–term solutions are needed. There are limitations on overall funding and occasional funding gaps.

— Short–term emergency response does not address conditions that create threats in the first place. The mechanism does not work on preventing threats or countering impunity, apart from legal assistance.

The impact of legal aid could be enhanced by a network of lawyers as part of the assistance package.

— The programme would benefit from a dedicated safe house that can not only provide shelter to multiple threatened journalists simultaneously but also a work space that can allow them to continue working while in hiding.

Pakistan Coalition on Media Safety (PCOMS)
MULTI–STAKEHOLDER COALITION HAS HELPED SECURE GOVERNMENT COMMITMENT TO JOURNALIST SAFETY WORK

Created in March 2013, PCOMS is an alliance of national actors, including government and media stakeholders in the country, working for a unified agenda of safety for journalists, media workers and media establishments.

The coalition was born at an international conference in Islamabad that was held with support from Open Society Foundations (OSF), UNESCO and International Media Support (IMS), as an early step toward implementing the UN Plan of Action for the Safety of Journalists and instert the Issue of Impunity in Pakistan. The participants in the coalition include several media associations, prominent journalists, government authorities, political parties, relevant civil society organisations and UNESCO.

A PCOMS steering committee was then formed with individual representatives from the media sector and civil society, parliamentarians and Pakistan's Information Minister. Initially the NGO Pakistan Press Foundation (PPF) served as the PCOMS secretariat, supported by funding from Open Society Foundations. Presently, however, there is no funding to support a local implementation partner.

Impact

By bringing together a range of important media and political actors under one banner for the first time, PCOMS has played a valuable role in forging a consensus and momentum around the protection of journalists. It has been able to leverage the launch of the UN Plan of Action and Pakistan's endorsement of the Plan in 2013 to steer the government, traditionally not responsive to media safety demands, into considering long overdue mechanisms, such as a federal law on journalist safety.

Some outcomes stemming from its creation are:

— At a PCOMS meeting, Pervaiz Rashid, the former Federal Minister for Information and Broadcasting, endorsed the UN Plan of Action and supported calls for a special law on journalist safety, as well as the need for the appointment of special prosecutors to investigate all cases of attacks against journalists. Stakeholders have since participated in consultations around a draft bill. Rashid's successor Maryam Aurangzaib said the bill would be tabled in parliament in 2017.[15]

— PCOMS has facilitated interface between national stakeholders and international experts.

— Two of the PCOMS working groups have produced recommendations on the appointment of federal and provincial special prosecutors to proactively investigate cases of

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Daily Business Recorder, "Bill for journalist safety, security to be tabled in parliament early next year: Marriyum", December 2, 2016. www.brecorder.com/pakistan/general-news/330495-bill-for-journalist-safety-security-to-be-tabled-in-parliament-early-next-year-marriyum–.html

attacks against journalists and media, as well as developed detailed safety protocols for adoption by media houses or for integration into their own in-house safety policies. The protocols were produced after consultations with key media houses and senior journalists.

— PCOMS submitted recommendations to the judicial commission investigating the April 2014 attack on prominent journalist Hamid Mir.[16] The recommendations formed an important part of discussions about promoting a more secure environment for journalists.

Advantages and Challenges

PCOMS' structure as a multi-stakeholder coalition that includes high level government representation has played an important role in putting media safety on the government's agenda. Keeping it there, however, will require more resources, unity and focus.

Advantages

— A wide range of stakeholders (government, political parties, NGOs, activists, journalist associations) gives a more prominent voice to journalist safety issues.
— Interfaces with international experts working on media freedoms.
— Links to the UN Plan of Action helped spur government into working on measures long-sought by media stakeholders.
— The PCOMS steering committee composition enables it to engage federal and provincial lawmakers, parliamentary bodies and political parties on safety issues.

Challenges

— PCOMS looks at a wide array of issues and its stakeholders have varied interests. Maintaining a focused agenda will be crucial.
— Stakeholders will have to vigorously work to ensure the state follows through on commitments it made in PCOMS forums.

— The alliance requires ongoing funding and technical resources to support a secretariat to undertake the regular liaison necessary to keep the PCOMS agenda on track and to hold regular meetings.
— There is a limited communication infrastructure to PCOMS; periodic information bulletins on safety issues and the UN Plan, a web presence to house materials and resources and information dissemination both within the coalition and beyond would increase impact.

Pakistan Press Clubs
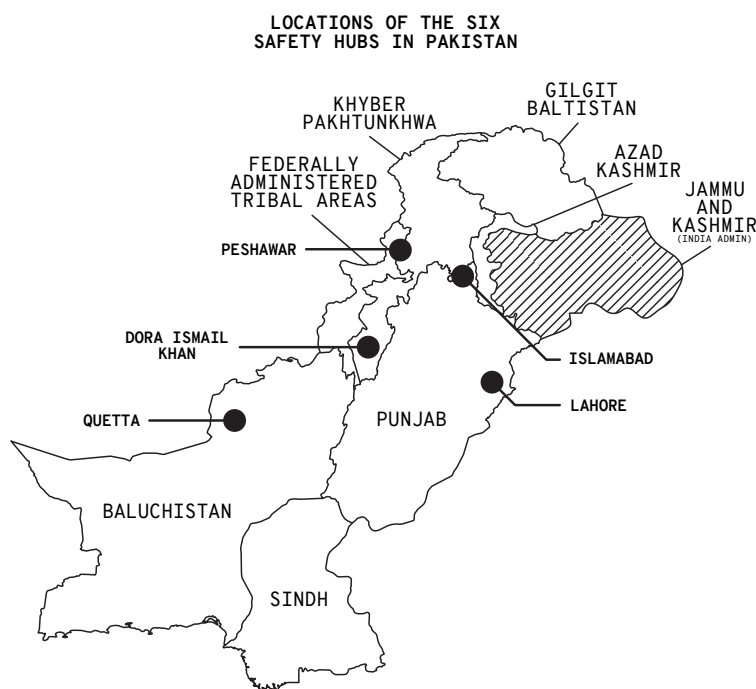### Journalist Safety Hubs Network
TAPPING UNIQUE RESOURCE TO IMPROVE DOCUMENTATION AND ASSISTANCE

Launched in 2015 , this initiative partners Freedom Network, a media watchdog, with six of Pakistan's main press clubs to improve reporting, documentation and analyses of threats and attacks against journalists and media houses, as well as emergency response.

Press clubs in Pakistan are membership-based, mainly elected, bodies of journalists from the print and electronic media based in town and cities throughout the country. The six press clubs that are part of the mechanism include five of Pakistan's largest ones – with a combined membership comprising around half of all working journalists in the country.

Through the project, journalist safety resource hubs have been established on the premises of the press clubs. Members of the six press clubs, and non-members working in the region, can report their safety concerns to a designated Safety Hub manager at each of these press clubs, which can assist the complainants in redressing their problems and concerns.

All threats and attacks are documented in detail, using specially designed templates and the respective Safety Hub managers are tasked with verifying and evaluating any threat or attack reported and making recommendations for assistance based on the nature of the case. For example, the manager might refer an eligible case for assistance to PJSF or put the journal-

LOCATIONS OF THE SIX
SAFETY HUBS IN PAKISTAN

ist in contact with relevant government authorities. All specific information is kept confidential and identities of the journalists assisted are not revealed.

Impact

The Safety Hubs Network was launched in November 2015. It may be too soon to fully assess its impact but its activities address the challenges that journalists, media and media support groups face in some of the following ways:

— Documentation, verification and analysis of threats and attacks against members of these press clubs as well against non–member journalists, media workers and media houses in the regions the press clubs cover.
— Mediation between threatened or attacked journalists and government authorities.
— In serious cases, arranging legal, medical and financial aid as well as relocation assistance, based on an eligibility criterion, to journalists and media workers through the Pakistan Journalists Safety Fund (PJSF), separately managed by Freedom Network.

— Promoting awareness among journalists and media workers on the need for proper and detailed reporting and documentation of threats and attacks.
— Building capacity of press clubs and their members to report and document threats and attacks against them.
— Generating regular periodic analysis on trends of threats and attacks and those who issue threats.

Advantages and Disadvantages

The project ties together a media watchdog, which has expertise on matters of documentation and reporting of attacks against journalists, with broad-based networks of support for journalists. The media watchdog's access to other national civil society agents and international media support groups combined with the press clubs' reach at the grassroots level have brought together a set of stakeholders that complement each other.

Advantages
— Pakistan's press clubs are a unique resource not available in many countries. They offer significant presence across the country and potential to directly reach a large section of the media community.
— Multi-tiered verification and documentation of attacks or threats against journalists generates reliable data analysed by organisations with understanding of the local context.
— The structure gives access to information on and help for affected journalists working in remote areas and for smaller media organisations that mainstream media does not cover.
— Better awareness among journalists on safety issues and improved evaluation and documentation of threats will improve response strategies.
— Freedom Network, the project's implementer, publishes data in English and Urdu.
—The Safety Hubs are based in only six out of over 200 press clubs across the coun-

try; the six are based in provincial capitals and currently there is no infrastructure to coordinate with smaller clubs.

Challenges

— There is a lack of adequate resources to expand the network to over 200 other press clubs in Pakistan.

— Penetration in the FATA region is limited due to great distances between the existing Hub in Dera Ismail Khan and six of the seven districts that constitute the FATA region.

Editors for Safety (EFS)
MEDIA ORGANISATIONS CLOSE RANKS ON ATTACKS AGAINST MEDIA PRACTITIONERS

Editors for Safety is a group comprising Pakistan's leading print and electronic media owners, editors and publishers. It was created to spread timely information about attacks or dangerous situations involving journalists and to coordinate media coverage with a view to putting pressure on the authorities to tackle journalist safety issues.

In June 2015, editors and directors of leading newspapers and television channels in Pakistan met in Istanbul to discuss media safety in the country . The idea to establish the Editors for Safety group sprouted from that meeting.

Using a WhatsApp group for prompt communication, EFS members collaborate to decide how to respond to an attack on a journalist. The mechanism is geared toward using media attention to keep journalists safe and is rooted in the idea that an attack on one journalist is an attack on the entire media industry.

Almost all major newspapers and television stations in Pakistan participate. Plans are under way to also include smaller newspapers, which are often the most vulnerable. The Pakistan Press Foundation (PPF) oversees the implementation of the mechanism. Open Society Foundation Pakistan supports its operating costs.

Impact

Given the serious safety and security challenges for journalists in Pakistan, it might seem surprising that media organisations had so far not worked systematically in a collective manner for the safety of media professionals. Previously, a journalist in Pakistan being targeted was a big story for his or her media organisation, but so fierce were rivalries between competitors that the news was not covered at all or given very little space by others. Many media houses would not even mention the name of a targeted journalist's employer if she or he worked for a competitor.

The EFS initiative is the outcome of the realisation that commercial interests had prevented media outlets from speaking with one voice, and this disunity had undermined journalis safety. In the form of EFS, media organisations have agreed to close ranks on the issue of attacks against media practitioners. The participating media houses have been giving much greater, and more prominent, coverage of attacks against media practitioners.

Equally important are the exchanges between the group's editorial leadership every time media are threatened. These include acting as a unified front in a number of cases. These discussions are helping to create an informal understanding around issues such as how to avoid giving coverage to hoaxes and rumours of attacks or threats.

An early example of the EFS mechanism's effectiveness came when Afzal Mughal, a journalist working for a small newspaper in Quetta, was abducted early on a November morning by a group of armed men who broke into his home while he was asleep. Usually such stories would not make the front page of a major newspaper in Pakistan. But the Editors for Safety initiative made the difference. Instead of letting the case go by unnoticed, a message went out to the WhatsApp group for Pakistani editors, informing them of the kidnapping. In less than five minutes, around 20 television channels were running the story and it was also picked up by international news organisations.

Within a couple of hours, Mughal was released and returned home. Although he did suffer a beating, he was free again. One of the key conveners of the EFS group said the media coverage had rattled the authorities and the home department had stepped in to enquire, which led to Mughal being released.

Advantages and Challenges

The EFS is one of few mechanisms in which the media establishment, rather than civil society, is the main actor. It offers a simple but effective and sustainable model that makes use of the media's ability to impact a situation through news coverage and strong coordination.

Advantages	— Unified stance, demands and closing of ranks by media organisations over attacks on journalists harnesses the significant power and influence of Pakistan's media houses. — Encourages media organisations to take responsibility in dealing with attacks. A WhatsApp group facilitates prompt, real time e-communication and coordination among editors. — Maintains a specific and targeted focus on media response to violence and threats. Increased media coverage of violence against media practitioners, including lesser known journalists and those working in remote areas and for smaller organisations, prompts action by authorities. — Low-cost, high-impact model using basic social media tools, and voluntary participation of editors is sustainable.
Challenges	— The initiative is reactive and so far does not engage in preventative measures. Focus is on exposure of attacks and threats, rather than strengthening in-house safety policies. — No structural link with representative associations of working journalists. Bloggers, citizen journalists and others targeted for exercising their freedom of expression who are not affiliated with news media organisations are not covered so far.

#5
Implementation and Impact of the UN Plan of Action for the Safety of Journalists and the Issue of Impunity
THE UN ACTION PLAN HELPED BRING THE GOVERNMENT TO TABLE BUT WILL IT STAY?

The United Nations Plan of Action on the Safety of Journalists and the Issue of Impunity offered the media community in Pakistan an opportunity that holds both symbolic and concrete significance for promoting safety and countering impunity for crimes against journalists.

The greatest dividend of Pakistan being the first of five pilot countries and a continued focus for implementation of the UN Plan of Action has been the government's endorsement of and assurance it would participate in the Plan. This has given leverage to journalists and their support groups to push forward agenda items, such as journalist safety legislation, and gain commitments to implement anti-impunity measures. While these promises have not been enacted, there have been some encouraging consultations, some led by UNESCO.

In October 2016 the UNESCO office in Islamabad facilitated a formal meeting between key government and media sector stakeholders to review the objectives and implementation of the Plan. This resulted in a three-part agreement to: (i) Develop a common list of journalists who can be verified to have been killed for their work with the aim of investigating their cases; (ii) Shortlist pilot cases from the common list for priority investigation, and (iii) Help the government draft its first formal annual report on its efforts to combat impunity for presentation before UNESCO.

The UN Plan backed efforts to bring all media stakeholders into a collaborative framework, resulting in the establishment of the Pakistan Coalition on Media Safety (PCOMS). Under the Plan, UNESCO also developed Journalist Safety Indicators (JSI) for Pakistan, one of the first countries where UNESCO introduced this initiative. JSI maps the state of journalist safety in a country in detail.

While many other efforts, including initiatives analysed in this report that have developed in recent years, are not direct-

ly attributable to the Plan's implementation, they are in part a product of the strong momentum it generated behind journalist safety. Ensuring that momentum continues and evolves into concrete results is the challenge for all stakeholders.

#6
Lessons from
National Experience

As one of the first countries to seriously take on board the Plan, Pakistan offers valuable lessons. Some key conclusions are:

— Broad-based engagement with a wide range of stakeholders gives a more prominent voice to journalist safety issues.
— National authorities are more likely to respond when international bodies such as the United Nations are involved. Recommendations from a multilateral forum are politically more acceptable in Pakistan than those coming from a single state, particularly western nations.
— National stakeholders' interaction with international experts working on media freedoms globally contributes to challenging impunity for crimes against journalists. Mechanisms looking at very expansive agenda need to guard against loss of focus or specifics being undermined.
— Media organisations presenting a unified stance on and giving more prominent coverage to attacks against media practitioners has a greater impact than individual action. The authorities find it difficult to dismiss or ignore such media coverage.
— Institutional linkages with representative media associations enhance the impact and ownership of mechanisms. Engaging with journalists' associations at the grassroots level helps raise awareness about threat mitigation avenues and improves accuracy in information collection.
— Prompt and effective action saves journalists in distress from imminent harm.
— Limitations on funding undermine the effectiveness of mechanisms working to protect journalists.
— The impact of effective but stand-alone journalist safety measures can be enhanced through collaborating with com-

plementary initiatives.
— Continued engagement of international players, including through technical and financial resources, is a vital driver behind journalist safety agendas.

Looking forward, stakeholders will have to focus on ensuring that Pakistan honours its commitments. Without action by the state, collaborative efforts will not able to tackle impunity and other threats. In addition, greater awareness of existing safety mechanisms is needed to both reach vulnerable journalists and sustain support for them.

Actions by media stakeholders or other civil society actors cannot be a substitute for the state upholding its national and international commitments to protect freedom of expression and its practitioners and enact justice against perpetrators of violence, but the initiatives explored in this report demonstrate that well thought-out measures, even if they are small scale, can go a long way in enhancing safety for media practitioners.

The Philippines

A Filipino protester holds a placard during a protest, asking the government to solve and eliminate the problem of journalist killings, outside the presidential palace in Manila , 18 May, 2005.

Photo: REUTERS/Romeo Ranoco RR/DY
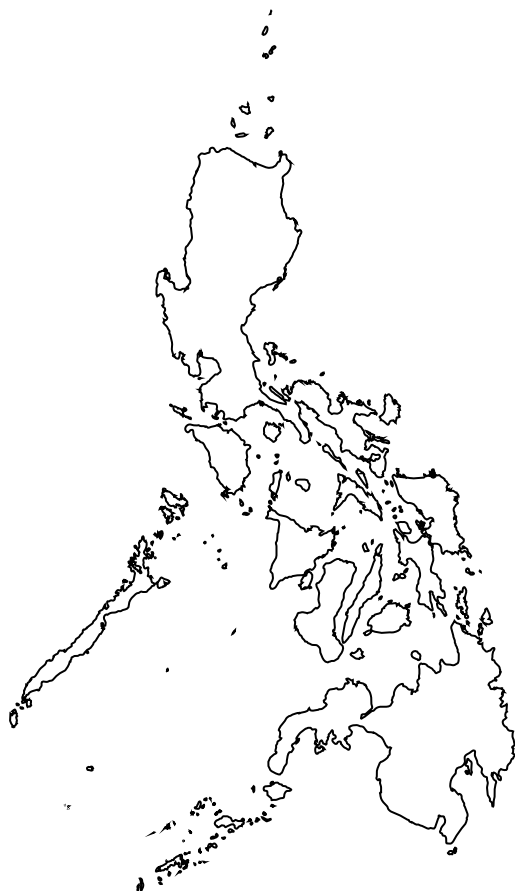
#1
Overview

A VIBRANT MEDIA BESET BY SOME OF THE HIGHEST RATES OF VIOLENCE AND IMPUNITY IN THE WORLD

Despite the restoration of press freedom following the 1986 People Power Revolution that ended the more than two decades of Ferdinand Marcos' dictatorship, threats and violence have continued to plague journalists and media workers in the Philippines.

The country is widely considered to be one of the most dangerous in the world for journalists. According to the Committee to Protect Journalists (CPJ), the Philippines is the third deadliest country for journalists after Iraq and Syria based on the numbers of killings that have taken place since 1992.[1] In a review of journalist fatalities from 1990 through to 2015, the International Federation of Journalists (IFJ) reported that the Philippines ranked among the world's worst for journalist deaths, second only to Iraq. The report also points out that, unlike many other countries listed as a dangerous environment for journalists, the Philippines has been supposedly enjoying peaceful democracy rather than being technically at war.

The 2009 Ampatuan Massacre in Maguindanao, during which a political convoy was ambushed, stands out as one of the greatest atrocities in recent history in terms of its impact on journalists. Of the 58 people slaughtered, 32 were from the media.

Violence against journalists in the Philippines takes place in a climate of impunity. The vast majority of media killings have not been prosecuted, including the Ampatuan Massacre. In CPJ's 2016 Global Impunity Index, the Philippines ranked fourth among the top countries where journalists are slain and their killers go free. CPJ's methodology for this calculates the number of unsolved (journalist) murders over a 10-year period as a percentage of each country's population. According to CPJ,[3] between September 1, 2006 and August 31, 2016, there were 41 unsolved murders of journalists in the Philippines.

Despite the risks, the media landscape is well populated and typically not subject to government interference. According to the Philippine Statistics Authority, there are 495 newspaper titles in the country, while the Philippine Press Institute (PPI), the national association of newspapers, registered 67 members in 2016; of these, six are national dailies based in Manila, and the

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https://www.cpj.org/
killed/

2
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http://www.ifj.
org/fileadmin/docu-
ments/25_Report_Fi-
nal_sreads_web.pdf

3
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https://www.cpj.org/
reports/2016/10/
impunity-index-get-
ting-away-with-mur-
der-killed-justice.
php

rest are community newspapers.

In 2015, the National Telecommunications Commission reported 436 TV broadcast stations, 411 AM broadcast radio stations, and 1,014 FM broadcast radio stations in the Philippines. The government–owned Philippines Broadcasting Service runs 33 radio stations nationwide.

The media industry operates under a self–regulatory framework, and there is no licensing scheme that regulates citizens' entry into the journalistic profession. For the print media, the Philippine Press Council serves as the self-regulatory body of the Philippine Press Institute (PPI), which promotes responsible journalism.

The broadcast media sector's self-regulatory body is the Kapisanan ng mga Brodkaster ng Pilipinas (KBP), or the Association of Broadcasters of the Philippines Standards Authority. The KBP enforces provisions and monitors how effectively radio and TV stations comply with the KBP Broadcast Code. Through its accreditation programme, KBP provides accident insurance and death benefits to accredited announcers who work for KBP member stations.

Libel, remains a criminal offence in the Philippines, despite extensive campaigns by journalist and advocacy groups for its decriminalisation. Campaigns for an access to information bill have also been unsuccessful.

President Rodrigo R. Duterte, inaugurated in June 2016, has ushered in an uncertain time for the media. His administration's anti-drug campaign, marked by extra-judicial killings,[4] reinforces the pervasive impunity in the country that underpins threats to journalists and media workers.

Statements made by then president-elect Duterte in June 2016 sent mixed messages to the media. In a press conference, the media reported his alleged endorsement of the killing of corrupt journalists, but after journalist groups denounced these statements, Duterte's office issued a statement saying Duterte does not "condone nor tolerate killing of journalists regardless of the motive of the killers or the reason for their killing". Duterte further said: "My duty as president is to uphold and enforce the law, and I will pursue and prosecute these killers to the hilt in accordance with law". [5]

Soon after coming to office, Duterte created a presidential task force to address media killings, the latest of five government mechanisms focused on the safety and protection

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https://www.cpj.org/
reports/2016/10/
impunity-index-get-
ting-away-with-mur-
der-killed-justice.
php

5
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Mangosing, F, June
8, 2016. "Duterte to
UN expert: Go home
and get some sleep,"
http://newsinfo.
inquirer.net/789725/
duterte-uns-state-
ment-anchored-on-the-
wrong-premise

of journalists and media workers in the Philippines. These state structures, alongside monitoring and support programmes established by civil society organisations (CSOs), as well as education and training initiatives, represent the main national responses to media threats.

#2
Threats and Challenges Facing the Media
MEDIA KILLINGS COMMON BUT JUSTICE RARE

With one of the highest rates of journalist slayings around the world, violent attacks are the dominant threat to journalists in the Philippines, compounded by widespread impunity.

The Center for Media Freedom and Responsibility (CMFR) reported 151 cases of journalists being killed in connection with their work in the Philippines from 1986 to 2016, with the highest number within a year — 38 — taking place in 2009. Out of this number, 32 journalists were killed in Ampatuan, Maguindanao, on November 23, 2009[6]. The National Union of Journalists of the Philippines (NUJP) recorded 172 murders of journalists for the same period, a number which includes killings that may not be work related.

Perpetrators of violence against journalists are rarely prosecuted. According to the CMFR, as of November 2016, there were only convictions in 17 murders, though complete justice, including prosecution of the masterminds of the crimes, has not been carried out in a single murder of a journalist. The government reported similar findings. In a September 2014 report to the UNESCO Director General, citing data from the Department of Justice, the Philippines Permanent Delegation to UNESCO reported that out of 55 cases considered as media killings from 2003 to 2014,[7] only 10 resulted in the convictions of perpetuators.

The 2009 Ampatuan massacre in Maguindanao — described as the single deadliest attack on journalists in recent history — is emblematic of the cycle of violence and impunity that has taken hold in the Philippines. To date, not a single perpetrator has been found guilty. The massacre prompted the International Freedom of Expression Exchange (IFEX) to designate November 23 as the International Day to End Impunity[8] in 2011, encouraging its

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CMFR; The Philippine
Center for Investi-
gative Journalism,
2013; Rosauro, 2015;
Ng, 2015

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The UNESCO Director
General asked for
updates on 82 media
killings during the
same period. The gov-
ernment excluded the
other cases, since
the motive for which
they were killed was
not determined to be
work-related.

8
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www.ifex.org

members to mark the occasion and raise awareness about impunity across the globe. In 2013, the UN adopted November 2 as the International Day to End Impunity for Crimes against Journalists.

Since 2009's massacre, journalists have been targeted in high numbers. As the International Federation of Journalists pointed out in a 2016 report, "there have now been more journalists killed in the years since (40 and counting) than in the massacre itself".[9]

Another common form of harassment Filipino journalists face is the filing of multi-million peso libel cases. Libel in the Philippines has not been decriminalised, despite efforts by some sectors to limit it to civil action only. It is a crime punishable with a fine, imprisonment for up to six years, or both.

Today's journalists also face threats online. On July 29, 2016, the Philippines Center for Investigative Journalism (PCIJ) website and blog were hacked following the publication of its reports on the war on drugs and its Know Your Rights advisories.[10]

In September 2016, the CMFR reported that two female journalists received online threats of rape and harm to their families. One was accused of sharing information with a foreign reporter for an article on Duterte's war on drugs, and the other for reporting on the anti-drug campaign and clashes between the Armed Forces of the Philippines and the Abu Sayyaf Group.[11] Duterte asked his supporters to stop the threats against his detractors in the same month, but the attacks have continued.

On December 8, 2016, the Facebook page of Reuters' correspondent Manny Mogato was hacked. His cover photograph was changed, and the statement Duterte is my President[12] was written across it.

[9]
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http://www.ifj.
org/fileadmin/docu-
ments/25_Report_Fi-
nal_sreads_web.pdf;
Note this figure
includes fatalities
that may not have
been related to jour-
nalism.

[10]
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Rappler, 2016

[11]
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CMFR, 2016, para.
5; Rappler, 2016

[12]
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http://www.
gmanetwork.
com/news/
story/591772/
hashtag/hackers-
deface-facebook-
profile-of-phl-
based-reuters-
correspondent

> Exposing threats for safety;
> A journalist returns to work after
> support groups publicised threats
>
> "Good evening. It's election time again my friend. You seem to know a lot. You do not know who you are messing with. My hands are already on fire to hit you. I already know a lot about you. I know who you are now. Don't be too abusive, keep your mouth shut and think about what you are saying. One more mistake and you'll be gone, you and your shameless father.

RIP". [Translation as published on the website of the Center for Media Freedom and Responsibility (CMFR)]

This is a translation of the threats Joshua Lansangan received via text message from an unidentified number in November 2015. Lansangan, a journalist working for Central Luzon TV (CLTV36) in Pampanga, was then hosting a show called Hamon ng Bayan (People's Challenge) that provides commentaries on local issues and politics. He also reported police stories for CLTV's news programme Spot Report. The death threat came weeks after candidates had registered for the May 2016 election in the Philippines.

The harassment did not end with the death threat. Lansangan said an unidentified man was also seen in front of his house days after he received the text message. Later, he found that his car's headlight had been broken. Wary he would not get a response from the local police because of his critical reports about them, Lansangan filed a report with the region's Commission on Human Rights. He then alerted the National Union of Journalists in the Philippines and the CMFR about the incidents. Both organisations issued alerts and press releases condemning the harassment. Putting a public spotlight on the threats appeared to have made his intimidators back off. Lansangan said the threats then stopped and he has since returned to his regular news programmes at CLTV36.

State Responses and Legislation
Impacting Safety of Journalists
IMPUNITY AND CRIMINAL DEFAMATION BLIGHT ON CONSTITUTIONAL PROTECTIONS

Laws criminalising defamation mar an otherwise strong legal framework for protection of the media. A lethargic justice system contributes toward sustaining one of the world's worst cycles of violence and impunity. Promised justice reforms and an array of task forces dedicated to investigating journalist killings hold some potential for improvement, but have yet to make an impact.

The 1987 Constitution of the Republic of the Philippines[13] provides the framework for safety and protection of the press.

[13]
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Article III, Section 4
of the 1987 consti-
tution states, "No
law shall be passed
abridging the freedom
of speech, of expres-
sion, or of the press,
or the right of the
people peaceably to
assemble and petition
the government for re-
dress of grievances."

Written in the aftermath of the Marcos dictatorship, it manifests a strong human rights orientation. In addition to a thorough Bill of Rights, there are explicit provisions supporting freedom of expression, including of the press and right to information. In addition to the constitution, there are also laws that protect journalists from harm, such as the Anti-Torture Act of 2009. More recent laws, however, have raised concerns among press freedom advocates.

14
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http://www.law-phil.net/statutes/repacts/ra2012/ra_10175_2012.html

15
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http://www.gov.ph/2013/09/12/republic-act-no-10627/

The Revised Penal Code of the Philippines (Article 355[14]) criminalises libel, making it a crime punishable with a fine, imprisonment for up to six years, or both. The Cybercrime Prevention Act of 2012 (RA 10175)[15] extends this to the internet. The criminalisation of cyber libel was challenged before the Supreme Court as a curtailment of freedom of expression, but the Court eventually ruled that the controversial provision is constitutional, though only for the original authors of content.

Despite its criminalisation of libel, the Cybercrime Prevention Act offers some welcome protections to journalists, including from cyber surveillance and hacking, particularly of news websites.

One decree that has addressed threats and impunity is the Writ of Amparo (2007). Adopted by the Supreme Court, it guarantees legal remedy for journalists under threat, families of slain journalists, and witnesses to the killing of journalists and victims of human rights abuses. Among the interim reliefs that the writ offers are a Temporary Protection Order, Inspection Order, Production Order, and Witness Protection Order. Several journalists have made use of the writ in response to threats.[16]

16
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UNESCO National Commission of the Philippines, June 30, 2013. Country Report on the Cases of Slain Filipino Journalists

The existing rights and remedies have in practice done little to dislodge the culture of impunity that prevails, in part because of a dysfunctional justice system. Justice procedures in the Philippines advance at an extremely slow pace. A human rights lawyer representing some families of the victims of the 2009 Ampatuan Massacre estimated that it could take some 55,000 years to try all the cases in court.[17]

17
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IFEX, 2011. "International Freedom of Expression Exchange (IFEX) to designate November 23 as the International Day to End Impunity," The Safety of Journalists and Media Workers: The Philippine Experience 2016, para. 1

The EU-Philippines Justice Support Program II, which is working with the government to improve the justice infrastructure, has described the Philippine justice system as beset by a number of rampant structural, institutional, and operational problems, including serious resource shortages, corruption, cumbersome procedures, outdated operation systems and insufficient coordination among the different players in the justice sector — police, prosecutors, public attorneys, and courts.

Jose Manuel Diokno, dean of the De La Salle University College of Law in Manila, attributed high impunity rates to "shoddy police work, ineffective police investigation and weak prosecution",[18] as well as to congested court dockets and a lack of judges and prosecutors.

Ongoing justice system reform initiatives in the country may lead to more effective dispensation of justice. One project, Justice Zones, currently being piloted in several communities, aims to build coordination among different actors in the criminal justice system, and instill automated systems and enhanced alternative dispute resolution mechanisms.

Different administrations have given varied responses to the impunity crisis. Former President Gloria Macapagal Arroyo downplayed the problem,[19] while her successor President Benigno Aquino III made ending impunity a campaign pledge. Neither succeeded in implementing reforms, nor in prosecuting people responsible for the Ampatuan Massacre. Incumbent Rodrigo Duterte kicked off his presidency by criticising the media[20] and he himself has been implicated in alleged extra-judicial killings that took place in Davao[21] during his time as mayor of the city. At the same time, Duterte pledged to uphold law and order, and in October 2016, signed Administrative Order No.1 (AO-1), creating a presidential task force to address media killings,[22] one of several task forces introduced by different administrations over the last decade to respond to media and activist killings.

18
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Elemia, C., December 3, 2016. A lethal mix? Death penalty and a "flawed, corrupt" justice system. Retrieved from http://www.rappler.com/newsbreak/in-depth/154424-lethalmix-death-penalty-flawed-justice-system para 14

19
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https://cpj.org/2009/03/impunity-in-the-philippines-no-exaggeration.phpt

20
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https://cpj.org/2016/06/president-elect-sends-wrong-signal-on-impunity-in-.php

21
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http://www.reuters.com/article/us-philippines-drugs-idUSKB-N15Z0C8

22
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Corrales, N, October 13, 2016. "Duterte forms presidential task force vs media killings". Retrieved from http://newsinfo.inquirer.net/824939/duterte-signs-ao-formingpresidential-task-force-vs-media-killings According to Section 2 of AO-1, the task force "shall have the mandate of ensuring a safe environment for media workers"

#3
Analysis of Key Safety Mechanisms and Progammes

— Civil society organisations monitoring of violations, advocacy initiatives and provide other forms of support for journalists under threat.
— Government mechanisms to investigate killings of journalists.
— Training and education programmes.
— Academic studies.

Programmes to address the safety of journalists and impunity in the Philippines mainly fall under four categories: the

work that CSOs undertake to document and publicise threats and attacks, advocate for justice and protection and give direct support to journalists who are threatened, or to families of killed journalists, as well as witnesses; government task forces and commissions; training programmes; and work within the academic sector to analyse patterns in violence against the media.

Monitoring, Advocacy and Support: the National Union of Journalists in the Philippines (NUJP), the Center for Media Freedom and Responsibility (CMFR), the Freedom Fund for Filipino Journalists (FFFJ)

Monitoring and publicising threats to journalists in the Philippines has played an important role in pressuring the government to consider measures to address impunity. Two active organisations in the Philippines, NUJP and CMFR, consistently report and respond to violations against journalists. In addition, CMFR and several other organisations form the Freedom Fund for Filipino Journalists (FFFJ), a joint body that gives legal and other support to advance prosecutions of journalist killings.

The NUJP

Formed in 1986, the NUJP represents the Filipino working press while promoting free expression and free press. It is an affiliate of the International Federation of Journalists (IFJ).

Through its membership, the NUJP monitors cases, threats and violence throughout the country. With over 1,500 members in more than 60 chapters in the Philippines and abroad, its reach allows quick reporting and response to cases from the field. The organisation records all journalist fatalities, and later classifies whether the incident was work-related or not.

These chapter offices alert the national office every time threats and violence against journalists are reported. Once reports are verified, the national office issues an alert notice through statements and press releases. It then conducts a fact-finding mission through its Quick Response Team (QRT). It maintains a hotline where one can report threats and violence against a journalist.

The NUJP established Safety Offices in Quezon City and Cagayan de Oro to investigate crimes against journalists, provide security for those under threat (including providing safety havens), and coordinate with authorities for police protection for journalists and their families, as well as key witnesses whose safety is at risk.[23] Due to funding however, it shut the Cagayan de Oro office.

In cases where threats appear to originate from police, NUJP seeks help from other organisations such as a local church. It mobilises NUJP chapters to provide immediate support to embattled journalists (and their families in the case of killed journalists).

Another project the NUJP manages is its Journalists Orphan Fund, which started in 2005. It funds scholarship programmes for the children of slain journalists. As of April 2014, there were already 32 beneficiaries who had graduated from college. In the school year 2014-2015, the programme was able to send 85 children of murdered journalists to school.[24]

The organisation also sets up training programmes for journalists and campaigns for safer working conditions.

The CMFR

The CMFR, also established in 1986, runs programmes to uphold press freedom, responsible and ethical journalism, and excellence in journalism.

Like NUJP, CMFR also issues alerts whenever it receives reports on threats or violence committed against journalists. It assembled a network of monitors trained by the Toronto–based International Freedom of Expression Exchange (IFEX) to recognise attacks and threats using specific standards and methodologies.[25]

The organisation has maintained a database of work-related killings of journalists since 1986. It includes profiles of slain journalists, an interactive map and data categorised by region, demographics, and status of case in court. Among other features of its research and reporting are a dedicated Libel Watch section on its website, which monitors libel suits filed against journalists, and an Ampatuan Trial Watch, with updates on progress or lack thereof on justice for the victims.

Both NUJP and CMFR have been pushing for the decriminalisation of libel, a campaign that has been running for two decades.[26] The libel law has often been abused and is regularly used to harass journalists in the Philippines.

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IMS supported the Safety Offices in partnership with IFJ.

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NUJP

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Melinda de Jesus, Executive Director, CMFR, AIJC forum on Safety and Protection of Journalists, 2016

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CMFR, 2016; NUJP, 2016

The FFFJ

The CMFR is a founding member and secretariat of the Freedom Fund for Filipino Journalists (FFFJ), an umbrella group working to support journalists under threat through rapid response programmes, and offering support to help prosecute people responsible for journalist killings. The other members of the FFFJ are the Kapisanan ng mga Brodkaster ng Pilipinas (KBP)[27], the Philippine Press Institute (PPI), the Center for Community Journalism and Development (CCJD) and the Philippine Center for Investigative Journalism (PCIJ).

The FFFJ was launched in 2003 to support the widow of slain broadcast journalist Edgar Damalerio, providing her with legal fees and expenses so she could relocate the trial outside the suspects' main sphere of influence. The gunman who killed Damalerio was convicted in 2005.

In other cases, the FFFJ has provided aid to families, hired private prosecutors to monitor and assist the work of public prosecutors, supported witnesses in hiding and launched advocacy for the protection of journalists, in particular against impunity. Like the NUJP, the FFFJ has dispatched a Quick Response Team (QRT), through the CMFR.[28]

The FFFJ has had to curtail its activities, including assistance to journalist victims of violence and their families, due to budget constraints. It is still operational, but no longer has the funding to sustain its former levels of assistance.

Impact

These groups have helped journalists by documenting and exposing threats to members of the media, pushing for convictions in cases of journalist killings, keeping the prosecution of the Ampatuan Massacre in the public eye and under scrutiny, and sustaining pressure on the government to address impunity. Some specific examples include the following:
— In the case of Joshua Lansangan, a journalist from Central Luzon TV who received a series of threats in 2015 for his reporting and commentary on a local election, the NUJP and the CMFR issued statements and condemned the harassment. In an interview for this report, Lansangan said the threats stopped and he was able to return to his regular

news programmes a year later.[29]
— The FFFJ, with the CMFR acting as secretariat, provided support for witness protection and trial relocation in the cases of Edgar Damalerio, murdered in 2002, and columnist Marlene Esperat, assassinated in 2005. In both cases suspects were convicted. In some cases, including the Amaptuan Massacre, the FFFJ has hired attorneys to represent families of killed journalists to assist and provide oversight to public prosecutors.
— The NUJP Journalists Orphan Fund has supported the education of over 100 children of killed journalists.

Advantages and Challenges

The NUJP, the CMFR and members of the FFFJ are well established groups with strong reputations and the ability to raise awareness and advocate for a response when journalists are attacked or threatened. Ongoing funding needs challenge some of their programmes, while lack of political will impedes their progress against impunity and other pressing issues.

Advantages
— Credible research and documentation supports advocacy and other safety responses.
— Strategic use of the Philippines' legal system, which allows for private attorneys to assist public prosecution.
Ability to mobilise journalists throughout the country for campaigns, information collection and other support.
— Effective use of links with international organisations. The NUJP organised several high-profile missions and training programmes and developed safety offices with support it receives as an IFJ affiliate; the CMFR employed monitoring methodology, skills available through the IFEX network, of which it is a member, and increased reach through international advocacy.
— Collective expertise and influence of many groups under the FFFJ, a coordinated structure.

Challenges   Lack of sustainable funding for programmes.
Current political environment that is not supportive of human rights.
Unethical practices of some members of the media.
Limited impact of advocacy due to systemic weaknesses in law and order institutions.

Government Task Forces and Other Special Measures

Over the past decade, the president of the Republic of the Philippines set up five mechanisms to address violence against journalists: the Melo Commission, Task Force USIG; Task Force 211; the Inter-Agency Committee on Extra-Legal Killings, Enforced Disappearances, Torture and Other Grave Violations of the Right to Life, Liberty and Security of Persons; and the Presidential Task Force on Violations of the Right to Life, Liberty and Security of the Members of the Media.

These bodies monitor and investigate cases where activists and journalists have been murdered, help facilitate the arrest of suspects involved in the killings, and prosecute alleged offenders.

The Melo Commission

In 2006, then President Gloria Macapagal Arroyo issued Administrative Order No. 157 entitled Creating an Independent Commission to Address Media and Activist Killings. Also known as the Melo Commission, it submitted recommendations to the president on policies and actions aimed at eradicating the root causes of the extrajudicial killings, several of which remain timely and relevant today. They include:
— The creation of a special team of competent and well-trained prosecutors to handle trial of cases of extrajudicial executions of activists and members of the media, set up by the Department of Justice.
— The designation of special courts to hear cases and resolve them within six months, as ordered by the Supreme Court.

— The enhancement of witness protection programmes. Legislation requiring police, military forces and other government officials to maintain strict chain-of-command responsibility with respect to extrajudicial killings and other offences committed by personnel under their command, control, or authority.
— The enhancement of the capabilities of the Philippines National Police (PNP) and the National Bureau of Investigation (NBI) and improved orientation and training of security forces.

Task Force USIG

In May 2006, then President Arroyo ordered the establishment of the Philippine National Police of Task Force USIG (TFU), a special body with a mandate to solve killings of journalists and activists. The TFU was tasked with spearheading the investigative and prosecutorial efforts of the different units of the Philippine National Police (PNP) to facilitate the early resolution, successful prosecution, and eventual conviction of the perpetrators. Its mandate extended to cases from 2001 onward.

According to Police Superintendent Henry Q. Libay, TFU's Accomplishment Report as of December 1, 2016 lists 53 media practitioners slain due to work-related circumstances since 2001.[30] Libay reported that of this number, 42 cases (79 percent) were filed with appropriate courts. Out of these, 11 were resolved with the suspects' convictions; eight are on trial; 11 were archived (pending the arrest of suspects); four were resolved with the suspects' acquittal; seven were dismissed; and one case was closed as the suspect has died.

Libay did not share the cases themselves for this report; information on TFU's actions to resolve the cases was also not made available.

Under the TFU's programmes, the PNP published manuals on criminal investigation, with support from the European Union through the EU-Philippines Justice Support Programme and other donors. They include a field investigation manual for murder and homicide cases and forensic manuals. The PNP also conducted case review workshops nationwide, where experiences and examples of best investigative practices were shared as well as forensic workshops for scene-of-crime specialists.

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TFU's mandate only includes cases where media workers are killed in connection with their work; when media workers are killed for reasons not believed to be connected with their work, their deaths are not recorded as "media killings". Police Superintendent Henry Q. Libay, interview, December 2, 2016

Task Force 211

Arroyo also created the Task Force Against Political Violence, known as Task Force 211. Its responsibilities are investigating, prosecuting, and preventing cases of extrajudicial and other political killings.

In its conception, Task Force 211 was intended to be multi-sectoral. It sought to harness and mobilise government agencies, political groups, the religious, civil society and sectoral organisations and the public for the prevention, investigation, prosecution, and punishment of political violence. In practice, however, civil society stakeholders have not been integrated into its activities.

According to its Accomplishment Report, from November 27, 2007 to January 22, 2010, Task Force 211 secured four court convictions, including the killers of journalists Armando Pace and Klein Cantoneros. It also claimed it facilitated distribution of a benefit fund to dependents of the Ampatuan victims.[31]

Inter-Agency Committee on Extra-Legal Killings, Enforced Disappearances, Torture and Other Grave Violations of the Right to Life, Liberty and Security of Persons

In 2013, Arroyo's successor, Benigno S. Aquino III, issued Administrative Order No. 35 (AO-35), creating the Inter-Agency Committee on Extra-Legal Killings, Enforced Disappearances, Torture and Other Grave Violations of the Right to Life, Liberty and Security of Persons. The Committee is composed of high-level officials including cabinet secretaries from the Department of Justice, the Department of the Interior and Local Government, and the Department of National Defense. Members include the Chief of Staff of the Armed Forces of the Philippines and the Director General of the Philippine National Police.

The mandate of the Inter-Agency Committee is as follows: (1) to produce a credible database of all political violence in the form of extra-legal killings, media killings, enforced disappearances, torture and other grave violations of the right to life, liberty, and security of persons; and (2) to expedite the arrest and conviction of the perpetrators of these crimes through solid case build-up and coordinated prosecution.

The Committee prepared an operational guideline calling for the creation of composite teams of prosecutors and investigators to investigate, prosecute, and monitor cases covered by AO-35. The Supreme Court set up the Justice Sector Coordinating Council as a "bridging mechanism" under AO-35 for "strengthened coordination among investigative and prosecutorial arms of the government to address legal bottlenecks and bolster case build-up".[32]

The Committee's work factored into the arrest of high-profile fugitives, including former Palawan Province Governor Joel Reyes and his brother, former mayor Mario Reyes, who had long been wanted for the killing of the environmentalist and journalist Dr. Gerry Ortega. Ortega was a hard-hitting broadcast journalist and environmental crusader in Palawan, and was shot dead by an assassin in 2011. The shooter, Marlon Recamata, was detained and later confessed to the crime. Recamata and other suspects arrested pointed to the Reyes brothers as the masterminds behind the murder. The Reyes brothers are still awaiting trial.

The Presidential Task Force on Violations of the Right to Life, Liberty and Security of the Members of the Media

Incumbent President Duterte issued Administrative Order No. 1 in October 2016, creating the Presidential Task Force on Violations of the Right to Life, Liberty and Security of the Members of the Media (AO-1). According to AO-1, the Presidential Task Force will undertake the following: 1) prepare an inventory of all cases of violence against media workers perpetrated by state and non-state actors ; 2) investigate unsolved cases; 3) monitor and report to the Presidential Task Force of Cases on the development of cases; 4) receive and monitor reports on the provision of protection for media workers in danger; and 5) investigate and prosecute new cases.

The new Presidential Task Force is the first dedicated only to journalists and media workers. It covers those who are engaged, whether as a principal occupation or not, in media practice, including print, internet, radio broadcast or commentaries and television.

Its composition includes cabinet secretaries from the Department of Justice, the Presidential Communications Operations Office, the Department of the Interior and Local Govern-

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Task Force 211: Review of mandate and accomplishments (November 2007–July 2010). Retrieved from https://www.scribd.com/document/62797466/Presidential-Task-Force-211-Review-of-Accomplishments-Nov-2007-July-2010-ATTN-Undersecretary-Ricardo-R-Blancaflor-TF211-Chairman-Ian-Norman-

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Coloma, H., April 29, 2015. World Press Freedom Day forum. Slides presented at the public forum to mark World Press Freedom Day 2015, the Philippines

ment, the Department of National Defense, and senior officers including the Solicitor General, Chief of Staff of the Armed Forces of the Philippines, the Presidential Human Rights Committee, the Director General of the Philippines National Police, and the Director of the National Bureau of Investigation. The Task Force has a Secretariat headed by an executive director who provides administrative and technical support services.

Impact

Establishment of these mechanisms indicates a recognition within recent administrations that impunity in media killings is a dire problem in the Philippines. Through these programmes, some steps have been taken to address the need for more coordination within the PNP and among different sectors of the criminal justice system. They have also facilitated training for police and crime scene professionals and the improvement of resources. The development of a Case Information Database Management System (CIDMS) is one important development that came out of Task Force USIG.

The Philippines proves the case, however, that designing a mechanism is not effective without thorough implementation. While several convictions have taken place under these various mechanisms, ultimately they have failed to make serious inroads in the apprehension and prosecution of perpetrators.

Advantage and Challenges

Several of these bodies have the ingredients for a strong mechanism: high-level composition, participation from relevant agencies such as the police, coordinating structures, specific operational guidelines, and documentation of multi-sectoral participation that should include non-governmental organisations. In practice, however, they have disappointed press freedom advocates, who criticise them for their lack of independence and credibility, the low level of participation by non-government organisations and the lack of political will to go beyond the perfunctory creation of a committee or task force.

Advantages

— High level composition including cabinet secretaries who can prioritise and make immediate decisions related to policies and actions.
— Establishment structures and mechanisms that facilitate coordination among government agencies involved in critical activities.
— Crafting of specific operational guidelines defining parameters, policies and procedures, and setting out which body, committee or authority is responsible for handling specific procedures or tasks.
— Case tracking and documentation.

Challenges

— Limited actual engagement with civil society, which affects credibility, despite proposed participation by NGOs in fact finding and investigation.
— Political changes that impact continuity and may stall progress. With the establishment of a new task force, the status of previous ones is uncertain.
— Lack of political will to implement full mandates of mechanisms by providing adequate resources and adopting recommendations.
— Lack of confidence in government bodies' willingness and ability to go after state actors (e.g. security forces, officials) allegedly involved in violence against and killing of journalists and media workers.
— Lack of transparency among these bodies and their component agencies, especially in reporting updates and accomplishments to the news media and the public.
— Weaknesses in the justice system that affect how these bodies operate (e.g. corruption, case congestion, limited resources for investigative work).
— Too great an emphasis on determining links to journalism.
— Protective measures not well developed.

THE 2009 AMPATUAN MASSACRE IS EMBLEMATIC OF THE CYCLE OF VIOLENCE AND IMPUNITY THAT HAS TAKEN HOLD IN THE PHILIPPINES.

Education, Training and Academic Studies

In the Philippines, there are efforts to integrate journalistic safety into the journalism curriculum, and NGOs and some media organisations offer safety training for journalists. Academic studies have also contributed toward understanding the causes and patterns of violence against journalists.

The current journalism curriculum does not offer a dedicated course on safety and protection of journalists and media workers but the Technical Committee for Journalism (TCJ) of the Commission on Higher Education (CHED) integrated the topic into major subjects in the curriculum in 2016. The Committee included the topic in the syllabi of existing required subjects so that all students could learn about journalistic safety and protection.[33]

A number of media and non-government organisations in the Philippines have offered training sessions and materials that aim to protect journalists and media workers. There are safety training programmes for journalists, including Hostile Environment and First Aid Training by the Center for Community Journalism and Development (CCJD) and the Trainers' Training Seminar for Alerts Reporting and Media Safety by CMFR, both of which cover ethics and responsible journalism. The NUJP's Safety Offices run training programmes that emphasise safety and risk assessment in the local context.

The Peace and Conflict Journalism Network (PECOJON) has also provided personal safety training, conducted in partnership with the International News Safety Institute; digital security training, held in partnership with a Germany and Manila-based organization that prefers to remain anonymous; and training on handling stress and trauma, in partnership with Lago Maggiore Institute of Dr. Matthias Witzel and Weldtfriendensdienst e.V.[34]

The NUJP's remaining Safety Office runs training programmes that emphasise safety and risk assessment in the local context.

Materials on safety include TABANG! Safety Guide for Journalists by the Cebu Citizens-Press Council (CCPC), which was distributed among media companies as well as journalism schools, and the safety training video for journalists by the PCIJ entitled Staying Alive , which provides practical safety tips and emphasises the need for networking and professionalism in the industry.

ABS-CBN Corporation is one of the biggest media compa-

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TCJ Chair Benjamin G. Domingo Jr. at the Research Agenda Forum on the Safety and Protection of Journalists and Media Workers in the Philippines organised by the AIJC and the UNESCO Office in Jakarta in October 2016

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Email interview, Ed Karlon N. Rama, December 16, 2016

nies in the Philippines, and members of its Manila-based news teams benefit from training on disaster reporting, postmortem processing, and debriefing sessions.[35] The CMFR publishes the Philippine Journalism Review.

The CCJD also offers Public Journalism Training, which teaches journalists to go beyond reporting and help empower people by giving them a voice and encouraging community discussions about local problems and how to address them. The Basic Human Rights Training, on the other hand, seeks to popularise human rights not only among journalists but also among the citizens, emphasising why people need to exercise their rights, and who the duty bearers are.

Recent academic studies on the killing of journalists and media workers and their safety and protection have examined the issue in a holistic way and recommended ways to improve the situation. Some examples are as follows:

Filipino Journalists at Risk: Who and Where Are They? An Analysis of the Killing of Filipino Mediamen (2015) by faculty members[36] of the Department of Geography, College of Social Sciences and Philosophy, University of the Philippines Diliman. The study identifies patterns in the demographic characteristics of slain journalists from 1986 to 2012, and produces Geographic Information System (GIS)-generated maps to aid in understanding the nature of the media-related killings.

Crimes and Unpunishment: The Killing of Filipino Journalists (2012), a multi-disciplinary research study conducted by the Asian Institute of Journalism and Communication (AIJC),[37] presents an in-depth analysis of journalist killings using anthropology, media studies, political science, political economy, psychology, and law. It presents data from cases studies of murdered journalists and a matrix of recommendations.

Report on the Philippine Extrajudicial Killings 2001-2010 (2011) by Atty. Al A. Parreño, written with funding from The Asia Foundation and USAID, covers the broader subject matter of extrajudicial killings for a 10-year period, describing them as a national epidemic and a human rights disaster. The report looks at why cases have not been solved and also offers recommendations including raising more public awareness through traditional and new media.

Undergraduate students such as those from the University of Santo Tomas, the oldest existing university in Asia, have also

conducted research on topics related to journalist safety such as trauma experiences of journalists, coping mechanisms for trauma, and safety preparations of media development organisations.

#5
Role of the UN Plan of Action for the Safety of Journalists and the Issue of Impunity
IMPACT LIMITED WITHOUT NATIONAL IMPLEMENTATION STRATEGY

While the UN Plan of Action for the Safety of Journalists and the Issue of Impunity was adopted in early 2012, it remains relatively unknown among journalists, journalism educators, and students in the Philippines.

Despite the seriousness of the problem of impunity in the country, the Philippines was not one of the countries included in the initial focus of the Plan. South Sudan, Iraq, Pakistan, and Nepal were highlighted as the first countries of focus. Currently, there is no national implementation plan for the Philippines.

In the absence of a UNESCO office in Manila, there is no lead UN agency mobilising intergovernmental support for the Plan of Action. Some initial efforts to pursue some of the provisions in the Plan include the Research Agenda Forum on the Safety and Protection of Journalists and Media Workers in the Philippines organised by the Asian Institute of Journalism and Communication (AIJC) and the UNESCO Office in Jakarta in October 2016, and the AIJC's ongoing survey on how journalism schools nationwide are integrating the safety of journalists into their curricula.

UNESCO's Director General Irina Bokova regularly calls investigations into journalist killings, including the cases of several Filipino journalists. Among the cases she has raised are those of Rubylita Garcia, Armando Pace, and Gerardo Ortega. The Filipino government takes these appeals and condemnations seriously.

Through the Department of Justice, the government regularly submits a status report to the UNESCO Director General on the investigation and prosecution of cases where journalists have been killed. Reports were submitted in February 2012 and February 2014. The Philippines was unable to submit a 2016 report due to the transition time required to bring in a new administration. At

previous UNESCO forums, the Philippine delegation provided clarifications and updates on the progress of investigations or prosecutions of cases involving the murder of Filipino journalists.

The Philippines may face some challenges developing a firm implementation strategy and a formal adoption of the Plan, particularly in light of President Duterte's acrimony toward the UN, especially the Office of the United Nations High Commissioner for Human Rights (OHCHR). On several occasions, President Duterte has expressed disdain toward the UN for criticising his anti-drug campaign and for raising the possibility that he might be investigated for possible crimes against humanity. During the early part of his term, Duterte threatened to withdraw from the UN. In this context, any initiative to adopt a national Plan of Action will have a better chance of success if it is pursued by non-governmental stakeholders, including non-government organisations, news media agencies, and academics.

#6
Lessons Learned

— Monitoring of attacks through sound methodology and countrywide representation is a foundation for developing safety responses.
— Financial support to families of victims and witnesses is effective in advancing prosecutions and building solidarity. Rapid response through advocacy, protective measures, and emergency support reduces threat levels.
— Partnerships with international groups, local stakeholders, and other sectors of society such as religious groups enhance capacity to respond to threats and fight impunity.
— Government mechanisms need monitoring, participation of non-governmental stakeholders, resourcing and transparency to be effective.
— Multi-disciplinary research deepens understanding of causes of violence and impunity and builds solutions.

Existing programmes and resources for the safety and protection of journalists in the Philippines offer some protection and preventative steps, mainly through the advocacy, emergency response and training programmes of civil society.

Government responses and task forces include high level officials from a range of departments and commissions, but these have not been implemented effectively. Lack of resources, weaknesses in the criminal justice system, and the lack of political will threaten further progress.

Some good practices among media support groups include the Quick Response Teams, the local Safety Office, the funding support for orphans of slain journalists, and the implementation of the Freedom Fund for Filipino Journalists (FFFJ). In addition, advocacy based on strong monitoring work has benefitted journalists and sustained pressure for justice in unsolved killings. These initiatives, however, have been scaled down if not stopped due to lack of financial resources.

Filipino groups have effectively used links with international organisations. For example, IFJ and the NUJP have implemented training programmes and organised high-profile missions in response to the Ampatuan Massacre. The CMFR has used case monitoring methodologies from IFEX to set up a national system to document attacks.

The Philippine experience demonstrates that it is not enough to have an agency or task force that is set up to investigate attacks on journalists and arrests and prosecutes the alleged offenders. Despite the establishment of several bodies made up of key law enforcement and other government agencies, progress is lacklustre and needs to be measured. They must be more transparent, and should be subject to consistent scrutiny. Deeper engagement with and by media rights groups in these mechanisms would improve coordination with and oversight by stakeholders.

One positive lesson from the Philippines is that an activist judiciary can contribute to the creation of a safe and secure media environment beyond rendering just, fair, and immediate decisions on cases. The Supreme Court of the Philippines has recently issued the Writ of Amparo, the writ of habeas data, and the Guidelines in the Observance of a Rule of Preference in the Imposition of Penalties in Libel Cases. These issuances have the effect of strengthening the protection of human rights of all, including journalists and media workers.

Some steps to improve the environment in the Philippines include:

— Strengthening the multi-sector composition of the Presidential Task Force on Violations of the Right to Life, Liberty and Se-

curity of the Members of the Media. The most recent Task Force established should operate with transparency and include media and civil society as participants, not as mere observers. Strong protective measures should be identified and enacted through the Task Force.

— Implementing recommendations from the 2006 Melo Commission, many of which are still relevant.

— Adopting a national implementation strategy for the UN Plan of Action on the Safety of Journalists with measurable targets and goals.

— Strengthening and reforming the criminal justice system. Among the reform initiatives that should be prioritised is the Justice Sector Coordinating Council, set up by the Supreme Court, to address poor coordination among the parties within and involved with the criminal justice system.

— Supporting continued efforts to take inventory of all cases of violence against media workers perpetrated by state and non-state actors from 1986 to the present, and incorporating the participation of media NGOs.

— Amending existing laws to support freedom of expression including decriminalisation of libel online and offline, and expanding protection provided under the Cybercrime Prevention Act and Anti-Bullying Act.

— Creating a sustained public awareness campaign on the role of journalism in democracy and development to counter apparent public apathy toward the killing of journalists and media workers.

— Developing new strategies to reduce hostilities against the media by exposing stories of those who are behind the attacks and threats, as proposed at the 2016 MediaNation Forum; and inviting those behind the threats to a forum or dialogue where they can discuss their concerns.

— Facilitating the sharing of research so it can be utilised for policy–mmaking and project planning by relevant stakeholders. There should also be a centralised database for studies on the topic in order to facilitate easier access.

— Conducting media and information literacy (MIL) campaigns to combat apathy toward media attacks and impunity in the wider population.

Around the world, journalists
work under immense risk
and are subjected to threats,
physical assault, imprisonment
and even murder. The types
of perpetrators are varied and
growing, and include extremist
groups, government officials
and individuals with power and
influence. Meanwhile, impunity
rates for those who commit
these crimes are still hovering
near 90 percent.

This report, the outcome of a
seven-country research project,
analyses in depth how safety
responses have taken hold in
these countries. The research
documents how, despite
immense ongoing challenges,
in Afghanistan, Iraq, Nepal
and Pakistan, some important
advances have been made
to develop joint structures
and innovative approaches
to defend the practice of
journalism. It examines the long
road Colombia has followed
in the establishment of its
protection programme, and
looks at what organisations and
bodies working on the ground
in Indonesia and the Philippines
struggle against, and what
they have achieved using the
resources available to them.

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