Shared responsibility: Safeguarding press freedom in perilous times

Lessons learned and new approaches to media safety

IMS

paving the way for good journalism

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List of acronyms

AIJC	Asian Institute of Journalism and Communication
AJSC	Afghan Journalists Safety Committee
CCJD	Center for Community Journalism and Development
CEDAW	Committee to Eliminate Discrimination Against Women
CERREM	Committee for Risk Assessment and Recommendation of Measures
CHR	Commission on Human Rights in the Philippines
CIGIG	Guatemala's International Commission Against Impunity
CIMAC	Comunicación e Información de la Mujer
CPJ	Committee to Protect Journalists
CMFR	Center for Media Freedom and Responsibility
CPNE	Council of Pakistan News Editors
CSO	Civil Society Organisations
CPP	Communist Party of the Philippines
EfS	Editors for Safety
FCO	Foreign Commonwealth Office
FEADLE	Special Prosecutor for Attention to Crimes Committed Against Freedom of Expression
FECOPER	Federation of Colombian Journalists
FESOJ	Federation of Somali Journalists
FLIP	Foundation for Press Freedom
FoE	Freedom of Expression
HRC	Human Rights Council
HRDs	Human Rights Defenders
IACHR	Inter-American Commission on Human Rights
IMS	International Media Support
IPI	International Press Institute
JCSSJ	Joint Committee for the Safety and Security of Journalists
JRR	Justice Rapid Response
JSAG	Journalist Safety Advisory Group
KBP	Association of Broadcasters of the Philippines
MAP	Media Association of Puntland
MWJS	Myanmar Women's Journalist Society
NCHR	National Commission on Human Rights in Pakistan
NGO	Non-Governmental Organisation
NHRI	National Human Rights Institution
NUJP	National Union of Journalists of the Philippines
NHRC	Nepalese National Human Rights Commission
NPA	New People's Army
NUPL	National Union of People's Lawyers
OHCHR	Office of the High Commissioner for Human Rights
OSF	Open Society Foundation
PCIJ	Philippines Center for Investigative Journalism
PCOMS	Pakistan Coalition on Media Safety
PCOO	Presidential Communications Operations Office
PJSC	Pakistan Journalist Safety Coalition
PPASJ	Philippine Plan of Action on the Safety of Journalists
PPF	Pakistani Press Foundation
PPI	Philippine Press Institute
PSSC	Philippine Social Science Council
PTFoMS	Presidential Task Force on Media Security
SIMHA	Somali Independent Media Houses Association
SMSJ	Somali Mechanism for Safety of Journalists
SoJ	Safety of Journalists
SOMA	Somalia Media Association
SWJ	Somali Women Journalists
UNESCO	United Nations Education, Science and Cultural Organization
UNP	National Protection Unit
UPR	Universal Periodic Reviews

Acknowledgments

Foreword

by Jesper Højberg

International Media Support Executive Director

"Now more than ever, we need journalism and journalists need our support."

Over the last several years, there has been no shortage of reminders of why we need journalism. The joint reporting by a global network of journalists that exposed secretive offshore tax regimes in the Panama Papers, exposure of human rights crimes against the Rohingya population in Myanmar, coverage of unrest in Hong Kong, Iran, Iraq, Nicaragua and so many other parts of the world are just a few. As we finalise this publication, citizens around the world acknowledge how media play a crucial role in ensuring accountability and filling the information gap caused by inept authorities' response to the corona virus pandemic.

The information we receive through journalism and our access to it is essential to all citizens; it is fundamental to good governance, fighting corruption and peace-building. In an era of growing conflict and authoritarianism, arming ourselves with information and diverse points of view to make decisions, think critically and hold our leaders to account is more important than ever.

There is also no shortage of intimidation journalists have to face. Whether it is cyber-attacks, arrests, murders, threats of rape and other forms of violence or diabolising by world leaders, journalists face unrelenting pressure in these and many other forms. It is not possible in today's world to stand back and hope journalism will survive without widespread support for its development and the safety of its practitioners.

Urgency is an impetus to act now. We have entered a particularly dangerous era for the press, which is being battered by "old-fashioned" attacks – physical, including sexual assaults, arbitrary detention and other legal threats and death threats – as well as newer ones – online abuse, exploitation of fake news to undermine legitimate reporting and a growing array of anti-terrorism laws misused against state critics.

The newest threat to good journalism is COVID-19. To fight this pandemic, journalists are on the frontlines compromising their physical health and safety to provide essential information on the virus and these risks are compounding in the face of emergency legislation readily suppressing freedom of expression. Fear and uncertainty about its spread provide a breeding ground for misinformation and information pollution, while media outlets are finding themselves strapped for resources now when they are needed most. We are under siege, but we may see a silver lining.

If there is any positive light to shine on the pandemic, it is the re-awakening of the vital role that local and independent media play in providing timely and relevant information to society – and IMS has turned this emergency into motivation.

Confronted with the urgency to act all around us, we see opportunity. The world's response to threats and attacks against journalists has grown more robust over the last decade. Within the United Nations we have seen at least 13 resolutions committed to addressing safety of journalists and impunity adopted within the Office of the High Commissioner

on Human Rights, the General Assembly, the Security Council and the United Nations Education, Science and Communications Organization (UNESCO). These are in addition to the UN Plan of Action on the Safety of Journalists and Issue of Impunity, adopted in 2012, and the inclusion of a dedicated UN Sustainable Development Goal indicator.

Regional bodies have also escalated their commitments. In 2015, the Council of Europe established the Platform for the Protection of Journalism and Safety of Journalists to monitor attacks against journalists. The African Union is working to set up a multi-stakeholder Working Group on the Safety of Journalists and in 2017 the Inter-American Commission on Human Rights launched a Joint Action Mechanism to Contribute to Protection of Human Rights Defenders in the Americas, which covers journalists, jointly with the UN Office of the High Commissioner for Human Rights. Alongside these initiatives, important regional court decisions taken in recent years have upheld freedom of expression and accountability for attacks against journalists.

Individual states have also begun to step up their efforts. In 2019 the United Kingdom and Canada launched a global Media Freedom Coalition. In the last decade, an increasing number of countries have established or begun taking steps towards establishing special measures and mechanisms focused on prevention, protection, prosecution, monitoring and reporting on media-related attacks. This followed the formation several years ago of the "Group of Friends," an informal network of UN Member States committed to promoting safety of journalists. In 2019, the Philippines launched a national plan of action for the safety of journalists. Within civil society, new alliances and coalitions have formed around safety of journalists and freedom of expression on national and international levels.

This surge in attention and coordination among safety of journalists stakeholders is encouraging progress. When IMS was founded in 2001, we recognised there was a need to promote greater harmonisation and strong national and international partnerships. This is something we have worked to support for nearly 20 years. We have learned that to make an impact, it takes more than pledges and plans. It takes a long-term commitment with a view that must encompass a broader media development perspective, combined with advocacy and practical, hands-on responses. This is in place to some extent, but much more needs to be done. Moreover, now that we have a critical mass of support for safety of journalists, more *can* be done.

To advance as stakeholders, we need to examine and document our successes and failures and share those lessons. IMS has been committed to doing this in tandem with implementing a holistic approach to journalist safety that incorporates the three Ps (prevention, protection and prosecution). In practical terms, we utilise advocacy, along with developing multi-pronged safety networks for monitoring and emergency response. The building blocks of all our work is the fourth P: partnership. Strengthening local partners and fostering collaboration among stakeholders is an ongoing priority for us. The ultimate, long-term goal, however, is a culture in which freedom of expression is seen as self-evident – the strongest prevention of all.

"... now that we have a critical mass of support for safety of journalists, more *can* be done."

IMS has undertaken a series of publications to help document and share some of the lessons we have learned. In our 2017 publication *Defending Journalism*, IMS examined seven countries and their individual experiences. We explored what threats journalists have faced and what mechanisms were in place or have been attempted to physically protect journalists, take preventative measures and address impunity. Our study led us to the conclusion that while various multi-stakeholder mechanisms have made advances in implementing protection programmes and advocacy, there are still immense challenges to implementing a comprehensive approach to safety of journalists.

Countries in which robust, multi-stakeholder mechanisms are needed are generally environments that are not conducive to building them. The challenges are contextualised in the broader challenge of shrinking space for civil society. Some of the specific challenges we identified were ensuring there is gender perspective throughout national approaches to safety of journalists, establishing impactful and sustainable multi-stakeholder structures, building tools to effectively combat impunity in attacks against journalists and gaining strong commitment and engagement from governments and media sectors to promoting safety and media freedom.

In the 2017 study, IMS identified five principles that should guide safety of journalists work on a national level: Strategy, Presence, Collaboration, Influence, Sustainability. Since then, IMS has shared and integrated this approach in its work with partners, taking safety to the next level by integrating steps to promote a gender perspective, using lessons from the past to build stronger, action-oriented coalitions and developing investigation-focused strategies to address impunity, among other activities. In our current publication, we expand on these themes, bringing an in-depth analysis on some of the issues we previously identified and new lessons we have learned.

The new publication highlights the latest multi-stakeholder initiatives, such as the Philippine Plan of Action on the Safety of Journalists, the Pakistan Journalist Safety Coalition and the Somali Mechanism for Safety of Journalists. It takes stock of strategies that are making inroads against some of the challenges noted above, such as the community approach to journalist safety developed by the Afghan Journalists Safety Committee. Throughout the report and in one dedicated chapter, we take a critical view towards whether mechanisms or safety of journalist programmes, including those developed by IMS, are tackling gender-specific threats. The publication also argues for a stronger international response to impunity along the lines of the proposals of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Agnés Callamard, who has also contributed a foreword to this publication, for a hybrid human rights-criminal investigation model.

The publication cites the efforts of many organisations and individuals in countries around the world. Not every effort has been a qualified success, and some are still in developing or very early stages, but the work on many fronts to bring diverse actors together towards a common goal has been tremendous and inspiring. IMS is pleased to share it with the hope that it will spur action not only by informing strategies, but demonstrating that much can be accomplished.

It is imperative that all stakeholders continue and increase their commitment to safety of journalists. We know what is at stake for journalists, and by extension for all citizens, if we do not. While it is true journalists' safety has received high amounts of international attention in recent years, that window may close soon. If we don't act now, then when?

Foreword
by Agnés Callamard

United Nations Special Rapporteur on extrajudicial, summary or arbitrary executions and director of Global Freedom of Expression at Columbia University

In the aftermath of my investigation into the killing of Saudi journalist Jamal Khashoggi, journalists, officials, experts, friends and colleagues all had the same question: "What *does* justice for the murder of Mr. Khashoggi look like? What does justice for the killing of a journalist mean?"

Of course, justice should mean that the killers and those who commanded them face prosecution, judgment and sentencing. But the grave implications of such a crime extend far beyond the authority of the courtroom alone. Other pathways must be pursued, including those that address the systemic problems and limitations highlighted by specific targeted killings and the impunity attached to them. Justice should also mean that we as an international community learn and do all we can to prevent and stop future executions of journalists or other acts of violence against them. Journalists are targeted to be silenced, to shield those in power from their critical reporting, to prevent societies from being informed, to ensure they are disinformed.

We see these motives behind the murders, death threats, bullying and stigmatisation, sexual harassment, legal persecution and multiple instances of arbitrary imprisonment. We also see these motives in the self-censorship that takes hold of the media. And we see them perhaps most of all in the impunity that shields the aggressors from journalists.

Our responses to this targeting must address not only the specificities of the act of violence, but also and most importantly the systems and institutions that allow these acts and impunity to prevail.

During my 25-plus years of work on human rights, time and time again I have witnessed a singular and toxic absence in efforts to embed the rule of law, which is the failure to ensure a working police system. Impunity begins a few hours after an attack, with the victims or their families unable to register the attacks committed against them and with the police unable or unwilling to initiate a proper investigation. We see such systemic failures in the absence of scientific investigation, the lack of forensic skills and resources, in eyewitnesses not being interviewed, and in the unwillingness to consider the work and reporting of the journalists as motivations for their targeting. We see such failures in the reluctance to investigate the chain of command and identify the masterminds, and crucially, in the many examples of political interference.

Responding to the killing of journalists means being prepared to scrutinise investigations, demanding that those in the lead account for what they do or not do, and that those who may interfere are named and prosecuted for such obstruction as a human rights violation too.

Given that investigation and prosecution take place primarily at the national level, the failings of policing and justice systems must be addressed by and within states. However, the regional and international inter-governmental systems also have a role to play, and

an important one.

Nowhere is this role clearer than in the responses to the execution of Maltese journalist Daphne Caruana Galizia, who was murdered on 16 October 2017, which saw four inter-governmental institutions taking up the challenge. The Parliamentary Assembly of the Council of Europe appointed a Council of Europe special rapporteur to assess the murder investigation and the rule of law in Malta. Simultaneously, it also requested legal opinions from the Venice Commission (the European Commission for Democracy through Law) on Malta's constitutional arrangements and separation of powers, and from the Group of States against Corruption (GRECO) on the prevention of corruption in Malta. All entities issued damning reports, forcing the European political institutions to put additional pressure on the Maltese government. In November 2019, a delegation of Members of the European Parliament undertook an official mission to Malta and found that the Prime Minister "pose[d] a risk, real or perceived, to [the] integrity of the murder investigation".[1] Progress on the case, some two years after the horrific murder, can be largely attributed to the active support of European inter-governmental institutions, along with the continuing pressure

"Responding to the killing of journalists means being prepared to scrutinise investigations."

from Daphne Caruana's family and national and international civil society.

In my own investigation into the execution of Jamal Khashoggi, I benefited from the support of many within civil society and the media, but little from within the UN. The international response has been largely confined to statements of condemnation and ineffective individualised targeted sanctions from a handful of countries. My mandate as UN Special Rapporteur allowed me to initiate the investigation. No other UN institutions or Member States showed willingness to step in, either to demand an official inquiry, undertake one or formally offer to support mine. I had recommended a follow-up investigation into the chain of command and individual liabilities, including at the highest levels of the state, but that too, the UN Secretary General or other institutions or agencies were unwilling to do.

Still, my investigation into the extrajudicial execution of Mr. Khashoggi has shown the potentials of one symbolic case, not only in terms of contributing to truth-telling and pointing to states' human rights responsibilities, but also in highlighting the potentials and limitations of the inter-governmental system.

With regard to potentials, Special Procedures, for instance, has the power to send urgent appeals to states where journalists and others are under threat. Such methods could

be enhanced for the purpose of strengthening the protection of journalists and better addressing the issue of impunity. This is why I have recommended that we organise a Task Force of Special Rapporteurs to undertake rapid action missions to respond to threats and prevent further acts of violence against journalists or human rights defenders. I have also committed to undertake an international review of best practices with a view to develop a UN Protocol for the investigation of and response to threats.

With regard to the limitations, my investigation has shown that we do not have any international institutions or institutional arrangement at the UN level allowing for international impartial investigation into the killings of journalists and human rights defenders, to identify both state responsibilities and individual liabilities, as well as avenues for accountability. This is why I have recommended the establishment of such a UN standing instrument, building on existing models tested over the years.

We are not starting from the ground up. There is a wide range of experiences to learn from and improve upon, many of which are detailed in this volume. There is also increasingly powerful jurisprudence that underpins safety of journalists. National and regional courts have issued encouraging rulings as documented by Columbia Global Freedom of Expression — for instance, in Paraguay v. Vilmar Acosta, when a collegiate court in Paraguay sentenced Vilmar Acosta, former mayor of the city of Ypehu, to 39 years of imprisonment for ordering the killing of the journalist Pablo Medina. In Mazepa v. Russia, the European Court of Human Rights found that the Russian government failed to conduct an effective investigation into the murder of renowned investigative journalist Anna Politkovskaya because it chose to focus on a single line of enquiry and did not explore allegations that the Federal Security Services (FSB) or Chechen officials were involved in the murder.

Ultimately though, we too need to be courageous. If journalists can stand up to violence, threats, bullying and imprisonment for the purpose of informing us, the least we can do is stand up for them, and demand that their killers do not get away with silencing their voices. Representatives of governments and inter-governmental institutions must accompany their public statements supporting media freedom and decrying attacks with concrete actions and policies. If they fail to do so, their messages are largely muted. The protection of media freedom is not something that should be turned on and off to fit the occasion. Journalists live with threats every day. They should receive resounding support no less often.

1   Parliamentary Assembly of the Council of Europe (2019a).

Executive summary

Putting principles into action: Lessons learned in implementing a multi-stakeholder approach to safety of journalists

Though journalists face a growing number of threats from state and non-state actors, multi-stakeholder efforts are making headway to improving safety of journalists (SoJ).

Building on previous IMS research and drawing on six country experiences – Afghanistan, Colombia, Myanmar, Pakistan, Somalia and the Philippines – this IMS report explores how stakeholders are working through institutional mechanisms, coalitions, national plans of action, partnerships and joint actions to implement robust approaches that not only respond to threats and attacks against journalists, but also proactively address conditions that make practising journalism a risky profession. In addition to the six focus countries of the report, IMS also includes examples of mechanisms in Mexico and Nepal.

The report identifies five major challenges for developing national plans for SoJ and how stakeholders are tackling them:

- gaining engagement by state actors in SoJ
- uniting and focusing efforts of disparate stakeholders into a durable, well-anchored structure
- increasing commitment by the media sector to SoJ
- integrating a gender perspective throughout SoJ mechanisms
- supporting stronger tools for combatting impunity.

Approaches to engagement with state actors: Dialogue and solidarity

According to IMS' research, authorities treat journalists with hostile attitudes that often emanate from the country's leadership and permeate throughout the national authority structure, creating direct threats to journalists by state actors, and undermining confidence in the state's ability to investigate attacks and protect journalists.

Stakeholders are employing several strategies to break through this impasse. One is bringing media and security forces together into a dialogue framework. In the Philippines, since 2018, the Asian Institute of Journalism and Communication organised a series of dialogues between media and security forces on a provincial level and held national consultations among a broad range of participants from different communities. This contributed to bringing government actors into a coalition committed to implementing the Philippine Plan of Action on the Safety of Journalists in November 2019.

In Myanmar, the country's press council held four-pillar dialogues among representatives from the country's legislative, administrative, and judicial branches of government and the media. These have been aimed at easing the harassment journalists face there. In Afghanistan, the Afghan Journalists Safety Committee implemented a community approach to safety that engages officials and other local power figures to promote SoJ. In Somalia, the Puntland Journalist Security Committee held Peace Council dialogues that have opened communication channels to mitigate threats to journalists there.

Finding the best structure and body to anchor a mechanism is a lengthy, context-specific process

While a handful of countries, most notably Colombia, have established state-housed mechanisms for protection, stakeholders in other countries have looked to other models such as coalitions to implement a broader SoJ agenda. Some 80 entities from national civil society, international organisations, and government have committed to implementing the Philippine Plan of Action on the Safety of Journalists. Representatives from the media community across Somalia came together to form the Somalia Mechanism for Safety of Journalists. The Mechanism set up a country-wide monitoring network, promotes better safety practices among journalists and media houses and responds to abuses against journalists with emergency help and advocacy. In both countries, a lengthy consultative process was instrumental in bringing stakeholders to the table, identifying concrete actions and instilling a core leadership structure.

Some key lessons have been learned from the experience of coalition-building in Pakistan, such as the value of building decentralised structures on a provincial level, where actors may affect change more nimbly than a coalition focused on a national level. The report also found that national human rights institutions are proving to be strong partners in promoting SoJ. The Nepal Human Rights Commission, for example, is setting up a mechanism for freedom of expression cases. The national human rights institutions in the Philippines and Pakistan are also active participants in multi-stakeholder structures there.

Media sector can and should do more to promote and practice safety

IMS research also indicated that engagement by the media sector in SoJ advocacy, implementation of better safety practices and improvement of working conditions are essential components to developing a national approach to SoJ. In many countries, journalists work under precarious employment statuses, are pushed through competition to take on risky assignments and/or are not provided with sufficient training, information or equipment to carry out their work safely. In the countries researched for this report, few workplaces have protocols in place for basic safety measures, risk assessments, online abuse or sexual harassment.

SoJ advocates have been working with media houses to develop and promote protocols aimed at improving the work culture around safety. One example highlighted in the report is a process of safety certification the Colombian group Foundation for Press Freedom (FLIP) is piloting at media outlets. The report concludes that many measures

that can mitigate physical and digital risk exposure require institutional commitment, but not necessarily heavy financial investment. It also notes an increase in global awareness of duty of care for freelancers and in cases of trauma.

Gender-specific threats and responses need a more comprehensive approach

The report looks at how state mechanisms in Colombia and Mexico have integrated a gender perspective. It found that in Colombia some positive reforms creating gender-specific pathways to protection have been implemented, but this is not the case in Mexico. Both countries fail to employ a gender-sensitive approach to prosecutions into attacks against journalists and tackle broader issues such as sexual harassment and cyber abuse.

IMS' research points to the importance of including gender-balanced representation early on in consultations and development of mechanisms. The inclusion of civil society in mechanism-building leads to better integration of gender-specific responses as well. It also emphasises that the risk analysis process and protection measures should be context-specific, taking into consideration unequal power structures existing in societies in addition to social and psychological aspects of sexual violence.

Impunity also takes a gendered form. Abuses against female journalists such as sexual harassment and online abuse targeted at women can reach extreme levels without being investigated. In cases of violence against female journalists, investigations often fail to take up gender considerations.

Outside of state mechanisms, the report notes important work by civil society in several countries to combat sexual harassment and other mistreatment of female journalists. One example is in Somalia, where freedom of expression advocates, led by the group Somali Women Journalists, developed a "Gender Respect Declaration" to address sexual harassment.

Strategies focused on investigations needed for combatting impunity

IMS found that though impunity is widely acknowledged as one of the most serious threats to journalists around the world, there is a lack of effective responses at the national and international level to the most severe attacks, including murders, of journalists, particularly when it comes to monitoring, supporting or waging investigations.

Though a small number of countries examined for this report have established mechanisms to support the prosecution of crimes against journalists, these have had limited impact, due to flaws in their implementation and lack of resources and capacity. Lack of political will, however, is also a major factor behind the failure of states to investigate attacks or bring redress, particularly where government officials are implicated.

Elements that are needed for more effective state mechanisms addressing impunity include civil society participation as well as long-term mandates and resourcing backed by legislation that allows mechanisms to operate independently of a specific political administration. From the threat assessment to the investigation and prosecution, measures

to detect and act on gender-specific concerns should be employed. In addition, parallel efforts must be undertaken to create and promote an enabling environment for journalists, through state policy and practice, and to strengthen the capacity of the judiciary, law enforcement and military to apply international and regional standards on SoJ and freedom of expression, as well as to address gender-based attacks.

The report also notes the strong progress made by civil society initiatives to investigate the killings of journalists and report on their unfinished work. IMS concludes that stronger international approaches are needed, including support for proposals by the UN Special Rapporteur on extrajudicial, summary or arbitrary executions, to establish protocols to mobilise international investigations. It introduces IMS' work towards a hybrid model of justice that incorporates criminal and human rights legal frameworks to address threats against journalists, media workers and human rights defenders (HRDs).

Recommendations

The report offers 15 recommendations to strengthen SoJ. These emphasise not only the need to take a comprehensive approach to national plans that look at specific responses to attacks and threats, but also towards country conditions, taking into consideration legislation, media literacy and working conditions, among other factors. They also stress the inclusion of a gender perspective in all aspects of SoJ through female representation, establishment of gender-specific safety pathways, training of relevant authorities handling attacks and threats against journalists and addressing harassment and inequality in newsrooms.

This publication is the latest in IMS' *Defending Journalism* series, which IMS has undertaken in its Global Safety Programme with the aim of identifying, documenting and sharing good practices and lessons learned in work being done around the world to promote SoJ. The first report, *Defending Journalism: How national mechanisms can protect journalists and address the issue of impunity, a comparative analysis of practices in seven countries,* was published in 2017. In November 2019, IMS published *The safety of women journalists: Breaking the cycle of silence and violence,* a study on how gender-specific threats against women journalists are being tackled in nine countries. *Safer together: Considerations for cooperation to address safety in the media support, humanitarian and human rights sectors* was published in December 2019 to inform and inspire action among the media support, human rights and humanitarian sectors to address pressing safety and protection issues. For more details on these reports and our methodologies please refer to the section on methodology and background.

Introduction:
Meeting the challenge of defending journalism in perilous times through multi-stakeholder action

"What are you willing to sacrifice for truth?" journalist Maria Ressa asked her London audience upon receiving last year's Sergei Magnitsky Human Rights Award.[2]

For Ressa, the answer is a long one. As CEO and founder of Rappler.com in the Philippines, Ressa has fought unflinchingly to expose the truth about injustice, corruption and President Rodrigo Duterte's brutal drug war. In return, she has faced arrest, countless online threats of violence, including threats of rape, and at least 11 criminal charges. These are just some of the ways journalists in the Philippines, which has also seen dozens of journalists murdered with impunity, are under attack.

What is happening in the Philippines also reflects global trends: Worldwide, journalists are killed with disturbing regularity. In 2016 and 2017 at least 182 journalists were killed—and justice has not been served in nearly 90 percent of the attacks.[3] In the 2018 report, The Safety of Journalists and the Danger of Impunity, the Director-General of the United Nations Education, Science and Communications Organisation (UNESCO) found the majority of journalists were killed outside conflict zones, targeted for reporting on issues of corruption, crime and politics.[4] Those silenced in recent years include a higher number of women than recorded in earlier periods.[5]

Behind these numbers is a rise in hostile, anti-media rhetoric by political leadership, and the discrediting of newsworthy and accurate journalistic reportage as "fake news," particularly during election periods.[6] Online harassment has also emerged as a serious threat to journalism. Journalists, particularly women, meet with explicit threats, character assassinations and doxing in reprisal for their reporting. Non-fatal assaults, kidnappings, jailings and other attacks are on the rise as well. In short, journalism today is under full siege.

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2   Rappler (2019a)
3   UNESCO (2018d), p. 1.
4   Ibid. The report notes that in 2014 and 2015 a majority of journalist killings occurred in conflict regions but in 2017 and 2018 more killings occurred outside conflict regions.
5   UNESCO (2018d), p. 5. The report notes five women journalists killed in 2012 and 10 in 2016.
6   UNESCO (2018c), p. 114.

Journalists under duress are not alone. Though the threats they face have expanded, responses to those threats have become stronger and more gender-focused. UNESCO's World Trends report also observes "New coalitions involving Members States, civil society, the media and academia reflect a stronger and more coordinated response to the protection of journalists."

In the Philippines for example, a broad coalition of media stakeholders came together to launch the Philippine Plan of Action on the Safety of Journalists (PPASJ) on 22 November 2019. The Plan proposes a roadmap to strengthen journalism and protect its practitioners. It promotes more traditional approaches to safety such as training and emergency response structures, but also longer-term goals like improving professionalism and working conditions.

The PPASJ is one of several multi-stakeholder initiatives around the world that IMS has supported and that aims to tackle the multi-faceted threats journalists face through collaborative frameworks. Since IMS was founded, working with international partners to set up locally-anchored, comprehensive mechanisms that address safety of journalists and include a gender perspective has been one focus of our work.

> "Promoting awareness and knowledge, including documenting and sharing lessons learned, is also something we hope to achieve with our Defending Journalism publication series."

Much of the work IMS has undertaken is in support of the UN Plan of Action on the Safety of Journalists and the Issue of Impunity, a comprehensive multi-stakeholder framework adopted by the UN in 2012 and overseen by UNESCO.

Since its inception, IMS has actively promoted the UN Action Plan and integrated UNESCO's three prongs – prevention, protection and prosecution – into its work. For IMS, partnership is another crucial tenet and we have worked closely with stakeholders to build up coordination at the national and global levels. Promoting awareness and knowledge, including documenting and sharing lessons learned, is also something we hope to achieve with our *Defending Journalism* publication series.

IMS published the first in this series in 2017 with a study of safety initiatives in seven countries – Afghanistan, Colombia, Indonesia, Iraq, Nepal, Pakistan and the Philippines. Conclusions from the publication, entitled *Defending Journalism*, identified five principles to implementing national approaches to SoJ: strategy, presence, collaboration, influence, and sustainability.

The 2017 publication also identified common challenges to developing multi-stakeholder mechanisms. Among them are lack of government engagement, anchoring mecha-

nisms in institutions or in coalitions among diverse stakeholders, lacklustre media industry commitment to SoJ, too few resources to counter threats specific to female journalists and a dearth of strategies to combat impunity in attacks against journalists.

As a follow-up to *Defending Journalism*, IMS published *The safety of women journalists: Breaking the cycle of silence and violence* in November 2019, a study of gender-focused initiatives in nine countries.

We now add this study, *Shared responsibility: Safeguarding press freedom in perilous times*, which examines the key challenges identified in the first publication. It highlights the lessons learned in six countries: Afghanistan, Colombia, Myanmar, Pakistan, Somalia and the Philippines. The report also references mechanism-building in Mexico and Nepal.

The report is divided into five chapters, each focused on a specific set of challenges and what stakeholders are doing to meet them. The first chapter looks at building trust, engagement and collaboration between state and civil society actors. It notes there is a legacy of mistrust and hostility between media and state actors that makes it difficult to come together in a multi-stakeholder framework. The chapter highlights dialogues between media and security as a useful strategy to break through this stakeholder impasse.

Chapter 2 identifies potential institutions for anchoring mechanisms such as National Human Rights Institutions. It also profiles coalitions that anchor mechanisms in several countries, mentioning common pitfalls on the road to building coalitions. Chapter 3 picks up on the frequent failure of media outlets to support SoJ both as advocates and in their in-house treatment of staff and freelancers. To counter this, civil society organisations in several countries have been working with media outlets to introduce safety protocols. Another point raised in the chapter is that safety does not have to come with a big price tag. There are many low or no cost steps media outlets can, but often don't, take to mitigate risks for their staff and freelance hires.

Seeking to gain a better understanding of how gender-specific threats and concerns can be better integrated into safety mechanisms, Chapter 4 examines the development of state mechanisms in Colombia and Mexico, concluding that a stronger approach to gender-specific threats and investigations into attacks against women is needed. Female and civil society representation in all stages of the mechanisms' development and implementation are important factors. It also finds that more is needed beyond state protection or investigative mechanisms to reduce gender-specific threats, such as measures to address sexual harassment and cyber-attacks.

IMS' strong recognition of the need for a gender-sensitive approach is reflected not just in this chapter, but throughout the publication, which includes a gender perspective in its analyses of multi-stakeholder initiatives. It should be noted that the term gender in this report references a binary view, defined by socially-constructed attributes associated with being male or female.

Chapter 5 looks at widespread impunity in attacks against journalists and the mixed track-record state and international mechanisms have in achieving justice. It argues a stronger international approach to impunity is needed, such as mobilising international criminal investigations into journalist killings as proposed by UN Special Rapporteur on extrajudicial, summary or arbitrary executions Agnès Callamard.

This report's conclusion puts forward practical recommendations based on the lessons learned throughout IMS' series of publications on defending journalism. By doc-

umenting and sharing these practices we hope to inform strategies that will help journalists like Maria Ressa continue to reveal the truth, without the sacrifice. As Ressa herself pointed out in her speech, "The courage these times demand is impossible for one person alone; it's impossible for one journalist, it's something we must collectively fight together, journalists can't do this alone."[7]

Methodology

This publication presents an examination into SoJ initiatives in six countries, drawing on a combination of new research conducted by IMS and its partners and prior IMS research analysed through a qualitative approach. To supplement findings, it also builds on information published by interest organisations and in academic research. The report aims to contribute to the field of knowledge surrounding SoJ, and in particular the development – challenges and accomplishments – of intrastate initiatives involving engagement by multiple stakeholders and international collaborations.

It is the third publication in IMS' *Defending Journalism* series, produced by the IMS Global Safety Programme. The purpose of the series is to document and share the experiences of stakeholders working to tackle serious threats to journalism, identify good practices and gain understanding of ongoing challenges.

Findings are primarily based on data from Afghanistan, Colombia, Myanmar, Pakistan, Somalia and The Philippines. These countries represent media landscapes in which threats to journalists are severe, albeit diverse and with differing political and security contexts. IMS also chose to look at countries where it had first-hand knowledge of developing or ongoing work to implement multi-stakeholder models through its partner groups or its own country offices. The selection of countries does not necessarily reflect particular advancement in tackling SoJ issues, but is suited to illustrate the practical steps being taken at different stages of evolving SoJ work that is based on multi-stakeholder collaboration.

Data for this report were mainly collected through in-depth, unstructured interviews with key sources and a review of around 15 documents on recent SoJ initiatives. The documents include annual reports, presentations, documentation from consultations and of roundtable discussions, survey findings and background on the makeup and scope of activities of SoJ committees and other bodies. Some of these materials are publicly accessible online and others are internal documents shared with the lead author for our research. The lead author also conducted dozens of interviews with journalists, safety experts and representatives from the freedom of expression community working in these countries or globally. She undertook on the ground reporting in Colombia, Myanmar and The Philippines, where some of these interviews took place.

In Somalia and Myanmar, IMS commissioned research studies by locally-based experts[8] aimed at identifying priority safety concerns for the media and mapping current work on SoJ in those countries. For Somalia, IMS produced an internal report based on

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7   Rappler (2019a).
8   Nasriin Maxamed Ibraahim undertook research in Somalia in 2018. Qurratulain Zaman compiled an internal report in SoJ conditions and responses in Myanmar for IMS in 2019.

Focus Group Discussions and Key Information Interviews conducted in the first half of 2018 in four areas: Mogadishu, Kismayo, Baidoa and Garowe. The total number of participants was 46; the majority were working in media at the time, while roughly 16 percent of overall participants identified themselves as representing journalist associations or trainers. Eighteen were women. The study posed a series of questions to participants including what the nature and level of threats to journalists in their areas is and how have these been addressed by the government, civil society and the media sector. In Myanmar, IMS' research includes interviews with journalists who have been subject to different threat categories, human rights activists and other civil society representatives and rounds up existing resources to address them.

In the Philippines, IMS' partner, the Asian Institute of Journalism and Communication, held consultations with stakeholders, including government officials, police, journalists and media support groups, throughout the country from mid-2018 to mid-2019 as preliminary steps for developing a national plan of action. Documentation of these sessions are among the documents noted above as a source in compiling this publication. In other countries, IMS offices or representatives from partner groups provided input, which was supplemented by the author's additional research.

The publication is not intended to be an exhaustive analysis of safety programmes worldwide, but a cross section lens on the different issues and collaborative approaches that are currently in play in different areas where journalists work under pressure.

The report was drafted in the third quarter of 2019 and may not reflect developments that have taken place since then.

Chapter 1:

Can adversaries ally? Building trust, engagement and collaboration between the state and civil society stakeholders

In most scenarios, creating a strong safety system means engaging with different branches of government. Whether looking at an institutional state-housed mechanism, a broader national plan or less formal response system, state action plays a key role with significant impact. Government institutions have the structure and mandate to protect journalists, and to investigate and prosecute attacks against them. It may be that protection must be provided by security forces, or that these forces form part of the threat to media, and a process of engagement can diffuse this. In cases of attacks and threats, it is the state's obligation to investigate and prosecute. Meanwhile, most advocacy is directed at governments to enact or reform legislation or act on individual cases.

The work of journalists also relies on government cooperation and commitment to the fourth estate. The media require access to government information and access to politicians and legislating bodies to conduct reporting and often operate under government-issued licences. The relationship between officialdom and the media, however, is traditionally a rocky one.

At a certain level, the work of journalists is fundamentally at odds with national power structures. Journalism holds officials and other powerful figures to account, offers a forum for critical views or tells sides to a story that are not in line with official narratives. At its best, journalism can take down administrations that are corrupt; at a minimum it is a gadfly to officialdom.

This dynamic has put a key question at the centre of work for SoJ: In a relationship that is historically adversarial, to what degree can journalists and Freedom of Expression (FoE) activists expect governments to be a partner in bolstering their safety?

The Philippines: Rhetoric and intolerance by leadership undermines positive steps

The Philippines is one country where some of these complexities are playing out. Though regarded as the region's freest and most outspoken media,[9] the Philippines has also long been considered one of the most dangerous countries for journalists.[10] Between 1986, the year former president Ferdinand Marcos was ousted, bringing an end to 14 years of martial law, and 2019, a total of 170 media killings took place.[11] The victims include 32 members of the media killed in the 23 November 2009 massacre in Ampatuan, Maguindanao, where a total of 58 individuals died.

In many cases, politicians, government officials and businessmen with political links are suspected to be responsible for these attacks. The lead suspects in the Maguindanao Massacre, to cite one example, include the former governor of the Autonomous Region in Muslim Mindanao, Zaldy Ampatuan, and Andal Ampatuan Jr., the former mayor of the Maguindanao municipality Datu Unsay.[12] The Southeast Asian archipelago has also been home to some of the highest rates of impunity in the world.[13] Investigations in the Philippines often identify suspects, but prosecutions rarely make it through the courts due to lack of forensic evidence, reluctance of witnesses to step forward and an overburdened and flawed judicial system.[14]

Pressure on journalists in the Philippines is not limited to physical attacks. According to media advocacy and monitoring groups, threats including cyber-bullying, other coordinated cyber-attacks, and vexatious or retaliatory legal actions, are major concerns for journalists there.[15] Female journalists face threats of a sexual nature to a higher degree than men. Online threats against female journalists often have sexual references and extend to family members.[16] A 10 June 2018 National Risk Assessment Workshop held by the National Union of Journalists of the Philippines (NUJP) identified coverage of local politics, criminality, war on drugs, corruption and coverage of controversial issues such as mining, illegal logging, natural disasters and conflict areas as the most hazardous subjects for journalists to tackle.

The relationship between the media and the government has grown more strained under the administration of President Rodrigo Duterte. Duterte has made little secret of his dislike for his critics within the media, particularly those who report on his controversial drug war, a campaign that rights groups say has led to thousands of killings by police and vigilantes.[17] On numerous occasions Duterte has publicly berated the press. His response as president-elect in 2016 when asked about high murder rates of journalists in the Philippines was, "Just because you're a journalist you are not exempted from assassination

if you're a son of a bitch."[18] In a 2017 meeting with US President Donald Trump, he called journalists spies.[19] Both presidents frequently label unfavourable coverage of their administrations and policies as fake news.[20]

Duterte has singled out news outlets and individual reporters, insulting journalists, media outlets and media rights groups and accusing them of anti-state activities. On several occasions, he accused the online news site Rappler, known for its critical and investigative reporting, of publishing "fake news" that was "corrupt" and "biased" against his administration. Rappler, along with non-profit independent media organisations Vera Files and the Philippine Center for Investigative Journalism (PCIJ), as well as the National Union of People's Lawyers (NUPL), were accused by the presidential spokesperson as being part of an ouster plot against Duterte's administration.[21]

Duterte's rhetoric has generated more than bad feelings for the media. According to a 2017 report by the International Press Institute (IPI), Journalists who criticise the president's policies or cover sensitive topics like drug trafficking or corruption face defamation suits and an online backlash. Duterte's supporters attack them outright or report their online accounts to social media platforms, demanding the takedown of 'inappropriate content".[22] Further interviews among journalists and media watchdogs conducted in 2019 for this IMS report affirmed that this trend continues.

Rappler has become the most prominent example of a target of this tactic. In addition to coping with debilitating online attacks, the news group has been hit with criminal charges 11 times since 2017, charges viewed by many as being politically motivated, including tax evasion and libel. The most recent charge of cyber libel was made in February 2019[23] and led to the arrest of *Rappler's* CEO and Founder Maria Ressa (Ressa was released on bail the next day). Ressa has also been threatened online with death and rape.[24]

Rappler's journalists have been denied accreditation to Malacañang (the presidential palace), ostensibly over an ongoing investigation into the outlet by the Securities and Exchange Commission. "I never experienced such hostilities before Duterte," said Aika Rey, who covers the Senate for *Rappler*. Rey said she routinely has issues with access. Officials are reluctant to give her interviews. "They don't want to be associated with *Rappler*," Rey said, adding, "They used to be more thick-skinned."[25]

"His [Duterte's] pronouncements, whether they are jokes, or off-the-cuff remarks, are impacting on journalists, especially safety," said Red Batario, director of the Center for Community Journalism and Development (CCJD) in the Philippines.[26] One alarming trend that has emerged from the hostile language the country's leadership engages in is red-tagging. This entails the naming or accusing of individuals or organisations as being part of communist groups, a dangerous label in Philippines, where a communist insurgency has been fighting government forces for decades.[27] "Some sections of the military take

9   Johnson (2019).
10   Laureyn (2018).
11   Presidential Task Force on Media Security (2018). The number 170 includes those killed from 1986 through 2018 and the 2019 murder of radio news anchor Eduardo Dizon.
12   Human Rights Watch (2010).
13   Witchel (2018).
14   Asian Human Rights Commission (2011).
15   Ballaran (2018).
16   Chocarro (2019), pp. 38-39.
17   Geddie and Petty (2019).

18   Sawatzky (2016).
19   Porter (2017).
20   The Washington Post (2018).
21   Geddie and Petty (2019).
22   Peschke (2017).
23   Ellis-Petersen (2019).
24   BBC interview with Ressa (2019).
25   Interview with IMS, September 2019 in Manila, the Philippines.
26   Ibid.
27   Republic of the Philippines Commission on Human Rights (2019).

that as a go-ahead signal so there is an increase in red-tagging especially in the provinces," said Batario.

In several recent instances, journalists have been red-tagged either directly by security personnel or in anonymous materials such as flyers and posters.[28] Those named have often reported on sensitive subjects or interviewed members of communist groups. In Mindanao in August 2019, for example, flyers were sent to the offices of Leonardo Vicente "Cong" Corrales, associate editor of the *Mindanao Gold Star Daily*, and veteran journalist Froilan Gallardo, tagging them as members of the Communist Party of the Philippines (CPP) and the New People's Army (NPA). Gallardo, a veteran conflict reporter, had conducted interviews with the NPA. The flyers accused the journalists of being "biased" and "supporters of terrorist organisations" and claimed there was a bounty on offer for the death of Corrales.[29] On more than one occasion, the NUJP has been named as a "terrorist supporter" on posters and through other mediums.[30]

Red-tagging tends to kick into gear a host of threats. Due to the terrorist designations of several groups, including the CPP and the NPA, journalists and civil society organisations (CSOs) who have been red-tagged are vulnerable to surveillance, detention and restricted travel, among other constraints. Beyond official threats, there are acts of public

Protesters from Alliance of Independent Journalists and Freelance Journalists Forum stage a protest in front of the Embassy of Myanmar in Jakarta on 7 September 2018. This demonstration was carried out to protest against Myanmar's sentencing of two Reuters journalists, Wa Lone and Kyaw Soo Oo to seven years for violating Myanmar's colonial-era Official Secrets Act. The journalists were 32 and 28-years old, respectively, at the time of their sentencing.
Photo: Eko Siswono Toyudho/Anadolu Agency/Getty Images

hostility, including death threats.[31] "It is not just a case of someone pestering journalists," said NUJP's treasurer, Jhoanna Ballaran. "It is really a well-oiled machine."[32]

Despite these antagonisms between the government and regional security forces and the media, there are some opportunities for engagement. The president has taken steps to address impunity. In October 2016, he established the Presidential Task Force on Media Security (PTFoMS) through an executive order. The inter-agency task force is mandated to "protect the life, liberty, and security of media workers".[33]

Working under its self-proclaimed motto "failure is not an option," its goal is to improve the country's record of arrests and prosecutions in journalist killings. The primary activities it has undertaken include preparing an inventory of all cases of violence against media workers, investigating unsolved cases of journalists killed, publishing a security handbook for journalists and setting up a hotline for journalists to report threats.[34] Led by Undersecretary Joel Sy Egco of the Presidential Communications and Operations Office, the task force is also composed of cabinet secretaries from the Department of Justice and the Department of the Interior and Local Government, among other offices.

Engagement with PTFoMS and other stakeholders has not been smooth. Though granted observer/resource person status, the NUJP and the Center for Media Freedom and Responsibility (CMFR) have opted out, in part due to remarks by Undersecretary Egco in February 2019, made during the Presidential Communications Operations Office (PCOO) European "Press Freedom Caravan," that "irresponsible journalism" is to blame for the negative reports about the Philippines, with specific mentions of NUJP, CMFR and PCIJ.[35] Several months prior, these groups released a report that documented dozens of attacks against the press that have taken place under Duterte, including murders, death threats, libel, online harassment and website attacks, among others.[36] In a Facebook post bearing the title "Safeguarding Press Freedom Is a Shared Responsibility," Egco blasted the groups. This, combined with the hostile stance Duterte has taken towards some journalists and journalist groups, has created a "trust issue" with the agency, said NUJP's Ballaran.

Amidst this minefield of bad faith, the Philippine Plan of Action on the Safety of Journalists (PPASJ) was launched on 22 November 2019 in Manila. The plan brings together dozens of stakeholders from the media, human rights organisations, academic communities and the government. Government agencies, including PTFoMs, the Departments of Justice, Labor and Education, as well as relevant national commissions such as those on women and human rights, have contributed to the plan's development. Its goal is to address the safety concerns of journalists and strengthen journalism in the Philippines with a comprehensive set of actions that address not only physical protection, including

> # "Safeguarding press freedom is a shared responsibility."

28   Interview with IMS, September 2019 in Manila, the Philippines.
29   NUJP (2019b).
30   Ibid.

31   Reporters without Borders (2019a).
32   Interview with IMS, September 2019 in Cuezon City, the Philippines.
33   Presidential Task Force on Media Security (2018), p. 3.
34   Undersecretary Joel Sy Egco at meeting with IMS, September 2019 in Manila, the Philippines.
35   Parrocha (2019).
36   CMFR, NUJP, PPI and PCIJ (2018).

gender-sensitive programmes and impunity, but also the legal and work environments for journalists, as well as to promote media literacy and good practices among the media.

The plan's initial development phase began in 2018 with a national level consultation meeting in which more than 80 representatives from 48 civil society groups, research agencies, media organisations and government institutions participated.[37] Over the next year a series of regional consultations, as well as one-on-one consultations with various stakeholders, took place. Both the national and regional consultations were organised by the Asian Institute of Journalism and Communication (AIJC) under the project "Safeguarding Press Freedom in the Philippines".[38] CCJD's Batario and AIJC senior staff involved in the project drafted the plan in consultation with the Journalist Safety Advisory Group (JSAG). JSAG was created to oversee the development and implementation of the plan and includes leading freedom of expression groups.[39]

The consultation process itself has become the first step towards mitigating tensions. One of the encouraging outcomes to emerge from the process is the interest, not only from government agencies, but also from security forces, to engage in the Philippine Plan of Action. While it is not clear yet what the most productive ways to channel that interest into committed action are, reports from the national consultation indicated that "there is a notion of not trusting the government but there is a need to work together".[40] Some constructive suggestions for PTFoMS arose and were taken on board, including the creation of the hotline. It was also discussed whether legislation to make PTFoMS a standing body, independent of the executive office, would improve public perception of the task force and its effectiveness.[41]

Speaking about bringing together officers of the law and journalists following the national consultation last November, Melinda Quintos de Jesus, executive director of CMFR, commented, "On a daily basis, interaction between these two groups is adversarial. This meeting allowed both parties to [show] a positive attitude towards working together to improve the safety of journalists and will thus ease the way of developing partnerships as the process moves forward." She cautioned, however, that there needs to be "proper follow-up" by "all those involved".[42]

Starting steps: Dialogues between media, government bodies and security forces basis for improving safety of journalists

Some positive steps have also taken place on a regional level. Over the last year, as part of the plan's preliminary activities, AIJC organised a series of dialogues between the Armed Forces of the Philippines, journalists and other civil society representatives. Dialogues with the Philippines National Police were also held. Though initial efforts by AIJC to set

up dialogues were not all met favourably – it took multiple invitations and time to establish a rapport in the face of accusations by security forces that journalists and groups like the NUJP were communist enemies of the state supported by foreign powers – perseverance prevailed and the results have been promising.

According to AIJC reports on the dialogue process, members of state security forces gained a better understanding of what access to information means, how journalists conduct reporting and the deadline cycle. In some locations, it was agreed that additional trainings on media rights for state security forces should take place along with discussions on how to integrate SoJ into military academy curricula. "There was a willingness to understand how media works; to listen and continue dialogue," said Ann Lourdes Lopez, a director at AIJC. One of the keys, according to Lopez, was allowing the dialogue to go both ways. State security forces also aired their concerns with how journalists impact their work, such as instances of abusing off-the-record information.

The dialogue process may also have played a role in diffusing tensions. NUJP's Ballaran noted that following a dialogue that took place in Mindanao in 2019, there was a quiet period for several months where red-tagging and other incidents involving security forces appeared to die down. The lull was broken in August, however, with the accusations emerging against Corrales and Gallardo, underscoring the importance of follow-up to dialogue sessions.

Using formal dialogue or joint training to ease hostilities between media and armed forces or police has gained traction in recent years. One of the main activities for UNESCO under the UN Plan of Action on the Safety of Journalists and the Issue of Impunity has been conducting trainings among security forces and judiciaries around the world. A three-day module promoted by UNESCO includes one day of dialogue with journalists.[43] Exchanges that take place through these programmes reveal professional commonalities. "They both work long hours, have little time to spend with their partners and families and experience high levels of psychological pressure," according to UNESCO's 2018 publication *Freedom of Expression and Public Order Fostering the Relationship between Security Forces and Journalists.*[44] "To achieve their respective goals, they must cooperate and understand each other's responsibilities and constraints," it notes.

Among the six countries this report looked at, media in several countries, in addition to the Philippines, have contended with either indifference or hostile attitudes on the part of government officials, security forces or both. Setting up structured or informal dialogues identifying political allies and opportunities and sustained advocacy are key blocks for building a broader multi-stakeholder framework.

In Afghanistan, advocacy meetings between journalists and different levels of government have brought some positive results. Afghanistan is one of the most dangerous countries to work as a journalist.[45] Extremist groups such as the Taliban and Islamic State target journalists frequently, including the 2018 double bombing in Kabul that killed nine journalists, one of the highest media fatality numbers resulting from a single attack. Non-fatal attacks and threats have also been perpetrated in high numbers by government officials, research by the Afghan Journalists Safety Committee (AJSC) has found.[46]

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37   IMS (2019).
38   The project was implemented by AIJC and IMS with support from the European Union, the Danish Ministry of Foreign Affairs and UNESCO.
39   As of November 2019, JSAG members are CCJD, CMFR, NUJP, PPI, AIJC and IMS. KBP has participated informally, but is not a JSAG member.
40   AIJC's documentation of consultations (2018-2019), unpublished.
41   Ibid.
42   IMS (2019).

43   UNESCO (2018a).
44   Ibid.
45   Kajjo and Habibzada (2018).
46   IMS (2017).

In response, AJSC[47], a national non-governmental organisation (NGO) that advocates for safety and media freedom, implements a national emergency response programme for journalists and monitors threats against the media, made improving relations between the media and security forces a significant part of its work. Steps include organising regular meetings between media and security forces and police training at the police academy to address best practices and procedures on journalists' safety. Two important aspects of this work have been that it is conducted on a countrywide level, engaging officials and security personnel based in different provinces, and that it is integrated as a long-term strategy throughout AJSC's safety work, with regular meetings and other contacts rather than a one-off series.

Despite ongoing risks to journalists in Afghanistan, this specific approach is having an impact. One indication is the fact that around the time of the 2018 parliamentary elections, no cases of violence against journalists were perpetrated by security forces, according to AJSC's research. Additionally, the security forces offered embedded reporting options in the most dangerous provinces. Though embedding, a practice through which journalists are accompanied by security forces, can be problematic due to movement restrictions and other limitations, it can offer safer access to high risk areas that might otherwise be impossible to cover. Input journalists provided to AJSC indicated that fostering dialogue with local politicians and security forces led to a decrease in hostilities from official sources and the offer of protection in some areas via embedding, allowing in this instance better election coverage.

The road to dialogue is unpaved in many places. In Myanmar, relations between the political leadership, especially the military, and the media have deteriorated over the last years. Despite hopes that the first democratic elections of 2015 would usher in a new and improved era for freedom of expression, reporting on sensitive issues such as the Rohingya crisis, conflict and land rights are often met with reprisals. The world got to know the cases of two Reuters journalists, Wa Lone and Kyaw Soe Oo, who were jailed in 2017 for 18 months, but there are dozens of other journalists who have also faced criminal charges under an array of crippling security, communications and penal laws.[48] As with the Philippines, journalists are also increasingly being labelled by ruling party supporters as fake news propagandists, leading to harassment and threats on and offline.[49]

In this context, attaining government engagement to SoJ has been an uphill battle. A start has been made with the "Four Pillars Dialogues" aimed at improving trust between the government and the media. Organised by the Myanmar Press Council, a mixed body of civil society and government representation mandated to investigate and settle disputes, over a dozen dialogues have taken place. On a national and regional level, these dialogues bring together the three governing pillars – the legislative, the administrative and the judiciary – along with the media as the fourth pillar that is vital to a healthy society and Myanmar's democratic transition. An example is the dialogue that took place in the capital Yangon in June 2019. Its agenda included discussions of complaints by the media and CSOs and responses by representatives from the three areas of the regional government.

While the dialogues have borne some positive outcomes, such as agreements to improve cooperation and commitments to media development and improving access to information, it also highlighted some fractious issues. Among the asks of the government pillars in 2020 is a system of accreditation for journalists to be implemented by the press council. In the current environment, media houses are reluctant to submit lists of their reporters, according to U Mynt Kyaw, a journalist trainer and member of the press council, for fear it will expose some of them to greater risks.

In Somalia, building an effective national mechanism that includes the state as a member has also been difficult. Pegged by journalists and human rights groups as one of the most dangerous places in the world to work as a journalist, Somalia's media face a wide range of hostile acts. The major threat to Somali journalists is terror-related, with Al-Shabaab being the primary aggressor, but journalists and human rights groups having expressed concern over the increasing level of arrests, harassment and violence by security agents and government officials too.[50] Among other incidents, 2019 saw the shooting of Abdirizak Qasim at a checkpoint in Mogadishu and journalist Mohamed Ali Siyad being injured after police in Galkaio, Puntland, threw stones at Ali and other journalists.[51]

Since 2015, civil society stakeholders have worked to set up and implement the Somali Mechanism for Safety of Journalists (SMSJ). The mechanism brings together some of the country's major media associations under the direction of the Somali Safety Committee, made up of representatives from the founding members. Its work centres around monitoring threats against journalists, implementing urgent responses and working preventatively through advocacy and the promotion of good safety practices at media houses. The mechanism does not have government representation, as the members believe some threats against journalists are better addressed by the SMSJ if it operates independently

... journalists are also increasingly being labelled by ruling party supporters as fake news propagandists, leading to harassment and threats on and offline.

from the government. However, SMSJ and its members are in dialogue with the government and relevant authorities on issues pertaining to journalist safety and protection.

Although an agreement was reached at 2018's Multi-Stakeholder Dialogue Forum[52], organised by the Ministry of Information, Culture and Tourism and supported by UNESCO, to establish a national mechanism with state participation, not much move-

47   AJSC is an IMS-founded and supported NGO.
48   Athan (2019).
49   IMS Myanmar Safety Assessment (2019), unpublished research.

50   IMS Focus Groups Research and Key Information Interviews conducted in Somalia (2017), unpublished research; Human Rights Watch (2016).
51   Africa Freedom of Expression Exchange (2018).
52   UNESCO (2018b).

ment has taken place since.[53] "It is very passive," said Mohamed Ibrahim, the secretary general of the Federation of Somali Journalists (FESOJ), which is a member of the government-announced mechanism, but according to Ibrahim, collaborates far more with the CSO body SMSJ. Since it was announced, the government's SoJ process has had two meetings, said Ibrahim.

However, the initiative provides a platform for dialogue with the ministry and could push for the issue of safety and protection of journalists to rise up on the agenda.

Coordination between civil society and authorities has come easier on a regional level. In the north-eastern region of Puntland, stakeholders came together in 2018 to form the Puntland Journalist Security Committee through a series of "Peace Council" dialogues. The Puntland Journalist Security Committee includes the Media Association of Puntland (MAP) and other civil society representatives, as well as police and judges. The Committee set up a hotline and monitors investigations into attacks.[54] It opened channels that helped MAP secure the release of a journalist who had been imprisoned for five days.[55]

United advocacy and favourable political climate open doors to high-level government commitment to SoJ

Maintaining a collective front among non-governmental stakeholders, recognising favourable political conditions and identifying allies within a country's power structure have proven key to gaining government commitments to safety of journalists in some countries. In the late 1990s, journalists banded together in Colombia to push for the creation of a government protection programme for journalists. The programme, which is still in place today, is considered one of the strongest examples of an existing government mechanism for safety of journalists, despite several flaws having emerged over the years.

As Colombia's civil war raged, journalists, among other civil society actors, were heavily targeted. The government, with financial support from the United States, had established a protection programme for activists and labour union leaders. In addition to having this as a precedent, advocates for the mechanism also saw a window for engagement after President Andrés Pastrana Arango, a former journalist, took office in 1998. In 2000, the mechanism was established [see sidebar]. The Colombian experience has also highlighted the downsides of heavy government involvement. Among several points FoE advocates take issue with in the implementation of the programme is its heavy bureaucracy that causes delayed responses even in urgent cases.[56]

Collective advocacy was also noted by AJSC as crucial to advances they have made in gaining government responsiveness to SoJ in Afghanistan. "The most important lesson we learned was that collective advocacy is the most important factor in engaging the government," said Ilias Alami, the group's Operations Manager. Alami explained that

efforts where several media advocacy organisations jointly advocated bore "fruitful results". In 2016, the government established a multi-stakeholder body called the Joint Committee for the Safety and Security of Journalists to show their commitment to freedom of expression.

International pressure or support can also go far in pushing governments to take action. In the case of Colombia, the United States offered substantial financial support for a long period to Colombia's protection mechanisms. "Otherwise," said Maria Teresa Ronderos, "It would have been much harder."

When solidarity and opportunity come together

Prominent Colombian investigative journalist Maria Teresa Ronderos recalled in an interview for IMS how she and her colleagues pushed Colombia's government to form what would become the first national protection mechanism:

"There was already a protection mechanism set in place for trade unions and political leaders. We saw that the US was putting quite a bit of money to support this. We thought: why not journalists? Journalists were getting killed every year. The president had been a journalist so we thought if there was ever anyone who would be ready to do it, it would be him. We contacted the president and one of the advisors took an interest. We were a group of journalists who were active [professionally]. That gave us a strong voice. Only days after we sat with the advisor and wrote the decree for the journalists' mechanism. We raised the point that it had to be a collaborative effort; journalists had to say for themselves who was a journalist, not the government, and journalists had to review the cases."

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53   IMS interview with Mohamed Ibrahim by phone, September 2019.
54   MAP (2018).
55   IMS Focus Groups Research and Key Information Interviews conducted in Somalia (2017), unpublished research
56   IMS (2017).

Chapter 2

Anchoring mechanisms in national human rights institutions and strong coalitions

Finding the best way to anchor a multi-stakeholder mechanism is a complicated, context-specific process. A functional body is needed to implement a mechanism. Whether this takes the shape of a government institution or a broad coalition, it is important that it offers independence from government influence, access to resources, and a strong, decentralised implementation structure that allows stakeholders to engage on a provincial level, among other features. Bringing stakeholders together under a coalition structure is a long and arduous road.

National human rights institutions: A powerful ally and potential anchors for safety mechanisms

One set of national institutions IMS and its partners have identified as potential anchors for SoJ mechanisms is National Human Rights Institutions (NHRIs). NHRIs are quasi-judicial, independent institutions created by states through their constitution or law. Their establishment was introduced in the 1993 UN General Assembly Resolution 48/134, which calls on states to set up national institutions mandated to promote and protect human rights. The structure and scope of their activities vary in different countries, but according to what is known as the Paris Principles, adopted with Resolution 48/134, their main functions include monitoring and advising their respective national governments, promoting human rights through education and awareness, and coordinating with international bodies.[57] Though state-created and state-funded, NHRIs should be independent, according to the Principles.

In 2012, IMS, partner groups and the Federation of Nepalese Journalists approached the National Human Rights Commission (NHRC) regarding Nepal's NHRI, putting forth a proposal to establish a mechanism to protect journalists and investigate attacks.[58] In April 2019, the NHRC issued a directive for the formation of a mechanism for the protection of freedom of expression, the culmination of a seven-year process initiated by stakeholders. As of November 2019, the NHRC was making plans to formally launch the mechanism and appoint members to its various structures. As the published guidelines and regulations very closely reflect the joint collaboration of the partner institutions, the endorsement of the NRHC safety mechanism exhibits how having a long-term view of development can successfully influence national policy.

NHRIs hold legitimacy with state actors and can access policy makers, while also closely working with civil society. They are also linked to the UN. "They are the bridge between civil society and government," said IMS' advisor in Nepal, Binod Bhattarai, who has worked closely with the Commission and other stakeholders throughout the mechanism's development. This role, combined with their independence, makes them uniquely qualified to anchor an SoJ mechanism. "The NHRC is more independent than any other state institution," said Bhattarai.

The Nepal mechanism is not exclusively for journalists, but mandated to respond to attacks on freedom of expression, meaning activists, artists and other groups or individuals targeted for exercising freedom of expression can access it. According to the directive, the mechanism will have a three-layer system. The components of this system are a seven-member body, which in addition to NHRC representatives would include members of media, police, the National Bar Association, and government, and have a task force and rapid actions teams for every district. One of the two media representatives of the body must be a female.

Among the mechanism's functions are to implement protection measures, but it also conducts fact-finding following attacks. One of the strengths of this mechanism is that the NHRC has more authority at a crime scene than a civil society group on its own would have. Under its powers, it can preserve and prevent the destruction of evidence and obtain statements.

Nepal's NHRI is the only one known to IMS to commit to housing a multi-stakeholder mechanism of this kind, but in many other countries NHRIs are active, valuable partners to SoJ initiatives. Upholding media freedom is a policy mandate of the Commission on Human Rights in the Philippines (CHR). CHR is part of the coalition to implement the Philippine Plan of Action on Safety of Journalists (PPASJ). It is also an observer in the government task force on media safety. In addition, the Commission monitors all press attacks and has campaigned for better benefits for media workers and works closely with the country's media freedom groups to respond to and prevent attacks, according to its information officer Azenath Formoso. "We are the conscience of the government," said Formoso.[59]

The National Commission on Human Rights in Pakistan (NCHR) is becoming a central actor for multi-stakeholder SoJ work. In addition to championing SoJ goals, the NCHR evinced interest in housing or leading a national Plan of Action for SoJ in Pakistan in preliminary discussions and has helped stakeholders advocate for a safety bill in Sindh province60, according to IMS advisor Adnan Rehmat. One of its former members, Chaudhry Shafiq, is on the steering committee for the Pakistan Journalist Safety Coalition

57   OHCHR (1993)
58   IMS (2018).

59   Remarks given 20 November 2019 at the 1st Asia Journalism Defense Forum organised by IMS in Manila, the Philippines
60   The Express Tribune (2019).

(PJSC), a new initiative launched in August 2019 to facilitate the establishment of a collaborative national safety mechanism.

Learning from past mistakes: Coalitions for safety

Coalitions like PJSC are another means to anchor safety mechanisms. Coalition-building is increasingly recognised as a vital tool for promoting safety of journalists61 and has gained traction since the UN Plan of Action on the Safety of Journalists and the Issue of Impunity came to fore. In its work for journalist safety, UNESCO, the UN agency overseeing the plan's implementation, recommends what has been termed the three Ps approach (prevention, protection and prosecution). In addition, stakeholders have come to recognise that promoting awareness of safety issues is also important.[62]

Taking this into account, it is clear the scope of journalist safety work is too large to take on without a diverse range of engaged stakeholders. "Alliance building is a very important component of civil society work," said Asad Baig, founder and executive director of Media Matters Pakistan, a non-profit group that works on freedom of expression. Baig also noted that it is important for donors and international organisations "to be sure everyone is at the table".[63]

While a coalition can be a good instrument to implement a national Plan of Action, there are significant challenges involved in both building and sustaining them, as well as making them impactful.

The experience of stakeholders in Pakistan offers some useful insights. When the UN Plan of Action was adopted in 2012, Pakistan was one of four countries chosen to pilot the plan's implementation.[64] Pakistan is considered one of the most dangerous countries in which to practise journalism. Over 130 journalists have been killed in the country since 2000 according to Freedom Network, a local journalist safety NGO and IMS partner, with complete impunity in nearly all cases. Journalists there have been targets of armed extremist groups as well as military and security services.[65] In this context, journalists and their support groups rallied to the plan's battle cry.

National and international stakeholders convened in Islamabad in March 2013 to begin hashing out an agenda, and they agreed to form the Pakistan Coalition on Media Safety (PCOMS). The urgency of the situation for journalists and the international spotlight cast on Pakistan by the UN Action Plan mobilised stakeholders and members of PCOMS. Its steering committee[66] came to include prominent journalists such as popular television anchor Hamid Mir, the media watchdogs, associations, unions, parliamentarians and the Minister of Information, among other stakeholders.

Initial achievements under PCOMS were encouraging. It worked with parliamentarians on a draft bill on safety of journalists. (As of the time this report was drafted, the legislation had not been tabled yet). PCOMS working groups produced recommendations

61   Media Impact Funders (2019).
62   Council of Europe (2016).
63   IMS interview with Asad Baig by Skype, September 2019.
64   The other three countries were Iraq, Nepal and South Sudan.
65   IMS (2017).
66   Pakistan Press Foundation served as the PCOMS steering committee's secretariat.

on the appointment of federal and provincial special prosecutors to investigate cases of attacks against journalists and media, as well as developed detailed safety protocols for adoption by media houses. After the near-fatal shooting of Mir in April 2014, PCOMS submitted recommendations to the judicial commission investigating the attack.[67]

Over time however, PCOMS lost its steam and as of 2015 it has been defunct. One reason for this is lack of resources. An initial grant from the Open Society Foundation (OSF) supported its early activities, and these took place under the coordination of the Pakistan Press Foundation, which served as secretariat of the steering committee, but PCOMS did not have an alternative source of support once that funding came to an end. Baig, who worked at OSF at the time, said one of the lessons learned is that this kind of structure cannot be fused around donor funding; it needs to be homegrown. "You need to build the actors and change-makers who can carry on when the funding runs out," he said.

Another lesson, according to Adnan Rehmat, is that the model was too federal oriented, focusing on national level advocacy rather than working with provincial actors who can drive change in their environments more nimbly. "In large, complex countries, often local implementation strategies (with local chapters of central stakeholders) can be more crucial than national implementation strategies since some states or provinces may have more progressive, more amenable political dispensations than national governments," Rehmat wrote.[68]

Rehmat and Iqbal Khattak, who head the watchdog Freedom Network, worked with a group of stakeholders to create PJSC, launched in August 2019. PJSC has a national central body made up of around 16 representatives from journalism, civil society groups and the National Commission on the Status of Women. One woman journalist sits on the body, which also includes Nighat Dad, director of the Digital Rights Foundation, a group that works to counter online abuse. PJSC has taken a more decentralised approach that includes setting up provincial chapters and engaging local champions.[69]

An early example of success with this approach is the Sindh provincial government's announcement on 12 November 2019 that it will enact a law on journalist safety before the end of the year. The draft law was prepared in consultation with editors, journalist unions and other stakeholders and recommends the appointment of a special prosecutor to investigate and prosecute crimes against journalists, and a journalists' protection council.[70] Though now in the early months of 2020, the law on journalist safety remains in limbo.[71]

Another tactic that has helped build momentum behind the PJSC's work according to Rehmat has been engagement with the editors' guild, rather than media owners, who, as Chapter 3 delves into, can be sluggish stakeholders. In Pakistan, IMS facilitated a partnership between Freedom Network and the Council of Pakistan Newspaper Editors (CPNE), which is currently broadening its mandate to include editors from all media rather than just print media. Through the partnership, CPNE merged efforts with PJSC and the NCHR to push for the Sindh legislation. The partnership is also focused on developing a national charter on media safety comprising of a code of ethics for media, safety policies

and safety protocols for media houses as well as conducting annual safety audits of media houses.

Having stakeholders with different expertise, work areas and from various sectors can help make a coalition effective, but bringing disparate parties under one roof is challenging. Chapter 1 looks at the difficulties of bringing government actors into multi-stakeholder frameworks, but divisiveness can stem from other sources as well. Competing or conflicting priorities exist, even among groups sharing the same goal. For example, in most circumstances, media owners and unions sit on opposite sides of the table.

Competition for scarce resources or leadership is another source of division. Ilias Alami, the Operational Manager of the Afghan Journalists Safety Committee, the NGO which has worked with diverse groups in Afghanistan to build the Afghan Federation of Journalists, observed, "Even in collective efforts, everyone wants their organisation to get the most exposure and financial support."

"Disagreement is part and parcel to this process; it will happen," said Dr Ming-Kuok Lim, UNESCO Advisor for Communication and Information based in Jakarta. Lim, who has worked to implement the UN Action Plan on the Safety of Journalists and the Issue of Impunity in several countries, added, "Once the dialogue gets going, we get revised perceptions, new directions and ideas of how to work together. It is important to keep the communication open."

To some extent this is what is taking place in the Philippines. On 22 November 2019, the eve of the 10th anniversary of the Maguindanao Massacre, which took the lives of 32 journalists and media workers, stakeholders in the Philippines launched the PPASJ, which put a formal national plan of action on safety of journalists in place.[72] The plan is a roadmap to address safety through joint action. It identifies five flagship areas: 1) Integrity and Professionalism 2) Conducive Working Conditions 3) Safety and Protection Mechanisms 4) Criminal Justice System and 5) Public Information, Journalism Education, and Research. It also recommends actions for each of these areas.[73]

The plan's contents were born from an exhaustive nationwide consultation process that began with a national multi-stakeholder workshop in Manila on 7 November 2018. The national workshop became the template for regional consultations in Luzon, Visayas and Mindanao. Representatives from government, state security forces, academia, civil society, media organisations and journalists provided critical insight and direction on the challenges faced by journalists and possible actions to address them. As highlighted in Chapter 1, national-level meetings and regional dialogues were also held with state security forces from the Philippine National Police and Armed Forces of the Philippines.

The PPASJ also lays out implementation structures and mechanisms. Key implementers are the PPASJ Multi-Stakeholder Coalition.[74] This broader coalition of around 80 stakeholders will be monitored and guided by the Journalist Safety Advisory Group (JSAG), which is made up of five of the leading groups working on media monitoring, training and support.[75] Finally, under the plan there will be Technical Working Groups, assigned to pursue a particular action or related actions. These might include a review of

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72   Rappler (2019b).
73   AIJC and IMS (2019).
74   Ibid.
75   JSAG members are: AIJC, CCJD, CMFR, NUJP and PPI. IMS will participate as an observer.

Afghanistan 2019, Faryab Province. Photo: Reza Mohabbati/AJSC/IMS

work practices or policy briefs. A PPASJ secretariat will manage communication, budget and other duties.

The plan incorporates some gender-specific concerns. For example, it includes actions to promote equal rights between male and female employees in the workplace, the development of education modules that emphasise women's rights and gender issues and calls for systems to track attacks against and assist female journalists. In addition, part of the consultation process included trainings for women journalists. It does not address, however, the creation of anti-harassment policies within media houses. It also does not address other marginalised groups beyond women.

The Somali Mechanism for Safety of Journalists (SMSJ) is also anchored in a coalition, albeit a smaller one than in the Philippines, called the Somali Safety Committee. The Committee's founding members are the Somalia Media Association (SOMA), the Somali Independent Media Houses Association (SIMHA), Somali Women Journalists (SWJ) and the Media Association of Puntland (MAP). It receives support from IMS-Fojo (Fojo Media Institute). The Federation of Somali Journalists (FESOJ) is an active participant in the mechanism, but not a formal partner yet. As noted in Chapter 1, there is no government representation.

The process to establish the Somali Safety Committee and then its mechanism, SMSJ, started in 2015 with a two-year period of trust and consensus-building among different organisations, and a comprehensive risk assessment. Safety experts from Colombia

consulted in the process as well, sharing their experiences with mechanisms. The mechanism was launched in 2017.

The safety committee is responsible for decision making for the mechanism, but there is also a safety coordinator to support and oversee a monitoring network set up in six high-risk zones in the country: Adado, Baidoa, Bosaso, Beledweyn, Galkayo and Kismayo. Special emphasis has been placed on high-risk groups such as freelancers. It also monitors risks confronting women journalists, including sexual assault.

SMSJ has taken a two-pronged approach to safety. One line of activities is focused on prevention through building risk awareness, strengthening safety measures among journalists, media managers and other stakeholders, and monitoring threats and attacks. At the same time, it is working to build a system to respond with emergency support to journalists who are in danger. "We are working in high risk areas and always have problems and opposition," said Nasrin Mohamed Ibrahim, Deputy Chairperson for SWJ. Since the SMJS came together, she said, "There is more awareness of how to solve our problems." It also works to address risks and improve conditions for female journalists, including supporting its member group, SWJ, in developing a Gender Respect Declaration to address sexual harassment [see Chapter 4].

"In large, complex countries, often local implementation strategies ... can be more crucial than national implementation strategies"

Other activities the SMSJ has undertaken include a Somali journalist safety and protection manual for media houses, and advocacy campaigns for accountability in cases of attacks by state actors.

Many of these multi-stakeholder initiatives are new or even still in a formative stage, but their early experiences show that coming together is possible and lay the groundwork for solution building. "We feel fewer challenges from the outside," said SWJ's Ibraahim. "There is more awareness of how to solve our problems."

Chapter 3

Media, the reluctant stakeholder – gaining more commitment and improving practices among the media sector

Though the nucleus to all stakeholders for SoJ, the media sector itself has not always been the most engaged. In many countries, individual journalists and FoE groups have pointed to the media sector as a weak link when it comes to implementing good practices for the safety of journalists, addressing sexual harassment and other threats specific to female journalists, as well as in advancing advocacy.

The reasons for this are multi-fold. Firstly, media is a business and investing financial and human resources into safety can be seen as a cost drain. Media companies also tend to be cautious when it comes to public advocacy because it may compromise their reputation for independence. Media groups, like much of the corporate world, are dominated by patriarchal structures in which men hold most of the management positions.[76] In this environment, harassment, sexual violence and other gender-specific concerns are more likely to go unaddressed.[77]

Some outlets find the costs of implementing robust proactive and reactive safety measures genuinely prohibitive, while others hold to a corporate culture that prioritises copy over care. Competition among outlets pushes news managers to send journalists out on risky assignments. In many places, journalists, particularly freelancers, work under a precarious status, without strong rights or recourses, making it hard to push demands that might improve their safety. Meanwhile, media outlets must adapt to changing landscapes and respond to new threats such as online abuse, commercial pressure and fake news campaigns.

Without the weight of the media fully behind them and media houses committed to taking internal measures to improve safety, broader efforts to develop multi-stakeholder plans for safety of journalists are limited in what they can achieve. One journalist from Somalia who participated in a focus group discussion organised by IMS in 2018 noted that

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76   Griffin (2014).
77   Nusrat (2018).

media must do more for its own, rather than relying on NGOs and others to step in. "Civil society [organisations] have always helped us when journalists are arrested or facing other problems," he said, "But they cannot protect our lives."[78]

Galvanising the media has been the focus of several SoJ initiatives taking place in the six countries looked at for this report. SoJ platforms such as the PPASJ recognise that promoting SoJ goes well beyond one-off steps like security training workshops, and encompasses a broad approach that includes improving editorial practices, education and working conditions.

A question of commitment more than cost

Costs are often cited as a barrier to implementing a robust safety system in-house. These can certainly run high. The most comprehensive approaches can involve expensive undertakings such as hostile environment training, high-end equipment, security details, and insurance and psychological care for journalists experiencing trauma. Large global media groups like the BBC, with an annual budget in the hundreds of millions, have built these into their operating expenses over time. But smaller outlets, internet news sites, community radio stations and others, particularly those based in countries where journalists routinely face threats, operate under much greater resource pressure.

In the Philippines, for example, Nini Cabero, editor-in-chief of the SunStar Network Exchange (Sunnex), an online network of community newspapers, has a training budget of less than 1,000 USD a year for her staff. "With the many demands on our financial resources, not much is set aside for safety concerns, said Cabero, adding, "although the company recognises that the security safety of journalists is important".[79]

At the same time, FoE practitioners argue that the hurdles are more than financial. Many strategies to mitigate risks to journalists such as risk assessments, communication plans, online threat monitoring and basic digital safety measures require more of an institutional commitment rather than financial investment. News outlets caught up in a fast-paced competitive business will not always take time out for safety training, risk assessments or other preventative actions recommended by safety experts. For small outlets, sparing staff for multi-day workshops is not always feasible. AJSC's Ilias Alami noted that even when his organisation offers free security training workshops, outlets are reluctant to give their staff the time out to attend.

"Implementing security measures does not have to be expensive," said Jonathan Bock Ruiz, Coordinator of the Centre for Freedom of Expression Studies at Colombian press freedom group Fundación para la Libertad de Prensa, known as FLIP. "It is more a question of time not money." In Colombia, said Bock, many outlets do not take basic steps to organise and implement protocols.[80]

One of Colombia's most prestigious national newspapers, *El Espectador*, for example, has no protocol or written procedures on security, in addition to having no budget or funds allocated, admitted its managing director Fidel Cano. The paper has helped its journalists under threat in the past, but this has been done ad hoc. In 2015, when one of its regional correspondents received threats in connection to his reporting on illegal mining, the paper relocated him to Bogotá, where he was able to continue his work. The paper also liaised with FoE groups providing emergency response and Colombia's federal protection programme for journalists to supplement the help it could offer.[81]

For over 20 years, FLIP conducted self-protection workshops with journalists in the regions of Colombia that see the highest numbers of threats and attacks against the press. During a recent series of visits to newsrooms however, the group found that recommendations from the workshops were not being implemented and that there were no protection protocols in any of the outlets they visited.

FLIP looked for ways to link media companies into the training outcome and support the media in implementing internal measures for reducing risks. In February 2017, the organisation launched a new project: the "Certification in Security Protocols and Risk Prevention".[82]

For the initial stage, FLIP has been working with 11 print, radio, and television outlets throughout the country. The newsrooms committed to reaching a series of objectives in four main categories to receive certification. The four areas are:[83]

- Institutional strengthening in security issues (e.g. commitment to developing risk policies from high levels of the organisation, implementing administrative measures that ensure human and physical resources for safety)
- Reports and communication (a system to monitor and follow up on the development and use of self-protection measures within the newsroom)
- Risk assessment for journalistic activity (application of instruments for risk measurement and the specific vulnerabilities of the media outlet as well as differential risk for specific groups such as female journalists)
- Implementation of attack prevention protocols (individual workers have knowledge of and apply self-protection strategies and tools, including digital security)

One of the outlets FLIP has been working with is the internet news site La Lengua Caribe (Caribbean Tongue) in the city of Montería, the capital of the northern Department of Córdoba, where drug-trafficking gangs, largely formed by demobilised right-wing paramilitary death squads, are known to be hostile to the media. With a staff of less than ten

"Implementing security measures does not have to be expensive ... It is more a question of time not money."

78   IMS Focus Group Discussions (2018), unpublished research.
79   Interview with IMS in 2018 by email.
80   Interview with IMS in 2018 in Bogotá, Colombia.

81   Interview with IMS in 2018 in Bogotá, Colombia.
82   IMS supports FLIP in this project.
83   Fundación para la Libertad de Prensa (2018a).

In a show of solidarity, journalists and photojournalists in Kathmandu, Nepal lit candles to pay tribute to the journalists killed in a double bombing on 30 April 2018 in Kabul, Afghanistan. The program was jointly oraganised by Photojournalist Club, Nepal and the Federation of Nepali Journalists. Photo: Narayan Maharjan/ NurPhoto/Getty Images

and a small budget, it offers a good model for integrating physical and digital security and other safety recommendations into its day-to-day operations at modest costs.

"We have a check-in system for when our journalists are on assignment and do risk assessment," said Marcia Ramos Castillo, La Lengua Caribe's editor. Before each assignment, Ramos reviews any safety concerns and she and the dispatching reporter agree on the frequency and mode of communication. They also determine whether special transportation arrangements such as taxis need to be made. In some cases, the director will drive reporters himself. No one at the office is allowed to stay past six in the evening and staff know to change their routes periodically. Their digital protocols, said Ramos, still have to be elaborated, but as a general rule staff change their passwords frequently and turn off computers both at lunch and at the end of the day. Per FLIP's recommendations, they set aside a small amount of funds, dedicated to responding to emergencies.[84]

For the most part, the steps La Lengua Caribe take are small adaptations to the staff's daily routine. "It may seem just common sense moves but it's surprising how often newsrooms neglect them," said Julián David Garcia, who is working on the project.

In the case of Pakistan's *Dawn* newspaper, the flagship publication of the family-owned Dawn Media Group, editor Zaffar Abbas developed in-house guidelines to enhance the safety of his journalists. These include a communication protocol to enable

district reporters working in volatile areas, like the tribal regions, to report and respond to threats through a chain of command. In some cases, they relocate journalists to urban areas. They also inform security officials, putting threats and attacks on record. Abbas said these efforts help reduce the risks for journalists but do not eliminate them. "All are aware of the fact that this is not enough," said Abbas. "If someone really wants to take out a journalist it is hard for us to provide total safety."[85]

In Pakistan, safety also involves an editorial tightrope walk between good judgment, self-censorship and security. Field reporters can be subjected to threats for their newspaper's coverage on a troubled region, even if it is a case of a Karachi-based editor publishing an international newswire story. "Militants may just assume the local correspondent reported it and go after him," said Abbas. As a preventative measure, the newspaper often does not publish by-lines from some areas. On bigger stories involving insurgents, they have the journalist write it up in Karachi and put that dateline on it. Abbas added that these guidelines are always under review and evolving.

Editorial caution can tip to extreme self-censorship, however. "Some media houses in recent years have been driven to change their policy on news coverage in the light of threats," said Pakistani Press Foundation's (PPF) Owais Islam Ali. *The Express Tribune* newspaper came under criticism by some in Pakistan's media community after it openly admitted it would not overtly criticise the Taliban and some other sectarian groups. The internal guidance came after a series of deadly attacks in 2014.[86]

Stakeholders in several countries have developed safety protocols or guidelines with accompanying campaigns to encourage media outlets to adopt them. In Afghanistan, the AJSC worked with experts in 2018 to draft a safety protocol, which it shared with media outlets throughout the country [see sidebar]. In Pakistan, in addition to the work *Dawn* has done in-house, the Pakistan Coalition for Media Safety also produced safety protocols in consultation with key media personnel and senior journalists for adoption by media houses several years ago[87]. The Somalia Mechanism for Safety of Journalists has introduced training and equipment to media houses, while the Somalia Media Association, a member of SMSJ, has been developing a safety protocol for media houses. Some good practices drawn from these different country experiences include that these documents should be context-specific, taking into consideration not just the national context, but the diverse regions within those countries, and that there needs to be a system of follow-up engagement with media houses to monitor and continue to campaign for implementation.

Safety of journalists intrinsically linked to work status and employment rights

Lack of knowledge and resources are partly behind the failure of media outlets to install good safety protocols, but underlying this is a larger set of issues around the work status and employment rights of journalists. Job insecurity is one. In Somalia for example, journalists work with little protection for their employment status. Mohamed Ibrahim, Secre-

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84   Interview with IMS, June 2018 in Montería, Colombia.

85   Interview with IMS by phone, June 2018.

86   Boone (2014).

87   IMS (2017), pp. 208-208. Note the Pakistan Coalition for Media Safety has since disbanded.

tary General of FESOJ, explained that many journalists work under arrangements tantamount to internships that extend for years. This precarious status makes journalists and media workers hesitant to refuse dangerous assignments or push for individual safety resources. In focus group discussions IMS held in different regions of Somalia in 2017, several participants said media houses threatened to fire journalists who ask for more safety support and training.

Similar dynamics impact journalists in countries around the world, making the strengthening of rights for journalists an important component of national SoJ frameworks. An assessment of journalists' safety in the Philippines from 2016 to 2017 conducted by the media watchdog Center for Media Freedom and Responsibility based on UNESCO's Journalist Safety Indicators found that the media lacked safety policies, protocols and equipment in the workplace and in particular neglected the safety needs of freelancers and correspondents.[88] In response, the PPASJ, launched in November 2019, named "Conducive Working Conditions" as one of five flagship areas. Key actions the plan calls for are: the creation of an industry-wide association of journalists and other media workers; advocating with media houses/owners to fulfil their duties and obligations and observe occupational health and safety (OSH) standards; and work towards the operationalisation of the Industry Tripartite Council for the media sector at the national and local levels.

> # "... precarious status makes journalists and media workers hesitant to refuse dangerous assignments or push for individual safety resources"

Media has high potential but low will to be advocates

Though potentially a powerful force for raising awareness and mounting political pressure, the media has traditionally been reluctant to become vocal advocates for press freedom. This is due to concerns that high levels of coverage of attacks against journalists would give the appearance of partiality,[89] lack of solidarity and competition among outlets. In some environments, governments wield commercial power as either direct advertisers or through their influence on advertisers. Media rely on governments for licences and other tools that impact their business. The end result is that media management tend to stick to the sidelines of multi-stakeholder bodies for SoJ coalitions.

88   CMFR presentation of findings to stakeholders at national consultation held on 7 November 2018.
89   Loughran (2014).

For many years Pakistan's media groups, with some exceptions, gained a reputation for neglecting SoJ. Media in Pakistan, whether staff or freelance, predominately work with little support for safety from their media organisations, according to journalists and press freedom advocates. "There is a callous attitude by media leadership," said Ali of PPF, adding that most initiatives are driven by civil society groups. UNESCO's 2014 Pakistan Journalist Safety Indicators found most media houses have no formal safety policy or risk assessment process in place and rarely do journalists receive safety related training.[90]

Due to fierce competition among media houses in Pakistan, there has traditionally been little solidarity. When a journalist affiliated with one outlet was attacked, other media would give it minimal or no coverage. Advocates pushed for a change and in 2015, in conjunction with the UN Plan of Action on the Safety of Journalists and the Issue of Impunity, editors and news directors from different newspapers and television channels came together and established Editors for Safety (EfS).

EfS operates through a WhatsApp group. Its roughly 20 members exchange information on when an attack has taken place or on other security threats. They support each other with joint coverage of incidents and coordinating approaches to authorities for a response. Though simple in concept, it has been impactful. In one case profiled in IMS' 2017 publication *Defending Journalism*, EfS efforts led to the safe return of an abducted journalist. Ali, of PPF, who serves as the project's secretariat, said he was pleased by the level of commitment it received from media participants. Not only are many outlets active in the forum, but several volunteered to host meetings and cover some of the costs. "To me this was an indication of something they wanted to do themselves," said Ali.[91]

More can be done by this forum and others to combat impunity, noted Ali, who says there is little follow-up in the news after a journalist is killed or attacked. "If media made it an issue it could really have an impact," he said. "These efforts don't require money, just commitment, which is lacking."

UNESCO's Director for Freedom of Expression and Media Development, Guy Berger, shares similar sentiments. At a 2014 symposium on safety of journalists hosted by the BBC, he recommended that newsrooms appoint a staff member to be the "champion" of a story on a killed journalist, ensuring investigations are reported on and monitored and the case stay in the public eye. "While out there, justice is falling short in the cases of fallen journalists; you can at least do justice to this story if you make it a duty for someone to follow it," he remarked.[92]

Drive to change

On a global level, there has been increasing recognition that media houses have a duty of care not only to their staff, but also to freelancers and other media workers, as well as a growing consensus on what that should look like. Under the UN Plan of Action, 300 representatives from media organisations laid out ideas on what media can do to strengthen the safety of journalists at a 2016 meeting held at UNESCO headquarters in Paris. In

90   Institute for Research Advocacy and Development (2014).
91   Interview with IMS by phone, June 2018.
92   Berger (2014).

2015, the International Press Institute (IPI), Al Jazeera Media Network, Geneva Global Media and the Geneva Press Club presented the International Declaration and Best Practices on the Promotion of Journalists Safety.

The situation for freelance journalists has raised concern. Preliminary findings of a survey undertaken by the Frontline Freelance Register, a representative body for freelance journalists, conducted in 2019 found 70 percent of freelancers do not take out insurance, and over half of those surveyed had not done any safety training or owned any personal protective equipment. Three hundred and eighty journalists from 70 countries took part in the study.[93]

After the brutal killings of freelance journalists James Foley and Steven Sotloff in the summer of 2014, news organisations, freelance journalist associations and press freedom NGOs came together to form the Alliance for a Culture of Safety. The coalition developed Freelance Journalist Safety Principles that have been endorsed by nearly 100 news outlets and non-profit groups. The principles outline the responsibilities news organisations have to local and freelance journalists they hire, emphasising they must show "the same concern for the welfare of local journalists and freelancers that they do for staffers" by, among other steps, ensuring they receive training, insurance and safety equipment. The guidelines are intended to apply to international freelance correspondents, as well as local ones.

In addition to greater awareness, news managers are taking on a more holistic perspective on safety than in the past, when it was largely synonymous with physical protection. Safety training for example has expanded to encompass different aspects of journalism, digital security and a threat awareness mindset. "Training used to be a one-size-fits all solution – five-day hostile environment training – but now outlets are realising the need for tailored training such as covering protests," said Anna Bevan, assistant director of the London-based International News Safety Institute.[94]

Another aspect that newsrooms have begun to take on is the impact of trauma. "There is a greater emphasis on psychological care," Andrew Roy, International Editor at BBC news, said regarding how global media has evolved its approaches to safety. "There is more acceptance that it is needed, and it is okay to talk with managers about it."[95] In a landmark case in 2019, an Australian court awarded over 120,000 USD in damages to a journalist for the post-traumatic stress disorder she suffered. The judgment held that *The Age* newspaper where she worked failed to provide a safe workplace and that a newspaper, like any employer, has "a duty to take reasonable care against the risk of foreseeable injury, including foreseeable psychiatric injury,"[96] to its staff. Many see the ruling as a potential push to newsrooms to provide more support for journalists.[97]

> "... the media has traditionally been reluctant to become vocal advocates for press freedom."

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93   Giaziri (2019).
94   Interview with IMS by phone, July 2018.
95   Ibid.
96   YZ (a pseudonym) v. The Age Company Limited.
97   Ricketson and Wake (2019).

There is still far to go towards seeing media owners and managers fully confront safety challenges in-house as public advocates and engaged partners in multi-stakeholder initiatives but, said FLIP's Jonathon Bock, there is a positive drive to change. According to Bock, "The industry's interest is real, and this is about finally realising that much of the issue of prevention and protection of journalists is in their own hands."

Developing and disseminating safety guidelines for journalists in Afghanistan

Few places see journalists under attack as much as Afghanistan, but in a media economy that is largely dependent on international donors, organisations are locked into intense competition, leaving little room in day-to-day operations to develop or implement safety practices. "Journalists are in a rush, affecting everything from digital to physical security and safety," said Stephen Smith of Separ International, a risk management and security firm, regarding the media in Afghanistan. Add to that the immense pressures and trauma of working in an insecure environment and you get journalists caught up in just "trying to survive," he explained.

On 30 April 2018, a double bomb attack on journalists in Kabul killed nine journalists and injured five others, a deafening message that the media must take more preventative measures. The Afghan Journalists Safety Committee (AJSC), a local media support group, began working with media houses and experts to develop a safety guideline for journalists, outlining steps crucial for covering war and terrorist incidents, including context-specific measures, and setting up institutional procedures. Over 40 field reporters and war correspondents provided input into the document, which was launched during a media summit hosted by AJSC on the International Day to End Impunity for Crimes against Journalists in November 2018.

Following the launch, AJSC disseminated the document to media houses throughout the country, reaching out to editors-in-chief and media owners at 44 TV stations, 138 radio stations, and 27 print media throughout the country to advocate its use as the basis of their security policies or procedures. A social media campaign stressed the responsibility of the media houses and media owners related to the duty of care for staff and freelancers.

Chapter 4:

Incorporating a gender perspective into state mechanisms and beyond

In nearly 30 years of being a journalist in Colombia, Claudia Julieta Duque has endured smear campaigns, death threats, kidnappings and illegal surveillance. The indomitable journalist has continued her journalism nevertheless, while also fighting back. Duque was one of the first journalists in Colombia to speak out against sexual harassment.[98] In a precedent-setting case, she has successfully pursued convictions against members of Colombia's Department of Administrative Security on charges of "psychological torture" that included death threats against her daughter[99]

Duque's experience is extreme, but she is not alone. In *The safety of women journalists: Breaking the cycle of silence and violence*, a study of nine countries IMS published in November 2019, IMS found women journalists around the world are double embattled – as journalists and again as women. Attacks against women journalists often take a gender-specific form and the violence and threats are often sexualized. Online harassment disproportionally targets women, and thus women journalists bear the brunt of online abuse against journalists. That includes explicit threats of sexual violence, doxing, revenge-porn and use of demeaning images and threats – often with references to their families.[100]

The language of international documents from the UN and regional bodies has grown increasingly articulate on the obligations of states to respond to threats against female journalists. For example, in 2017, the UN General Assembly adopted a resolution on SoJ calling on states to address attacks on women journalists, including "sexual and gender-based discrimination and violence, intimidation and harassment, online and offline," as part of "broader efforts to promote and protect the human rights of women, eliminate gender inequality and tackle gender-based stereotypes in society".[101]

Regional examples include Council of Europe Recommendation CM/Rec(2013)1 of the Committee of Ministers to member States on gender equality and media[102] as well as its recommendation CM/Rec(2016)4 on the protection of journalism and safety of journalists and other media actors, which called for "urgent, resolute and systematic responses"

to the gender-specific threats that many journalists face.[103] The General Assembly of the Organization of American States additionally recognises that the work of journalists "exposes them to being victims of aggressions and other acts of violence detrimental to their integrity" and expressed concern "at the particular risks faced by women who practice journalism, who, in addition, are victims of discrimination, harassment and sexual violence, including online."[104]

States and other stakeholders are still catching up. Colombia and Mexico, countries with the most established state SoJ mechanisms, offer two scenarios of how mechanisms can integrate a gender perspective, or, in the case of Mexico, have failed to do so. The experience of both countries also show the limitations of a mechanism in addressing a multi-layered issue such as safety of female journalists. State protection in the face of threats of violence must be accompanied by enforced zero tolerance to sexual harassment, for example.

Attacks against women in media take place within a larger context that must be addressed. In Colombia for example, killings of women HRDs increased by almost 50 percent in 2019 compared to 2018, according to the UN Office of the High Commissioner for Human Rights (OHCHR).[105] In total (both men and women), 107 human rights defenders in Colombia were killed in 2019, making it the bloodiest nation in the world for HRD killings.[106] Out more than 300 killings of HRDs worldwide in 2019, over two thirds took place in Latin America, according to a report by the NGO Front Line Defenders.[107]

Shortcomings in prosecution of crimes against women in such societies, including domestic violence, rape and other forms of sexual violence, leads to further expectations of impunity for crimes against women.[108] It is easier to escape punishment for crimes if they are of a sexualized character, since most such cases are not reported and if reported rarely lead to conviction. Journalists reporting these crimes are not only often denied legal justice, but they also may face professional repercussions for doing so. A study by International News Safety Institute from 2014 shows that women in the media refrain from reporting incidents out of fear of losing work.[109] This reinforces the use of sexualized violence as a strategically advantageous method to silence women journalists[110] not only in the physical realm, but also online[111].

> "State protection in the face of threats of violence must be accompanied by enforced zero tolerance to sexual harassment."

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98   On 27 January 2018, Duque revealed on Twitter that she experienced sexual harassment from former Attorney General Alfonso Gómez Méndez.
99   Higuera (2019).
100 Chocarro (2019), pp. 12-13.
101 United Nations General Assembly (2017), para. 5.
102 Council of Europe (2013).

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103 Council of Europe (2016), para. 2.
104 Organization of American States (2017), Section ii.
105 OHCHR (2020).
106 Ibid.
107 Front Line Defenders (2020).
108 Musalo et al. (2010).
109 Barton and Storm (2014).
110 Høiby (2016).
111 Høiby (2020).

In the online environment, this idea of impunity is exacerbated due to lack of clear and known rules of engagement. Despite a growing number of cases setting legal precedent for unacceptable online behaviour, the awareness in society at large of existing principles and laws is scarce. Recent research into online hate crime even suggests that violations reported to the police are not prioritized partly because law enforcement too lack competence on existing legal frameworks.[112] That laypeople, journalists and law enforcement alike have limited competence for recognizing illegal online harassment again yields to the persisting impunity for crimes committed in the online sphere; if people do not know the law, they are unlikely to recognize, report and press charges. These overlapping effects create a dense threat environment for women journalists to work in and make them particularly predisposed to harassment online.[113]

Discriminatory stereotypes and patriarchal structures and systems fuel and enable aggressors.[114] The machismo culture, in which men are assigned a higher value in society than women, is particularly widespread in Latin America.[115] A culture in which male privilege and heterosexuality are praised give men excessive control in society and is linked to higher prevalence of violence.[116] This generalized sense of male dominance underpins the constructs that create unique threats to female journalists in such environments.

Bringing stakeholders together on SoJ means understanding how gender, defined in this report by socially-constructed attributes associated with being male or female, impacts a journalists' safety and ability to practice one's profession.

Correcting course on gender in Colombia

Colombia was a pioneer in journalist safety, establishing the Program for the Protection of Journalists in 2000. Pressure placed on the Colombian government by journalists and news organisations, overwhelmed by years of violence from drug cartels and guerrilla and paramilitary groups, evolved into a partnership to create and manage the protection programme.[117]

According to data published and collected by the Colombian press freedom group FLIP, between 100 and 160 journalists are taken into the programme every year as they face threats from a wide variety of sources: public officials, security forces, criminals and armed groups.

Under the programme, journalists who receive threats can contact the National Protection Unit (UNP by its Spanish acronym) of the Ministry of the Interior. Cases can also be referred via civil society groups or by police. After some preliminary analysis, the Committee for Risk Assessment and Recommendation of Measures (CERREM) assesses the risk level and decides on allocation and protection measures. If found eligible, the journalists are provided with various forms of protection such as protective gear, armed guards or bulletproof cars, among other measures.

For its first decade, the protection programme did not set out any gender-specific protocols or specialised responses for female journalists at risk. In 2012, however, following calls by freedom of expression groups like FLIP and the Red Colombiana de Periodistas con Visión de Género (Colombian Network of Journalists with Gender Vision), the Ministry of the Interior issued the "Specific Protocol with a Gender and Women's Rights Perspective" [*hereinafter* the Protocol] for the UNP. The Protocol orders the protection programme to be guided by recognition of differences in gender, age, ethnicity, sexual orientation and urban/rural origin and for priority attention to women.[118]

The Protocol demands that cases of women in extreme or extraordinary risk receive priority attention from the entities participating in prevention and protection measures, based on their level of vulnerability. It also recognises a "sub-differential focus" on gender regarding groups or communities of women with characteristics (of ethnic background, geographic origin, sexual orientation) requiring consideration when evaluating risk. It orders the agencies participating in the programme to engage their officials in training and sensitisation on gender-specific threats.

On a practical front, the Protocol established the CERREM for women that includes members from women's organisations, government agencies working on gender issues and representatives from The United Nations Entity for Gender Equality and the Empowerment of Women, or UN Women. The CERREM holds risk evaluation and response determination sessions exclusively on cases involving women requesting protection.[119] The Protocol also includes guarantees of privacy for the information shared by women requesting assistance and puts in place special measures for the cases of women who are displaced.

The Protocol is considered one of the most comprehensive measures addressing gender-specific threats to women in media in Latin America. In his 2018 report, "Women Journalists and Freedom of Expression," the Special Rapporteur for Freedom of Expression of the Inter-American Commission on Human Rights identified the Protocol as a best practice for implementing a gender perspective in the protection of journalists.[120]

However, FoE groups have highlighted flaws in the protection programme's implementation as a whole, which still puts journalists at risk, regardless of gender. Some of the criticisms of the protection programme are that the risk assessment process moves slowly, and its responses are almost exclusively limited to providing physical protection, such as security personnel, and do not extend to investigation into the source of threats.[121]

The limits of protection

Even when good practices are in place, such as with the Protocol, programmes oriented around physical protection only address one aspect of safety. For female journalists in Colombia, the situation is far more complex, involving not just physical attacks, but aggression in many forms. The Federation of Colombian Journalists (FECOLPER by its Spanish acronym) noted in a 2018 report that "the special circumstances of being a female

112 Keats (2014).
113 Høiby (2020).
114 Flood and Bob (2009).
115 Melhuus (1992).
116 Castañeda (2002), p. 17.
117 IMS (2017), p. 93.

118 Colombia Ministry of the Interior (2012).
119 Ibid.
120 Lanza (2018), fn. 183.
121 IMS (2017), pp. 106-111.

Journalists demonstrate against the murder of their colleague Maria Helena Ferral at Lerdo square in Xalapa, Veracruz state, Mexico on 1 April 2020. Journalists in Mexico's eastern state of Veracruz protested on Tuesday against the murder of a reporter, demanding justice in a country that is notoriously dangerous for the press. Maria Elena Ferral, a correspondent for the Diario de Xalapa daily newspaper, was shot by two assailants on motorbikes when getting into her car, local officials said.
Photo: Hector Quintanar/AFP/Ritzau Scanpix

journalist are often embodied in abuses involving sexual harassment and coercion, intimidation, abuse of power, and threats based on gender status".[122]

One challenge to the situation is that many aggressions against female journalists are not reported. In its 2016 annual report, Colombia's leading media freedom and safety organisation FLIP pointed out that the scope of attacks against women journalists is underestimated not only because they are not reported, but also because when they are, authorities ignore the differentiated nature of these aggressions. According to the report, "[A]ttacks against women journalists are not isolated. But they are imperceptible because they are not registered thoroughly by authorities, newsrooms and associations of journalists."[123]

In its 2017 annual report, FLIP pointed out advances in the adoption of protocols within Colombia's protection programme for attending cases involving women, indigenous people or education workers, but noted the lack of acknowledgement of the specific risks for women. "A full recognition of the specific risks that women journalists face is still pending," the report said.[124] FLIP's research has also found that attacks against female journalists impact media pluralism, forcing women journalists to reconsider the subjects they cover.

FLIP's 2017 report also found that social media had become fertile ground for attackers to act with anonymity and impunity. During 2017, online harassment was the most common type of attack against journalists, with women often the targets.

Harassment and discrimination take place in newsrooms across Colombia.[125] Some strong responses by civil society have emerged. For instance, FLIP has been working with newsrooms to establish zero tolerance policies on harassment within newsrooms and launched prevention and information campaigns on discrimination, sexual harassment and other types of abuse against women inside newsrooms and also when reporting in the field.

In 2018, the Colombian Network of Journalists, together with the organisation Gender Vision, started the campaign #PeriodistasSinAcoso (Journalists Without Harassment) to call attention to sexual harassment suffered by women journalists in the course of their work, calling it "a generalised but invisible practice that most women bear in silence with the complicity of work colleagues and society at large". The campaign provides information through digital platforms and social media to recognise the typical situations of harassment so that men and women will be able to recognise them and report them.

In 2017, a campaign called #NoEsHoraDeCallar (Not a Time to be Quiet) was started by journalist Jineth Bedoya Lima, who was kidnapped and raped in 2000 while reporting on paramilitaries. The campaign blends the experience of a journalist such as Bedoya with the broader issue of violence against women in general. The heart of this campaign dictates that violence against women is a matter of public importance.

Bedoya's experience highlights another area that Colombia's mechanism fails to address: impunity. It took nearly 17 years for two of her attackers to face justice, and her struggle still continues to ensure all those involved in her assault are prosecuted. By Bedoya's account, the protracted fight for justice has been traumatic, marked by around a dozen court appearances, some in front of her attackers. Her advocates at FLIP and the Inter-American Commission on Human Rights (IACHR) challenged the government over this "revictimisation".

Her experience is testament to the need for prosecutors and investigators to establish stronger protocols regarding attacks against female journalists, many of which, even when perpetrated in connection to journalism work, have a sexual dimension. At an IACHR hearing on the case in 2016, one commissioner challenged the government over this "revictimisation," asking: "Would the state agree that repeatedly asking about her abduction, torture and rape denotes the failure of its investigators? Because taking statements of sexual violence is a very sensitive, painful and dramatic event for the victim so you must have a person properly trained to do so. Do you not accept that your officials have failed in their duties?"[126]

Delays and other failures within Colombia's justice system also led Claudia Julieta Duque to boycott a court appearance against the remaining suspects charged with psychological torture against her. A November 2018 statement by the human rights group Equipo Nikzor on her behalf described the protracted legal proceedings as constituting "a scenario of revictimisation through the silencing, delay and verbal and legal attacks of defence lawyers and the accused".[127] Both cases highlight how difficult it can be to obtain convictions, and how unrewarding and potentially devastating it is for victims to take a case to court. This perpetuates the impunity that goes with this form of violence. To

122 Colombian Federation of Journalists (FELCOPER) (2018), quoted from Lanza (2018), para. 39.
123 Fundación para la Libertad de Prensa (2017).
124 Fundación para la Libertad de Prensa (2018), p. 21.

125 Chocarro (2019), p. 25.
126 Higuera (2017).
127 As cited in Higuera (2019).

improve conditions and offer support in these proceedings would perhaps be a more long-term investment than providing security personnel.

Gender perspective absent in safety mechanisms in Mexico

In Mexico, violence against the media has intensified since the 2000s amid the drug war with criminal cartels. In response to national and international pressure,[128] the Mexican government created a Federal Mechanism for the Protection of Human Rights Defenders and Journalists in 2012. Like the programme in Colombia, the mechanism is managed under the Ministry of Interior.[129] It undertakes risk assessments, rapid response or prevention measures.

Flaws in Mexico's protection mechanism have been reported on frequently throughout the human rights community.[130] In its 2017 report, *No Excuse*, the Committee to Protect Journalists (CPJ) notes cases in which journalists whose cases were taken up by the protection mechanism received inadequate measures. One journalist for example received only a panic button and no other support, while another was sequestered at an unguarded safe house.[131] CPJ and other groups have pointed to under-resourcing, particularly understaffing, as a serious problem in the mechanism.[132]

"Because taking statements of sexual violence is a very sensitive, painful and dramatic event for the victim so you must have a person properly trained to do so."

Critics have also noted an absence of a gender perspective in the mechanism's risk assessment and responses. A coalition of civil society organisations working on press freedom and human rights called Espacio OSC published a critical report in 2017, "A Debt from the State," analysing the mechanism.[133] The coalition determined that its risk assessment process does not take into account factors that affect the risks that individuals face or should be considered in the safety response, such as ethnicity, age and socio-economic background, in addition to gender. The assessment also does not account for instances when

128 Bertoni (2015), p.23.
129 Mendel (2016), p. 21.
130 CPJ (2017).
131 Ibid.
132 CPJ (2016); WOLA and PBI (2016).
133 Espacio OSC (2017).

the recipient of protection has the societal expectation of caring for their family, which, in most cases, is the role of the role of women.

In Mexico, the Protection Mechanism can be activated when a person under threat requests it. The Rapid Response Unit receives the request and evaluates it. After issuing the protection measures, it carries out an "Immediate Action Evaluation" and reports it to the Mechanism's executive director. If approved, the case goes to the Risk Evaluation Unit to determine how to continue the protection measures. Between 2012 and 2017, 368 people received some form of assistance; 113 (30 percent) of them are women, according to the freedom of expression group ARTICLE 19's 2017 annual report.[134] Within this process, there is protocol for women journalists.

In 2019, the UN OHCHR reviewed the mechanism and noted important gaps in its gender approach on an implementation level.[135] For instance, there is no specialised group to respond to threats against female journalists. It also notes the firm the government contracted to handle protection reported that it has 148 people trained as bodyguards, but only three of them are women. Among the OHCHR's recommendations are the establishment of a unit of specialists to handle cases of violence against women journalists similar to the Protocol in Colombia and a training programme within the country's Special Prosecutor's office on handling attacks perpetrated against women journalists. The Mexican government has not responded to the recommendation.

Another study, published in 2016 by the Center for Justice and International Law, Just Associates and Protection International titled "Gender Focus in Protection of Human Rights Defenders in Mexico and Honduras" found that governments do not take into account the context of violence against women that hinder access to justice and protection in Mexico. Many attacks take place in environments where women are disempowered, where there is social acceptance of violence against women and where women are subject to grave stigmatisation following attacks.

In Mexico, physical attacks are only one manifestation of the hostile environment women journalists and human rights defenders work in. The Espacio OSC report on Mexico identifies vilification or character assassination and prolific online abuse as tactics used against female activists and journalists. For example, when the Women's Human Rights Center in the state of Chihuahua (northern Mexico) filed a criminal complaint against a former state judge for domestic assault against his wife, the judge began a public campaign against the activists and accused them of profiting from cases of gender-based violence. The report also points out that institutions do not offer redress and instead often obscure or delay cases, which are examples of the institutional abuse that takes place against female journalists.

Prosecution mechanism devoid of gender perspective

Another mechanism Mexico adopted is aimed at addressing impunity, which is rampant in crimes against journalists, including in those against women journalists. At least 45

134 ARTICLE 19 Mexico and Central America (2018).
135 OHCHR Mexico (2019).

journalists have been killed in Mexico since 2000 and in 38 cases they were murdered with impunity, according to data published by the Committee to Protect Journalists.

In 2005 the government established a Special Prosecutor for Crimes Against Freedom of Expression within the Attorney General's office. This office has also been criticised for being ineffective [see Chapter 5], with only one percent of cases gaining convictions.[136] It also lacks a gender perspective.[137]

A report by the Comunicación e Información de la Mujer (CIMAC) on violence against women journalists pointed out that not only has the Special Prosecutor been ineffective in guaranteeing justice for journalists, it also does not even disaggregate its information on cases by gender, despite repeated requests over the course of four years.[138] There is a lack of professionalism and training on gender perspective in the staff of both the Special Prosecutor and the Protection Mechanism. "This means that threats and personal or professional attacks are not labelled as violence, thus denying access to justice and protection," according to the CIMAC.

The mechanism does not have measures in place to integrate the specific context and sensitivities around attacks against women into its implementation. Although the Special Prosecutor has promoted a uniform protocol, "Protocolo Homologado," to be used by federal and state governments investigating crimes against freedom of expression, which includes procedures for attacks against female journalists, this has not been put into practice.

Beyond mechanisms

Protection and prosecution mechanisms are not the only initiatives through which states can impact and fulfil their obligation to prevent gender-based violence against women journalists. Among the recommendations by the Special Rapporteur for Freedom of Expression of the IACHR, Edison Lanza, are for states to publicly recognise that the gender-based discrimination and violence faced by women journalists constitute attacks on freedom of expression. Lanza additionally seeks for states to condemn and address sexist abuse, workplace inequality, sexual harassment, and online violence against women journalists in the course of their work and ensure online violence against women journalists is not trivialised by state authorities and is recognised as a problem that threatens press freedom and democratic deliberation.[139]

Taking lessons to the Philippines

The mechanisms in Colombia and Mexico evolved differently. In Colombia, groups like FLIP and FELCOPER were closely involved[140] in the development and implementation of the protection programme, acting as case assessors. This level of civil society participa-

136 Lanza (2018).
137 CIMAC (2015).
138 Ibid.
139 Lanza (2018), para. 83.
140 FLIP no longer participates directly in the mechanism.

A newspaper with a cover headline referring to the killing of Mexican journalist Leobardo Vazquez Atzin (upper-left) is seen at a newspaper stand, in Papantla municipality, Veracruz state, Mexico on 22 March 2018. Vazquez was gunned down the previous day in a state plagued by anti-press violence. Photo: Victoria Razo/ AFP PHOTO

tion paved the way for later reforms of the mechanism. In Mexico, the SoJ mechanisms do not have the same channels to civil society and have been less responsive to this issue. In both countries, however, it is clear that the safety of female journalists cannot be addressed only through a protection mechanism, but also must be integrated into institutions for prosecution and measures for prevention. Inclusion of women, ethnic minorities and a truly diverse range of stakeholders in the formation of SoJ mechanisms can also limit the gaps in how safety is addressed.

In the Philippines, stakeholders launched the Philippine Plan of Action for the Safety of Journalists (PPASJ) in November 2019, having considered the need to integrate a gender perspective. Women participated throughout the consultation process and the plan itself has included measures to promote safety and equality for women journalists throughout its five flagship areas. Actions it lays out include conducting safety training for women, documenting good practices and advocating for better treatment of women in the newsroom, improving documentation of attacks against women journalists and setting up a dedicated line of communication for female journalists under threat, such as a helpline.[141]

The plan still needs to lay out specific steps for better integration of a gender perspective into investigations of attacks against journalists. In the existing state mechanism, the PTFoMS, established to support investigations into killings and other crimes against journalists, has no special units or procedures to respond to attacks against women media workers.[142]

As stakeholders in the Philippines advance the plan, the experiences of Mexico and Colombia should be factored in. The Colombian government took a decade to learn

141 AIJC and IMS (2019).
142 Chocarro (2019), pp. 38-39.

from its mistake of not taking gender perspective into account and amend its protection programme. The Mexican government still must learn this lesson.

Civil society approaches to strengthening position of women journalists

Few countries have institutionalised state mechanisms as Colombia and Mexico have, leaving CSOs to take the lead in responding to threats against female journalists. Some examples include:

- The Afghan Journalists Safety Committee (AJSC) operates a comprehensive and nationwide emergency response programme. It incorporated gender-specific pathways into its architecture, ensuring emergency help can be accessed by female media workers via female staff. It also created an advocacy committee made up of prominent female journalists and developed a sexual harassment policy for media houses to mitigate threats, among other activities.

- One significant advance was achieved in Somalia. In December 2018, the group Somali Women Journalists (SWJ) launched the Gender Respect Declaration to address sexual harassment following a year-long process of female peer workshops. Some 30 media houses signed. The declaration addresses issues such as sexual harassment, equal pay and career opportunities for women.

- In 2017, the Myanmar Women's Journalist Society (MWJS) launched its Breaking Gender Stereotypes campaign based on a study it produced the same year with IMS-Fojo analysing gender bias in the media. The study found women are represented in only 16 percent of media in Myanmar. MWJS, which was created to represent and promote the interests of female journalists in the media sector, is also working on setting up hotlines for journalists.

- The Digital Rights Foundation in Pakistan works to protect women in digital spaces in response to the severe online harassment women journalists encounter and its links to offline violence. In 2015, the watchdog, Freedom Network, an IMF partner, produced a book of testimonies by women journalists. A gender-sensitive code of ethics for print media has also been developed in Pakistan.

Chapter 5:

A tough push for justice: New approaches and old mechanisms for combatting impunity

When *Washington Post* columnist Jamal Khashoggi was killed and dismembered inside the Saudi embassy in Istanbul by state operatives, his case caught the world's eye, an emblem of the dangers journalists face when they cross the powerful, and the widespread impunity that made such a shocking and brazen murder possible. What followed has been the good, the bad and the ugly of the global response to impunity.

Colleagues, human rights groups and individuals around the world have pulled together to protest his murder and campaign for justice. Several governments have put sanctions in place against some of the alleged perpetrators and condemned the murder, but these actions stopped short at naming Crown Prince Mohammad Bin Salman or instituting measures that disrupt business as usual with the wealthy Gulf state. Nearly a dozen suspects are on trial in Saudi Arabia, but lack of transparency and the possibility of execution for several casts a questionable light on these proceedings. At the same time, the murder, along with a ground-breaking investigation by the UN Special Rapporteur on extrajudicial, summary or arbitrary executions into the case, has created a catalyst for serious discussions on improving international mechanisms for crimes against journalists.

Impunity is widely seen as one of the gravest threats to press freedom and development. When journalists are threatened, attacked or even killed, the perpetrators are rarely prosecuted. The oft-cited statistics – in nine of 10 killings of journalists there is no justice[143] – are telling, highlighting the scope of the problem. But it is more than numbers. Attacks against journalists, particularly murders, silence individual journalists while sending a message of intimidation to entire media landscapes. When those attacks take place without official consequence, the chilling effect on journalism is magnified.

Without justice, there is little to deter attacks against journalists, whether the perpetrators are linked to the state, organised crime, armed extremist groups or business, weakening all other SoJ work aimed at prevention and protection. The acuteness of the problem has been recognised globally and fighting impunity has become central to SoJ work. International frameworks such as the UN Plan of Action on Safety of Journalists

143 UNESCO (2018c), p. 130.

and the Issue of Impunity put combatting impunity as a priority goal. International and national FoE groups have mounted concerted campaigns for justice year after year and many governments have pledged to take action.

Even though impunity has been at the top of the global press freedom agenda for about a decade[144] there has not been much change on the ground. Impunity figures have barely budged and instances of violence against journalists remains high. The last decade has seen sustained high levels of killings of journalists worldwide, reaching a total of nearly 550, according to CPJ. Less data is available on impunity for non-fatal attacks on a global level, but it is clear that these attacks are also rarely investigated and prosecuted.

Identifying effective strategies to combat impunity is a persistent challenge. Progress that has taken place has been painstaking, case-by-case and typically driven by civil society campaigns, colleagues, family members or a combination of these actors. International commitments to implement specific measures to address impunity have also gone unfulfilled by most governments. What few state mechanisms exist addressing impunity have been under-resourced, too narrow in scope or slowed by bureaucracy and politics, among other institutional issues.

State mechanisms: Too few and too flawed

Many UN and regional documents clearly outline states' obligations when it comes to investigating and prosecuting attacks against journalists. In addition to the fundamental human right that entitles all citizens to the right to life,[145] there are several UN resolutions that directly address SoJ and lay out steps states should take to ensure both perpetrators and masterminds of attacks against journalists are brought to justice. Among the most explicit prescribes that member states consider special measures such as the creation of special investigative units or independent commissions, appoint special prosecutors and adopt specific protocols for investigation.[146] It goes further to suggest that the pursuit of justice extends not only to those who pull the trigger, but to those "who command, conspire to commit, aid and abet, or cover up" violent acts against journalists.[147]

This comes on top of the UN Plan of Action on the Safety of Journalists and the Issue of Impunity, which includes state measures to promote justice among its main aims[148] and the 2013 UN General Assembly resolution on the safety of journalists, which established 2 November as the International Day to End Impunity for Crimes against Journalists,[149] among other documents articulating UN member state commitments.[150] Similar obligations are outlined by regional bodies. One recent example is the OSCE's The Ministerial Decision on Safety of Journalists, which calls on participating states to "take

effective measures to end impunity for crimes committed against journalists by ensuring accountability as a key element in preventing future attack".[151]

Despite a clear international mandate, there are few state SoJ mechanisms set up for addressing impunity and outcomes are mixed among those that do exist, as we look at in this chapter.

In theory, states should develop and implement strategies to combat pervasive impunity for crimes against journalists based on good practices, integrating all aspects of the Prevent, Protect and Prosecute framework, and ensuring a consistent gender-sensitive approach. A mechanism focused on prosecution must address "the failure of the regular administration of justice actors – police, prosecutors, investigation magistrates, judges – to bring those responsible to justice," as outlined by Toby Mendel of the Centre for Law and Democracy in his 2016 discussion paper "Supporting Freedom of Expression: A Practical Guide to Developing Specialised Safety Mechanisms".[152]

This failure may take root because of corruption, intimidation or political interference compromising the work of local law enforcement and prosecutors, or because there is a lack of capacity, expertise and resources to carry out effective investigations. Ongoing conflict or political instability weaken the state's capacity for justice, as do the presence of armed groups and powerful criminal organisations.[153] Impunity is also aided by tight information controls under authoritarian structures where there is low political will to prosecute attacks against journalists.

In practice, a national mechanism addressing impunity should offer a system that replaces, monitors, holds accountable or augments the work of agencies unable to carry out thorough and independent investigations and prosecutions. According to law professor and former Special Rapporteur for Freedom of Expression of the Inter-American Commission of Human Rights Eduardo Bertoni, they fall into two main categories: 1) special investigative bodies and 2) the "federalisation" model.[154] In addition, some states have undertaken legislative and other measures such as assigning special prosecutors that do not constitute a standing mechanism, but address some of the shortcomings that lead to impunity in journalist killings.

Special investigative bodies in the context of SoJ are set up to concentrate resources by convening experts to investigate new or reopen old cases. One of the longest running of these was Guatemala's International Commission Against Impunity (CIGIG by its Spanish acronym), established in 2006 to help combat impunity and corruption.

The commission was created under a 2006 agreement with the UN and ratified by Guatemala's national assembly. It ran for 12 years, shutting down in September 2019 after President Jimmy Morales did not renew its mandate. CICIG operated as an independent body with investigative powers set up by the United Nations and Guatemala, headed by an appointee of the UN Secretary-General, with funding and staff from several donor countries. It was empowered to independently investigate, but arrests and prosecutions depended on the country's public ministry.[155]

144 In a 2009 IFEX member survey, impunity was identified as a priority issue among the majority of members.
145 United Nations General Assembly (1948), art. 3, stating "[e]veryone has the right to life, liberty and security of person".
146 UN HRC (2014).
147 Ibid., para. 3.
148 UNESCO (2012).
149 UN General Assembly (2013), para. 3.
150 IFEX (2017).
151 Organization for Security and Co-operation in Europe (2018).
152 Mendel (2016).
153 CPJ (2014).
154 Bertoni (2015).
155 Taylor (2017).

CICIG's mandate – to dismantle and eradicate illegal and clandestine organisations – was far broader than investigating attacks against journalists, but it did take up several cases of journalists targeted for reporting on crime and corruption. One recent case was the 2015 murder of Danilo López. Working with Guatemalan prosecutors, CICIG investigated the case leading to the conviction of the shooter in 2017 and the arrest of the alleged mastermind, Guatemalan lawmaker Julio Juárez Ramírez, in 2018. López had been working on a story about corruption in the city where Juárez had been mayor.

The Commission's accomplishments have been substantial. It helped obtain more than 400 convictions and contributed to the creation of a special anti-impunity prosecutor's office, FECI by its Spanish acronym.[156] Proponents point to its combination of international backing, mandate and capacity to investigate independently and its working relationship with the Guatemalan attorney general's office as factors behind its success.[157] It is often cited as a model for other countries.

Others suggest some of the challenges CICIG faced offer valuable lessons, including the need for such a mechanism to have long-term mandates that are shielded from politics, long-term funding and a sustainable funding model (CICIG's annual budget was around 15 million USD[158]). CICIG's hybrid national-international model was part of its success, but it also created tensions over sovereignty.[159] The Guatemala experience also highlights the importance of parallel efforts to strengthen national institutions so they can ultimately adequately perform the functions human rights mechanisms are set up to supplement. Where mechanisms are augmenting, or standing in for, local investigative agencies, there is also a need for measures to be in place to improve the local system.

Another example of a special investigative body can be found in Serbia. There, journalists approached the government over concerns that the murders of several colleagues remained unsolved after well over a decade. The government agreed to set up the Serbian Commission for the Investigation of Murders of Journalists in 2014.

The Commission is comprised of representatives from the journalism community, the Ministry of Internal Affairs and Serbia's national security body, the Security Information Agency. Its initial task was to reopen three cases of journalists killed in what was then Yugoslavia between 1994 and 2001. In 2018, the government expanded its remit to include a broader range of murders and other crimes against media workers committed during the Balkan wars. It also broadened its makeup to include the Serbian war crime prosecutor's office and the Serbian interior ministry's department for war crimes.[160]

The Commission's efforts led to the conviction in April 2019 of four people, including two former state security officials, for the 1999 murder of Slavko Ćuruvija, a well-known critic of then-president Slobodan Milošević.[161] Joining together the investigative work of both journalists and government agencies opened new opportunities to pursue seemingly cold cases. According to veteran journalist Veran Matić, who led efforts to establish the commission, it puts journalists in the position to see the evidence collected and advocate for new avenues of investigation.[162]

Matić hopes the commission will be a model not just for other countries to follow – a similar commission was established in Montenegro in 2013 and an initiative to reopen unresolved murders in Kosovo is also underway – but for regional cooperation. Journalists and other observers have pointed out, however, that the commission has yet to prove it is willing and able to bring results in new attacks, particularly those that may implicate people currently in power.

The "federalisation" approach allows federal or central government investigative bodies to step in following attacks on freedom of expression where local state authorities are viewed as weak or compromised. As Bertoni wrote: "The federal government is generally considered by civil society to be at least somewhat more capable to battle against the corruption and intimidation that stands in the way of local authorities handling these cases properly."[163] This approach was initiated in Mexico in 2010 and is still evolving there.

Such an approach may be useful in countries where state cohesiveness or decentralization is an issue, and where the central institutions have the capacity and resilience to perform that role.

Considered by FoE groups as one the[158] most dangerous places in the world to be a journalist, Mexico has seen at least 47 murders since 2012, according to ARTICLE 19.[164] It also has a near complete record of impunity in media killings. After sustained advocacy by the FoE community, Mexico began taking special measures. In 2010 it established a Special Prosecutor for Attention to Crimes Committed Against Freedom of Expression (FEADLE by its Spanish acronym). However, restrictive conditions on which cases it could take up severely limited its activities. Subsequent legislation in 2012 aimed to rectify this and empowered federal authorities "to investigate and try crimes committed against journalists, persons or premises which affect, limit or undermine the right to freedom of expression and information, or freedom of the press."[165] This gave greater leeway for FEADLE to undertake parallel investigations into state authorities in FoE-related attacks.

Despite these reforms, the agency's record is not encouraging, according to civil society groups. Some 99 percent of its cases result in no prosecutions,[166] while less than 12 percent of cases investigated by FEADLE (including non-fatal aggressions) make it to court.[167] Several concerns have been raised by CSOs and representatives from international NGOs since the mechanism was put in place. These include a reluctance to take cases out of the hands

> Joining together the investigative work of both journalists and government agencies opened new opportunities to pursue seemingly cold cases.

156 WOLA (2019).
157 Taylor (2017).
158 Ibid.
159 Stanley and Call (2019).
160 Rudic (2018).
161 Organization for Security and Co-operation in Europe (2019).
162 CPJ (2014).

163 Bertoni (2015).
164 ARTICLE 19 Mexico and Central America (2019).
165 ARTICLE 19 (2012).
166 Ibid.
167 Hinojosa et al. (2019).

of state authorities, even when there appears to be a failure of due diligence;[168] cases it does attract it often does so slowly, losing a crucial post-attack window for evidence and witnesses while taking time to determine the attack is related to journalism.[169] A lack of human and financial resources has also been problematic.[170]

The Philippines, like Mexico, has among the highest numbers of journalists murdered in the world. An overburdened judicial system often characterized as inefficient and subject to corruption and intimidation[171] has meant investigations into journalist killings rarely lead to conviction and sentencing.

Over the last 15 years, various administrations have created several bodies focused on attacks against journalists. The most recent is the PTFoMS set up by executive order in 2016 by President Rodrigo Duterte shortly after coming into office. As outlined in Chapter 1, PTFoMS is administered under the Presidential Communications Operations Office but includes participation of most other relevant departments. Similar to the federalisation model, its Manila-based team responds when journalists are attacked, particularly when killings take place, with local authorities observing or participating in the investigation. According to PTFoMS Executive Director, Undersecretary Jose Joel Sy Egco, they review evidence, liaise with police and families, and make recommendations, among other actions.

By its own account, the task force has looked into 101 cases of media killings that have taken place since 2008.[172] PTFoMS determined another 10 cases were not work-related. The Maguindanao Massacre, for which a verdict was announced in December 2019, accounts for another 32 cases. At least four cases were dismissed by courts for lack of probable cause. Task force agents are evaluating another 25 cases in coordination with the prosecutor's office and one has been "resolved".[173] At least 15 cases have been closed.

In five cases, suspects have been arrested, according to PTFoMS, with warrants issued in another nine. The most recent arrests at the time of drafting this report took place in the case of radio broadcaster Eduardo Dizon, who was shot dead on the night of 10 July 2019 in Kidapawan City, North Cotobato. On 19 September 2019, three men affiliated with a large-scale financial scam being represented as a religious group whom Dizon had criticised were charged with his murder. The accused include the alleged mastermind.[174] By Undersecretary Egco's account, PTFoMS was actively engaged in the case in coordination with local police, including reviewing CCTV footage and witness accounts.[175]

Ruperto S. Nicdao, Jr., chairperson of the Association of Broadcasters of the Philippines (KBP by its Filipino acronym) and president of Manila Broadcasting Company, said PTFoMS represents a positive departure from what came before. "At least now there is an office with a mandate and a budget," said Nicdao. "Before there was none." Nicdao also noted that the task force has been active, often arriving on the scene quickly.[176]

But many others among the media, press freedom watchdogs and support groups

Local policemen position themselves at the gate of Camp Bagong Diwa hours before the court proceedings on the verdict of the Ampatuan Massacre begin on 19 December 2019 in Manila, the Philippines. After a ten-year trial, a judgement was finally handed down after the massacre of 58 people, including 32 journalists, on their way to a local political event at Ampatuan, Maguindanao on 23 November 2009. The victims were rounded up by armed gunmen working for the Ampatuan clan and executed in what is the deadliest single attack on journalists in the world. Photo: Jes Aznar/ Getty Images

are more ambivalent. Although the initiative was welcomed, concerns have been raised in different forums that the task force is not resourced well enough, and that as a presidential task force, it may not endure beyond this administration. Some have said PTFoMS emphasises public relations over case work and that responses to threats, particularly red-tagging, have been sluggish.[177]

According to Egco, when it comes to threats, PTFoMS is limited to stepping in only when a communication has been made to its office. Whether PTFoMS promotes judicial accountability or more informally mediates between parties in some of the cases it considers resolved has fallen to question as well.

Many of the criticisms of PTFoMS connect to its foundation within the current political administration. As explored in Chapter 1, PTFoMS' relationship with some media and civil society groups has been confrontational, in part a reflection of the hostile attitude Duterte himself shows towards the press. Re-establishing PTFoMS as an independent, statutory body could potentially address some of its problems.

Witness protection is one area that continues to need strengthening. Prosecutions in the Philippines have relied heavily on the testimony of witnesses who faced intimidation and harassment.[178] In several cases witnesses were murdered or died in questionable

168 Ibid.
169 ARTICLE 19 (2017).
170 Hootsen (2018).
171 Freedom House (2019).
172 These numbers reflect PTFoMS activities through August 2019.
173 Ibid.
174 Francisco (2019).
175 Meeting with IMS September 2019 at PTFoMS office.
176 Interview with IMS September 2019 in Manila, the Philippines.

177 IMS interviews with stakeholders September 2019; Output documents from national consultations that took place November 2018.
178 Whaley (2015).

circumstances.[179] According to PTFoMS, the 15 cases that it closed were stalled because "vital witnesses are no longer available or can no longer testify, or have died, or for total lack of evidence, or where all possible suspects have already died".[180] FoE advocates in the country have in the past called for improvements to the witness protection programme.[181] In the 2000s, the Freedom Fund for Filipino Journalists, an umbrella group of CSOs formed in 2003, actively worked with prosecutors to bolster protection of witnesses with financial support and advocacy. Their efforts contributed to convictions in the 2005 murder of popular journalist Marlene Garcia-Esperat, among other advances, a testament that multi-stakeholder coordination around this issue bring progress.

Governments in some countries have implemented other measures that are not stand-alone mechanisms dedicated to prosecutions, but do include steps to address impunity and improve coordination among various governmental bodies.

In 2016, Afghanistan set up the Joint Committee for the Safety and Security of Journalists (JCSSJ) to bring together representatives from media support groups, representatives from different sections of governments and security institutions to implement measures to improve SoJ. Since its formation, the Attorney General has prosecuted more than 60 cases of violence against journalists, including suspects in two journalist killings, both of which took place in 2018,[182] a modest mark of progress amid high levels of impunity and violence against journalists in Afghanistan. Judicial proceedings took place behind closed doors, however, and resulted in death sentences, raising concerns by human rights groups over transparency and fairness.[183]

In Pakistan, a draft bill to promote safety of journalists has been under review by Parliament for several years. The legislation establishes a safety fund, and designates safe houses and compensation for families of journalists who die on the job. To address impunity, it appoints a special prosecutor to investigate crimes against journalists.[184] FoE advocates have long advocated for laws to address the media's safety concerns, but say drafts of the bill fail to address the full scope and complexity of Pakistan's impunity problem.[185] One risk of establishing a special prosecutor, said Asad Baig of the Islamabad-based group Media Matters for Democracy, is that "it could add another layer of ineffective bureaucracy".[186] Baig has suggested alternative structures with more independence be considered.

Several countries have introduced transitional justice processes in post-conflict environments where widespread abuses have taken place by state and non-state actors. A handful of crimes against journalists have been addressed through these systems to varying degrees of satisfaction. Under Colombia's Law of Justice and Peace, which gives leniency to members of armed groups in exchange for demobilisation and confessions, a former paramilitary fighter confessed to killing radio commentator José Emeterio Rivas in 2003. The confession implicated three former public officials in orchestrating the crime, leading to their convictions.[187]

179 Witchel (2014).
180 PTFoMS (2018).
181 CMFR (2011).
182 Tolo News (2019).
183 CPJ (2019).
184 Toppa (2016).
185 Ghazi (2017).
186 Interview with IMS by Skype, September 2019.
187 Global Freedom of Expression (n.d.).

In 2019, a harrowing public account by a military officer to The Gambia's Truth, Reconciliation and Reparations Commission told of how the officer was part of a team sent to assassinate journalist Deyda Hydara in 2004 under the orders of then-president Yahya Jammeh. It is uncertain, however, whether Jammeh, who is in exile in Equatorial Guinea, will ever face justice. Human rights activists and Hydara's family have described the process as more traumatic than healing at this stage[188] and said there remains a long fight for full justice[189].

Meanwhile, Sri Lanka's commitments to the HRC to set up transitional justice mechanisms have gone largely unfulfilled, along with hopes that cases of journalists assaulted, killed or disappeared during and shortly after the end of Sri Lanka's civil war will finally be prosecuted. In 2019, the government reinstated a military intelligence official whose unit was accused of attacks on at least three journalists, including the murder of editor Lasantha Wikrematunge.[190]

New models needed for international mechanisms

The right to justice through fair and effective investigations and prosecutions and ending impunity in journalist attacks have been established as clear obligations to upholding freedom of expression and are articulated in various documents throughout regional bodies and the UN system. However, existing international tools to advance justice are limited.

Regional bodies offer some channels that can address impunity. In June 2019, for example, the Parliamentary Assembly of the Council of Europe issued a resolution demanding its member state Malta set up an independent public inquiry into the 2017 murder of journalist Daphne Caruana Galizia. The resolution cited "extreme weakness of its [Malta's] system of checks and balances" and called on Maltese law enforcement bodies to investigate those "involved in or benefiting from the scandals exposed by Daphne Caruana Galizia and her colleagues".[191] Malta launched the inquiry in September 2019, though her family and FoE advocates have since raised concerns regarding the impartiality of the panel.[192]

Regional courts have made important decisions highlighting the failures of investigations into journalist killings. The most recent such ruling was issued by the European Court of Human Rights in 2018 on the murder of renown journalist Anna Politkovskaya in 2006 and stated that Russia "had failed to take adequate investigatory steps to find the person or persons who had commissioned the murder".[193] States often fail to comply with these decisions, however, and there are few means to compel them.

At the UN HRC two tools are in place to engage on human rights issues: the Universal Periodic Reviews (UPR) and the system of Special Procedures. The UPR process, which puts member states through a five-year review of their human rights records, often raises issues around impunity in attacks against journalists and in some instances, states

188 The Stream (2019).
189 Quintal (2019).
190 Human Rights Watch (2019).
191 Parliamentary Assembly of the Council of Europe (2019b).
192 Garside (2019).
193 European Court of Human Rights (2018).

commit to action. The HRC's Special Procedures includes special rapporteurs and expert working groups. Rapporteurs, depending on their geographic or thematic mandates, can raise and report on the status of justice in individual cases or patterns of impunity in different countries.

UNESCO, the UN agency mandated with promoting freedom of expression, in addition to coordinating implementation of the UN Plan of Action, biennially publishes "The Safety of Journalists and the Danger of Impunity: Report by the Director-General". For the report, the Director-General requests information from Member States on the status of judicial enquiries into the killings of journalists, creating a regular mechanism for states to report on progress or lack of justice in journalist killings. In addition, they are asked to provide information on special measures they have taken to address impunity. One positive trend that has emerged since the report was first introduced in 2008 is an increase in the number of responses from member states.[194]

"... there is no established practice in place through which the UN can mobilise and investigate following a serious attack on freedom of expression."

These mechanisms help build and sustain political pressure for accountability among states, but there is no established practice in place through which the UN can mobilise and investigate following a serious attack on freedom of expression. This was among the key conclusions of Special Rapporteur on extrajudicial, summary or arbitrary executions, Agnès Callamard, following her office's inquiry into the murder of Jamal Khashoggi.

In January 2019, Callamard, under the terms of her mandate, opened a special human rights investigation into Khashoggi's killing. In her report, presented to the HRC in June 2019, she criticised initial investigations into the killing by Saudi and Turkish officials for failing to meet international standards and concluded that the murder of Khashoggi was an "extrajudicial execution, for which the State of Saudi Arabia is responsible for under international human rights law".[195]

The report notes a "troubling" lack of effective international responses to the murder and that the killing of Khashoggi constitutes an international crime over which states should claim universal jurisdiction.[196] In remarks at the UN General Assembly in September 2019, she further criticised the UN for failing to play a "meaningful role" or "act in in a meaningful fashion".

Among her 41 recommendations, Callamard called on the HRC, the Security Council or the UN Secretary-General to conduct an international follow-up criminal

Media and jail personnel take photos from a TV screen of the Ampatuan Massacre trial proceedings, which only the government owned media was granted to cover on 19 December 2019 in Manila, the Philippines.
Photo: Pool/Getty Images

investigation for the purpose of determining individual liability and identifying options towards judicial accountability. The necessity, argued Callamard, is that a criminal investigation convening relevant experts can go further than a human rights investigation, such as she undertook.[197] "This human rights inquiry is not a substitute for a criminal investigation nor is it a court of law," she wrote.[198] The international criminal investigation should conclude with proposals towards judicial accountability, such as the establishment of an extraordinary ad hoc tribunal or a hybrid tribunal, according to Callamard.[199]

Beyond the Khashoggi case, Callamard pointed to several ways forward for acting against impunity, emphasising that this inquiry should not be a "one-off". One is for HRC Special Procedures to develop a Protocol on the Investigation and Responses to Threats and Risks based on a comprehensive review of laws and best practices regarding the investigation, assessment and/or responses to threats against, and risks faced by, journalists, media workers and human rights defenders.

What has been drawing attention, however, is her proposal to establish "a standing instrument for the investigations of violent crimes against journalists, human rights defenders and other activists and dissidents targeted for the peaceful expression of their opinions".[200]

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194 UNESCO (2018c), p. 133.
195 UN HRC (2019a), para. 235.
196 UN HRC (2019a), para. 422.

197 UN HRC (2019a), para. 428.
198 Ibid.
199 Ibid., para. 473.
200 Ibid., Section VII, iii.

Such an accountability mechanism would focus on improving investigations by collecting and analysing evidence of targeted killings or disappearances; preparing documentation that can facilitate and expedite fair and independent criminal proceedings and identifying other mechanisms for delivery of justice and ending impunity.[201] It would either support national actors or operate as an independent international inquiry. The shape and form of such a mechanism may need to be tested, Callamard said.

Another response Callamard envisions outside of a criminal investigation would be a rapid response mission that puts Rapporteurs along with members of civil society or other stakeholders such as UNESCO on the ground following a targeted attack to observe the national investigatory team. "We really need to be open minded as to what the other stakeholders can do," said Callamard in an interview with IMS. The role of such a team, she explained, is not just to put governments on notice, but give support. "We are monitoring, but we are also prepared to help," she posited.

Official reactions have been reticent towards her recommendations, but they are taking hold within the FoE community. The UK's Foreign and Commonwealth Office (FCO) launched a global campaign for media freedom in 2019. Among its core activities is convening a panel of legal experts, led by prominent human rights lawyer Amal Clooney. In her remarks at the FCO's Global Conference for Media Freedom in June 2019, and again speaking at a ministerial meeting at the UN General Assembly in September 2019, Clooney concurred there is a need to fill the gap in international systems of protection when it comes to investigations and included "the deployment of an international team to investigate attacks on journalists when the state authorities are unwilling or unable to act" among five priorities she will recommend to the FCO campaign.[202]

The initial steps of trialling this mechanism are underway in the wake of a November 2019 IMS mission to The Gambia. In an effort to support a mechanism to address impunity based on the recommendations of Callamard's June 2019 HRC report,[203] IMS launched a pilot in Banjul focused on the first part of this triple-fold mechanism: A Global Protocol for threat investigations by states. The development of this Global Protocol will involve a comprehensive gender-sensitive and international review of best practices regarding the investigation, assessment and responses to threats to underlying national and international legal framework, including laws and jurisprudence.

In this new approach to hold perpetrators of attacks, killings and disappearances of journalists, media workers and human rights defenders to account, IMS sought legal expertise on the roster of Justice Rapid Response (JRR), an organisation established to fight the issue of impunity globally, to carry out the review as it pertains to the criminal justice system and human rights issues in The Gambia. The culmination of this mission will report on the function of mechanisms presently in place in The Gambia to address threats to journalists, media workers and human rights defenders and specific priority gaps to target to support their development.

On this mission, IMS staff and two JRR consultants met with lawyers, government officials, police personnel and other key players including the Truth, Reconciliation and Reparations Commission investigating the Yahya Jammeh era from 1994 to 2017, the Gambia National Human Rights Commission and the Gambia Press Union. Its final report will feed into the creation of an investigative mechanism simultaneously taking into consideration both criminal and human rights legal frameworks to address threats against journalists, media workers and human rights defenders.

One of the other tools Clooney and Callamard cite are targeted sanctions against media freedom abusers. These have been levied by some countries against suspects in Khashoggi's murder, but legislation facilitating sanctions against individuals responsible for corruption and human rights abuses has been gaining traction more broadly in recent years. What are often referred to as Magnitsky laws after Sergei Magnitsky, the Russian lawyer who died in custody after exposing high-level corruption in 2009, have been in place in the United States since 2012,[204] and have since been introduced in several other countries. Human rights activists are currently campaigning for an EU individual sanctions mechanism.[205]

Under the US Magnitsky laws (the Sergei Magnitsky Rule of Law Accountability Act of 2012 and the Global Magnitsky Human Rights and Accountability Act of 2016), foreign individuals or entities such as corporations responsible for gross violations against rights defenders can be subject to visa bans and have their United States-based assets frozen.[206] Dozens of individuals and entities have been designated, including several figures believed to be behind major violations against journalists, such as Chechen leader Ramzan Kadyrov, former President of The Gambia Yahya Jammeh and the Guatemalan lawmaker behind the murder of Danilo López.[207]

In Khashoggi's case, the United States government sanctioned 17 Saudi government officials in November 2018 for their role in planning and carrying out the murder.[208] United States senators also triggered a provision in the Global Magnitsky Act demanding that the president formally attribute blame for the killing, though President Trump has to date ignored the request. Canada, the United Kingdom, France and Germany have also issued some targeted sanctions against Saudi officials in connection to the killing. No individual sanctions have gone as far as to include Saudi Crown Prince Mohammed Bin Salman.

While Magnitsky laws are generally a welcome tool to FoE groups,[209] Callamard has warned in her report and other interviews that they may act as "a smokescreen," putting responsibility on those individuals rather than the state. "The current sanctions fail to address the central questions of chain of command and of senior leadership's responsibilities for and associated with the execution," she wrote.[210]

201 Ibid., para. 470.
202 Doughty Street Chambers (2019).
203 UN HRC (2019b), para. 75.

204 United States Congress (2012); United States Congress (2016). The 2012 law applied only to Russian nationals. In 2016, the Global Magnitsky Human Rights and Accountability Act was adopted in the United States, allowing for all foreign nationals to be considered for sanctions.
205 Reporters without Borders (2019b).
206 United States Congress (2016).
207 United States Department of the Treasury (2017).
208 United States Department of the Treasury (2018). The individuals were sanctioned under Executive Order (E.O.) 13818, which builds upon and implements the Global Magnitsky Human Rights Accountability Act.
209 Witchel (2018).
210 OHCHR (2019).

Collaborative investigations

One of the strategies that is increasingly being employed in different parts of the world is collaborative journalism with the aim of completing the work of fallen colleagues and finding answers behind their killings.

The approach is not new. The first instance was in 1976 when more than three dozen journalists came together in Arizona, USA to finish reporting on organised crime by murdered journalist Dan Bolles. The endeavour came to be known as the Arizona Project. Many years later, following the 2007 murder of Chauncey Bailey in California, local reporters launched the Chauncey Bailey Project to continue his investigations into a local business and gauge connections this work could have to his murder. They uncovered evidence that eventually led to the conviction of Bailey's killers.

With technology creating more opportunities for collaborative journalism and cross-border investigations, several more "Projects" have been launched. Among them is the Daphne Project, which draws on the work of 45 journalists from 15 countries "to try to get to the bottom of the many leads the formidable woman left behind," according to the Organized Crime and Corruption Reporting Project, a partner in the project, which is coordinated by Forbidden Stories.

The resulting work pays tribute to brave journalists who paid the ultimate price, but the intended impact is also preventative – to show that killing a journalist does not silence them. "The desired effect [of violence] is to scare off others from investigations," said Mathew Caruana Galizia, Daphne's son and a journalist speaking on a panel at the Global Conference for Media Freedom in London in June 2019. "The project has a deterrent effect because it raises the price for murdering a journalist."

Some projects focus on pursuing the journalist's investigations while others are designed to shed light on the killing itself. Often the two are interlinked. Another Forbidden Stories project pieces together the unfinished work and looks at the unresolved questions behind the murder of a three-person media team on the Colombia-Ecuador border.

Colectivo 23 de Mayo, a group of Mexican and international reporters launched "Project Miroslava," an investigation into the 2017 killing of Mexican journalist Miroslava Breach. Among their findings is that threats against Breach by drug trafficking gangs had not been investigated prior to her killing and authorities have not pursued several aspects of the murder.

Conclusion: Lessons learned and recommendations

The threat landscape most of the world's journalists work in today is complex, involving dangers on many fronts. Journalists in the countries featured in this report, and in many others around the world, carry out their work under immense risks. Their physical safety is threatened by individuals of wealth or in positions of power, armed groups, security forces or criminal organisations, among other actors. But intimidation by blunt force is only part of a troubling picture.

Journalists are being jailed in record numbers.[211] Pervasive abuse of security laws and legislation that criminalise speech online and offline are some of the trends behind these numbers. Use of spurious charges and arbitrary detention and imprisonment are others. There have also been incidents of enforced disappearances[212] and torture[213]. The frequent use of strategic lawsuits against public participation (SLAPPs) also have a chilling effect on news coverage.[214] On another front, journalists are besieged with hostile social media campaigns. High rates of impunity in killings and other attacks against journalists increase their insecurity.[215]

Female journalists not only contend with these threats; they face an array of other perils in connection to their gender. These include sexual harassment, aggression and violence in the field, in custody or even in the workplace.[216] For women journalists, the attacks they face are amplified not only by the impunity that more broadly accompanies attacks against the media, but also by the stresses women must endure in the pursuit of justice. In addition to widespread social inequality, there is a lack of psycho-social support within SoJ mechanisms and state institutions, as well as stigmas around sexual violence, demeaning online attacks and other hostile treatment of women journalists aimed at censoring them.

There is no single tool that can improve the hostile conditions many journalists work under. It takes a multi-pronged approach that promotes the three Ps (prevention, protection and prosecution) as adopted by UNESCO, the UN agency coordinating the UN Plan of Action on the Safety of Journalists and the Issue of Impunity. To effectively address such a wide scope of actions, it takes unity, collaboration and a joint strategic approach among different stakeholders. In practice, achieving this is a long-term, difficult endeavour.

Though far from exhaustive, this report honed in on some specific challenges to

211 Beiser (2018).
212 United Nations Support Mission in Libya (2019).
213 Hopkins et al. (2019).
214 Verza (2018).
215 Witchel (2019).
216 Chocarro (2019).

implementing multi-stakeholder safety structures: gaining engagement by state actors in safety frameworks, anchoring mechanisms, building strong coalitions among disparate stakeholders, weak media sector commitment to SoJ, need for greater integration of gender-specific concerns into safety mechanisms and ineffective tools for combatting impunity.

The report explored how stakeholders are working to tackle these in a selection of countries where the media operates under intense pressure, looking not only at institutional mechanisms, but also at multi-stakeholder initiatives led by civil society. The structures in place are far from perfect. Some initiatives are nascent and in need of further development, while some are well established but flawed. They offer valuable lessons for SoJ stakeholders to take on board.

Some lessons learned are:

- Bringing media and security forces together into dialogue frameworks can ease tensions between media and authorities and in some cases, reduce numbers of attacks. In Afghanistan, Myanmar, the Philippines and Somalia, stakeholders have introduced dialogue processes with police and/or military to address the rights of journalists and concerns on both sides. In some instances, this has been followed by a decrease in incidents against journalists by authorities and opened communication channels for resolving cases. Conducting these on the provincial or community level and maintaining consistent engagement or follow-up, rather than a one-off training, are key implementation elements.

- Aligning civil society stakeholders behind an actionable demand can engage governments in developing concrete responses to safety crises. Colombia established its state protection programme for journalists in response to a call by leading media figures. Similarly, in Afghanistan, the government set up the Joint Committee for the Safety and Security of Journalists (JCSSJ) following a united campaign by media there. Identifying SoJ allies within the government and other pillars is also an important tactic.

- Independent national bodies such as National Human Rights Institutions and Press Councils can be strong partners for implementing safety mechanisms. Encouraged by the Nepal Human Rights Commission's efforts to launch a safety mechanism for FoE cases, stakeholders in Pakistan and the Philippines have been working with their respective NHRIs to build up national safety coalitions. Myanmar's press council has worked with CSOs to implement trainings and respond to attacks and legal harassment against journalists among other safety activities.

- Broad national coalitions can be unwieldy without a strong leadership structure. Pakistan, the Philippines and Somalia have put committees made up of leading SoJ groups in place to coordinate development and/or implementation of safety structures. In Pakistan, the coalition has been localised in the shape of provincial chapters to catalyse forward movement on intended outcomes.

- Important foundations for state mechanisms for protection or investigating crimes against journalists include: an independent mandate that is not tethered to one political administration and is backed by statute; long-term resourcing and direct civil society participation in both development and implementation.

- Proactive outreach and a system of monitoring safety practices increase awareness of safety and/or improve practices in newsrooms. SoJ groups in several countries in this study worked to develop guidelines or protocols for media houses. The Afghan Journalists Safety Committee consulted 90 practitioners to develop guidelines following the 2018 double bombing. In Colombia, FLIP is piloting a safety certification process for newsrooms. Key elements to these projects include tailoring for local context, including budgets and capacity, and engagement of and ownership of the initiatives by the media houses. In Pakistan, the Journalists Safety Coalition has allied with the Council of Pakistan Newspaper Editors and the Pakistan Federal Union of Journalists to form a coalition to pool verified data on attacks and produce annual reports on the state of impunity of crimes against journalists, thereby informing safety advocacy and conducting annual safety audits of media houses on their compliance with joint Protection, Prevention and Prosecution strategies.

- Diverse representation among stakeholders from the start of consultations and development of mechanisms leads to better integration and responses to the FoE concerns that impact different geographic communities, women and ethnic minorities throughout the country. Measures to strengthen and monitor investigations into attacks on journalists, such as mobilising investigative teams that are independent from local authorities, advance justice in some cases. Such teams or other bodies benefit when they include representation from the media, CSOs, national human rights commissions and/or related experts alongside relevant government and security officials. This helps ensure there is a balance of interests and expertise and that the body can function with political independence alongside the official capacity to investigate and prosecute.

In addition to the above lessons, the following are recommendations, based on the practices and pitfalls featured in this publication, that should be integrated into ongoing and future efforts to develop and implement collaborative strategies to promote SoJ:

- National multi-stakeholder bodies should encompass the full SoJ cycle of prevention, protection and prosecution, including robust systems for early warning and rapid response to urgent threats and investigations into the perpetrators of those behind threats and attacks. Stakeholders should promote public awareness of international norms around SoJ and threats to journalists in the context of how these infringe on rights of all citizens to benefit from the free flow of information.

- National plans and state mechanisms must address the specific challenges and threats that women journalists and other media actors face on account of their gender. As a starting point, ensure female representation in consultations for developing these plans and mechanisms in the makeup of implementing bodies; a gender-sensitive approach should be incorporated into assessing risk and providing protection and

throughout investigations into attacks against women, while devising specific protocols and training programmes for state agents.

- National plans should balance the need for focused, practical action-based solutions and longer-term goals, take into account existing SoJ programmes run by national media support groups and seek to strengthen rather than replace them. Regular reviews to respond to major political developments, changes in the threat landscape and corresponding shifts in safety needs should take place.

- Stakeholders should work with donors and potential anchoring bodies to ensure that well-laid foundations for national plans, coalitions and other mechanisms receive long-term funding in recognition that multi-stakeholder structures take time to build and CSOs and other stakeholders may not have the resources to support this process.

- Stakeholders should engage NHRIs as partners or anchors for implementing SoJ mechanisms. These bodies can offer advantages, including acting as a bridge between government, civil society and the international community, providing documentary evidence in some countries and provision of expertise on relevant legislative initiatives.

- Coalitions should determine a clear leadership structure and assignment of action points to members; local strategies developed at a provincial level can provide a fillip to customised safety advocacy and implementation strategies.

- National plans should increase safety resources dedicated to female journalists, such as safety training programmes and training in identifying and tackling illegal (online) harassment for female journalists; they should develop or strengthen support associations, networks and forums for women journalists, particularly those working to counter online abuse.

- National plans should promote an enabling legal environment for journalists by advocating to repeal problematic laws, and reviewing existing and draft legislation. This is particularly relevant for laws that concern terrorism, extremism and national security, cyber regulations and other legislation that affects the right to FoE and media freedom. These efforts should also address arbitrary detention and misuse of the criminal justice system to silence journalists.

- National plans should develop legal support programmes for journalists, such as pro-bono lawyer networks and training on media rights aimed at helping journalists understand their vulnerabilities under local laws and how to engage in protocols to resolve legal disputes such as press council arbitration.

- Coalitions should implement programmes aimed at improving the outlook of state authorities towards journalists and create constructive communication channels such as formal dialogues between media and security forces at a provincial or community level.

- Coalitions should develop a system for documenting and sharing not only good practices, but also the tools to achieve them, such as safety protocols, security-media dialogue formats and training curriculums. Even if tailored to their specific environments, they can provide a strong starting point for stakeholders in other locales pursuing similar strategies.

- Stakeholders should work together to improve safety practices used by media outlets, including developing safety protocols and training programmes; they should ensure gender equality in newsrooms and introduce protocols for reporting and addressing sexual harassment and online abuse. Not all aspects of safety must come with a high price tag. There are low-cost measures to improve in-house practices that can be implemented regardless of the size or budget of a media outlet such as risk assessments, communication plans and a good cyber-safety routine.

- Media outlets should set up coalitions or more informal networks to share and verify information on attacks and the judicial status of different cases as well as advocate. Stakeholders should work together to link SoJ to working conditions by promoting the adoption and implementation of adequate labour and employment laws that protect journalists and other media actors from arbitrary dismissal or reprisals and encourage fair pay and individual safety resources; laws should also protect the rights of women in the workplace. Stakeholders should advocate for and support proposals by the UN Special Rapporteur on extrajudicial, summary or arbitrary executions to: create a UN instrument to mobilise international criminal investigations into killings and other extreme attacks on journalists and human rights defenders; convene response teams made up of UN representatives (Rapporteurs, UNESCO) and CSOs to monitor and support investigations and compile best practices on investigations.

- Stakeholders should develop and implement measures that promote prosecution such as investigative commissions that include both civil society and state actors, special prosecutors or national investigative units. These steps should be accompanied by efforts to strengthen police and judicial institutions.

- Investigations into attacks should ensure links between attacks and the victim's professional work are fully investigated, as well as links to the victim's gender, ethnicity, religion or sexual identity.

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IMS is an ngo working for global press freedom supporting local media in countries affected by armed conflict, human insecurity and political transition.

This report commissioned by International Media Support identifies five major challenges for developing national plans for safety of journalists and how stakeholders are tackling them. The points addressed concern gaining engagement around safety of journalists by state actors, uniting and focusing efforts of disparate stakeholders into a durable, well-anchored structure, increasing commitment to security and protection by the media sector, integrating a gender perspective throughout safety mechanisms and supporting stronger tools for combating impunity.

In the face of increasing threats that journalists encounter from state and non-state actors, collaborative efforts are making headway to improving safety.

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