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Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Safety of journalists and the issue of impunity

Report of the Secretary-General**

Summary

The present report, submitted in accordance with resolution [74/157](#), is focused on the safety of journalists and the issue of impunity in the online space, including the gender dimension and the safety of women journalists. Following a description of the current situation, the report provides an account of various initiatives being taken. Those are followed by suggestions for strengthening the safety of journalists online, including by taking a gender-sensitive approach.

* [A/76/150](#).

** The present report was submitted after the deadline in order to reflect recent developments.



I. Introduction

1. In accordance with General Assembly resolution [74/157](#), the present report provides an overview of the current situation in relation to the safety of journalists and the issue of impunity, and taking into account the United Nations Plan of Action on the Safety of Journalists and the Issue of Impunity and the follow-up thereto.

2. In the resolution, the General Assembly acknowledged the particular risks regarding the safety of journalists in the digital age. Previous reports of the Secretary-General about the safety of journalists and the issue of impunity remain relevant. The purpose of the present report is to elaborate on and examine the issue of online safety, including the gender dimension and the safety of women journalists.¹

3. In preparation of the present report, the Office of the United Nations High Commissioner for Human Rights (OHCHR), on behalf of the Secretary-General, sought contributions from Member States; international and regional organizations; national human rights institutions; and non-governmental organizations.² The report draws on a range of public sources including the work of United Nations human rights mechanisms and work by scholars, practitioners and civil society organizations.

II. Current situation

4. Freedom of expression and free media are essential to fostering the understanding and dialogue needed to advance overall efforts to achieve the Sustainable Development Goals. In recent years, however, there has been a rise in the scale and number of attacks – online and offline – against journalists and media workers, as well as of incidents affecting their ability to exercise their freedom of expression, including threats of prosecution, arrest, imprisonment, denial of journalistic access and failure to investigate or prosecute crimes against them. As highlighted in the Secretary-General’s policy brief on the coronavirus disease (COVID-19) and human rights, the threats faced by journalists were exacerbated during the COVID-19 pandemic, including the threat of being arrested, detained, prosecuted or persecuted for allegedly spreading “fake news”.³ The same is true for increased surveillance.⁴

5. The international legal framework for the protection of journalists has been described in previous reports of the Secretary-General on the safety of journalists and the issue of impunity.⁵ The safety of journalists in the online space brings into play well-established legal obligations of States under international human rights law. These include the duty to respect and ensure the right to freedom of opinion and

¹ For a definition of the term “journalist”, see [A/72/290](#), footnote 1.

² As at 10 August 2021, contributions had been received from Angola, Benin, Bulgaria, Croatia, El Salvador, the Gambia, Greece, India, Iraq, Italy, Lebanon, Lithuania, Mauritius, Poland, Romania, the Russian Federation, Senegal, Serbia, Spain, Switzerland, Togo and Turkmenistan; the Council of Europe, the United Nations Educational, Scientific and Cultural Organization (UNESCO), Article 19, Boat People SOS, the Independent Journalists Association of Vietnam and the Vietnam Coalition against Torture (jointly), the National Human Rights Commission of Mexico, the Danish Institute for Human Rights, Espacio Público, Free Press Unlimited, the Human Rights House Foundation, the International Alliance for Peace and Development, the Human Rights Institute of the International Bar Association, the International Press Institute, the Ombudsman of Serbia, the Office of the Human Rights Prosecutor of Nicaragua, the Netherlands Institute for Human Rights, Reporters without Borders, and Pavin Chachavalpongpun, Associate Professor at the Center for Southeast Asian Studies at Kyoto University.

³ United Nations, “COVID-19 and human rights: we are all in this together”, April 2020.

⁴ UNESCO, “Journalism, press freedom and COVID-19”, 2020.

⁵ [A/69/268](#), paras. 10–12, and [A/70/290](#), para. 17.

expression, including the freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, and in any media.^{6,7} That includes the Internet.⁸

Online safety

6. OHCHR, United Nations human rights mechanisms, and civil society organizations have noted that journalists continued to face attacks online during the reporting period.⁹ Journalists are subjected to death threats, threats of physical violence, including sexual assault, threats of violence against family members, harassment, hate speech, trolling, doxing, and smear campaigns.¹⁰ The United Nations Educational, Scientific and Cultural Organization (UNESCO) noted that factors heightening the risk of online attacks include the gender of the journalist and whether the journalist reports on sensitive or polarizing topics, such as COVID-19, elections and protests.¹¹ It further reported that journalists had increased their online presence during the COVID-19 pandemic and that the pandemic had led to an increase in various types of online attacks.¹² In 2019 and 2020, the non-governmental organization Article 19 recorded 588 attacks against journalists in one country, with the vast majority of them, at least 532, occurring in the digital space.¹³ Women journalists are especially affected by attacks in the online sphere.¹⁴ A recent study commissioned by UNESCO on global trends in online violence against women journalists revealed the alarmingly high rate of online attacks against women journalists.¹⁵ Altogether 73 per cent of the more than 900 women journalists surveyed reported experiencing online violence. Other forms of discrimination, such as racism, homophobia and religious bigotry, intersect with sexism and misogyny, which leads to significantly higher rates of online violence against women journalists from minorities or marginalized communities. Reporting on gender issues, politics and elections, including far-right extremist networks, entailed a higher probability of online violence. Reported forms of attacks included threats of sexual assault and physical violence, harassment, misrepresentation, threats to damage professional and personal reputations, hacking and surveillance. The COVID-19 pandemic changed journalists' working conditions, making them more dependent on digital communications services and social media channels. Consequently, women journalists became more exposed to online violence than ever and attacks increased during the pandemic. Twenty per cent of respondents reported suffering offline attacks that were related to online attacks. Another finding in the study was that women journalists identifying as Black, Indigenous, Jewish or Arab experienced the

⁶ International Covenant on Civil and Political Rights, article 19, para. 2.

⁷ [CCPR/C/GC/34](#), para. 12, and [CCPR/C/21/Rev.1/Add.13](#), paras. 6–8.

⁸ See, for example, resolution [44/12](#) of the Human Rights Council.

⁹ United Nations Assistance Mission for Iraq (UNAMI) and Office of the United Nations High Commissioner for Human Rights (OHCHR), “Freedom of expression in the Kurdistan Region of Iraq”, May 2021, p. 13. See also [A/HRC/44/52](#) and the contributions of UNESCO, Article 19, Espacio Público, the International Press Institute, Reporters without Borders and the Netherlands Institute for Human Rights.

¹⁰ Communication IRN 8/2021 (for details of all communications sent and information received under the special procedures, see <https://spcommreports.ohchr.org/Tmsearch/TMDocuments>). See also [A/HRC/46/63](#), para. 54, and the contributions of UNESCO and Reporters without Borders.

¹¹ Contributions of UNESCO, Reporters without Borders, the Ombudsman of Serbia and Free Press Unlimited; see also [A/72/290](#), [A/HRC/38/47](#) and [A/HRC/44/52](#).

¹² Contribution of UNESCO; see also UNESCO, “Journalism, press freedom and COVID-19”.

¹³ Contribution of Article 19.

¹⁴ Contributions of UNESCO, Reporters without Borders and the Ombudsman of Serbia, Free Press Unlimited. See also [A/72/290](#), para. 10, [A/HRC/38/47](#), paras. 12–42, and [A/HRC/44/52](#), paras. 39–52.

¹⁵ Julie Posetti and others, *The Chilling: Global Trends in Online Violence against Women Journalists* (Paris, UNESCO, 2021). See also the contribution of UNESCO.

highest rates of online violence and suffered the most severe effects from it. In many cases, the perpetrators were unknown. However, the survey showed that respondents identified the perpetrators as, reportedly, high-level political leaders, other State agents and political actors. Respondents also highlighted the role of social media companies as enablers of online violence against women, and of partisan media outlets as amplifiers of online violence. Moreover, reporting on disinformation became a trigger for attacks, and misogynistic abuse was used in disinformation campaigns as a tool in an attempt to undercut public trust in fact-based journalism.

7. A 2019 study by the Dutch Association of Journalists resulted in similar findings. Of the 366 women journalists in the country who were interviewed for the study, 50 per cent reported having received threats, being intimidated or experiencing violence in the course of their work. This particularly affected women with children and women who had minority backgrounds. Approximately 30 per cent of such threats had been made online.¹⁶

8. Disinformation also affects the safety of journalists and media freedom. According to UNESCO, disinformation is used either to mislead journalists into sharing inaccurate information or as part of online smear campaigns to discredit or vilify them. Reportedly, attacks of that kind are often networked and coordinated.¹⁷ The Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression reported that smear campaigns against journalists on social media networks had become more pernicious.¹⁸

9. The Special Rapporteur also reported that new digital technologies could aggravate the impact of online attacks against journalists. First, false information is amplified by algorithms and business models that are designed to promote sensational content that keep users engaged on platforms.¹⁹ Second, artificial intelligence technologies are used in the spread of disinformation and to create so-called deepfake videos with sexualized attacks targeted at women journalists.²⁰

10. A number of human rights mechanisms and civil society organizations²¹ have voiced concerns over unlawful surveillance, including of journalists. Some States passed laws providing for excessively broad powers of surveillance without adequate safeguards and oversight to prevent abuse.²² Such laws facilitate unlawful targeted and bulk or mass surveillance, including bulk surveillance of journalists' online activities. UNESCO and civil society organizations have highlighted concerns about the COVID-19 pandemic leading to an increase of online surveillance.²³

11. Some United Nations human rights mechanisms noted the targeted surveillance of journalists by State authorities,²⁴ including against investigative journalists for

¹⁶ Contribution of the Netherlands Institute for Human Rights.

¹⁷ Contribution of UNESCO.

¹⁸ [A/HRC/47/25](#), para. 23.

¹⁹ [A/HRC/47/25](#), para. 16.

²⁰ Contribution of UNESCO.

²¹ Contributions of the Human Rights Institute of the International Bar Association, Article 19, the International Press Institute, Reporters without Borders and Free Press Unlimited.

²² [CCPR/C/NAM/CO/2](#), para. 37, [CCPR/C/KOR/CO/4](#), para. 42, [CCPR/C/FRA/CO/5](#), para. 12, [CCPR/C/NLD/CO/5](#), para. 54, [CCPR/C/TJK/CO/3](#), para. 41, and [CCPR/C/EST/CO/4](#), para. 29. See also European Court of Human Rights, *Big Brother Watch and Others v. the United Kingdom*, applications Nos. 58170/13, 62322/14 and 24960/15, Judgment, 25 May 2021.

²³ United Nations, "COVID-19 and human rights: we are all in this together". See also UNESCO, "Journalism, press freedom and COVID-19", p. 12. See also Freedom House, "Freedom on the Net 2020: The pandemic's digital shadow". See also the contribution of the Human Rights Institute of the International Bar Association.

²⁴ [CCPR/C/PRY/CO/4](#), para. 36.

reporting on alleged crimes and wrongful conduct committed by State authorities.²⁵ In some cases, to conduct surveillance of journalists, States reportedly also used non-State actors, so-called hacker groups,²⁶ and private surveillance technologies permitting computer interference, mobile device hacking, network surveillance, international mobile subscriber identity catchers, deep packet inspection and facial and affect recognition technologies.²⁷

12. Moreover, the Special Rapporteur on the right to freedom of opinion and expression, as well as civil society organizations, documented cyberattacks against independent news sites.²⁸ According to the non-governmental organization Reporters without Borders, the majority of such attacks are so-called distributed denial of service attacks, which paralyse websites, making them inaccessible. Such attacks limit the visibility of journalistic work and access to information.²⁹

13. Human rights mechanisms and civil society organizations reported that online and digital attacks against journalists and media outlets were being carried out with impunity.³⁰ Such reports correspond to the high rate of impunity for offline attacks against journalists³¹ and echo concerns that social media platforms are not taking sufficiently effective measures to prevent and address online attacks.³²

Undue restrictions on the freedom of expression of journalists online

14. Undue restrictions on the dissemination of information are a threat to any safe and enabling online environment for journalists. A number of States passed or proposed to pass laws that unduly restricted the freedom of expression online. United Nations human rights mechanisms noted the adoption of legislation designed to target online expression, such as cybersecurity laws,³³ or laws targeted at the dissemination of false information.³⁴ The Special Rapporteur on the right to freedom of opinion and expression reported that, during the COVID-19 pandemic, the number of laws targeted at the dissemination of false information increased, with 17 States passing some form of legislation targeted at disinformation.³⁵ Other laws unduly restrictive of the freedom of expression, including online, are yet to be repealed. Those include criminal defamation laws.³⁶ In addition, some Human Rights Council special procedure mandate holders expressed concern about laws that give the State excessively broad powers to restrict online freedom of expression or permit disproportionate penalties, in a manner incompatible with human rights law.³⁷

15. The criminal prosecution of journalists for expressions offline and online continued to raise concern. A number of civil society organizations noted the

²⁵ Communication COL 5/2020.

²⁶ CCPR/C/VNM/CO/3, para. 45, subpara. c, and the contribution of Article 19.

²⁷ United Nations High Commissioner for Human Rights, "Use of spyware to surveil journalists and human rights defenders", statement made on 19 July 2021. See also A/HRC/41/35, paras. 7–14, A/HRC/41/CRP.1 (available at <https://ohchr.org>) and the contributions of the Human Rights Institute of the International Bar Association and Reporters without Borders.

²⁸ See, for example, communication BRA 10/2019 and the contribution of Reporters without Borders.

²⁹ Contribution of Reporters without Borders.

³⁰ A/HRC/41/35, paras. 39–45, and A/HRC/44/52, para. 40. See also the contributions by Article 19 and Reporters without Borders.

³¹ United Nations Plan of Action on the Safety of Journalists and the Issue of Impunity, para. 1.3.

³² A/HRC/38/35, para. 27, A/HRC/47/25, para. 65, and A/74/486, paras. 40–41.

³³ Communication NIC 3/2020, CCPR/C/VNM/CO/3, para. 45, CCPR/C/MRT/CO/2, para. 42, and CCPR/C/GIN/CO/3, para. 43.

³⁴ A/HRC/47/25 para. 53.

³⁵ Ibid.

³⁶ CCPR/C/NGA/CO/2, para. 46.

³⁷ A/HRC/47/25, paras. 54–55, and communication QAT 1/2020.

prevalence of the practice.³⁸ In their communications and reports, some United Nations human rights mechanisms identified situations in which legislation restrictive of freedom of expression, such as hate speech legislation,³⁹ counter-terrorism laws,⁴⁰ laws criminalizing the dissemination of so-called false news,⁴¹ as well as certain provisions under criminal law,⁴² are applied excessively broadly or misused against critical commentary and reporting. Since the start of the COVID-19 pandemic, journalists have been arrested and prosecuted for sharing critical information on countries' responses to the crisis.⁴³ The Special Rapporteur on the right to freedom of opinion and expression reported that at least 34 journalists had been arrested on charges related to "fake news" in 2020 alone.⁴⁴ Some of those journalists were charged expressing their views online.⁴⁵

16. According to some Human Rights Council special procedure mandate holders, as well as to civil society organizations and academic sources, journalists are also frequently victims of so-called strategic lawsuits against public participation.⁴⁶ Such lawsuits are often initiated by corporate actors and political figures to silence critical and investigative journalism.⁴⁷ Various legal avenues under domestic law are used, including criminal or civil defamation provisions, tax procedures and hate speech restrictions, to retaliate against certain kinds of reporting.⁴⁸ As the Special Rapporteur on the situation of human rights defenders noted, these forms of frivolous lawsuits lead to personal, emotional and reputational costs, and have financial and social consequences for the affected journalist, which may push them into disengaging from critical reporting.⁴⁹

Other restrictions

17. Some Human Rights Council special procedure mandate holders, as well as the Human Rights Institute of the International Bar Association, noted that States had sought to regulate social media companies and Internet service providers in such a manner that they risked to unduly restrict the dissemination of content.⁵⁰ Some regulations included requirements that technology companies adhere to domestic laws

³⁸ Contributions of Article 19, Human Rights House Foundation, Boat People SOS, the Independent Journalists Association of Vietnam, the Vietnam Coalition against Torture, the Human Rights Institute of the International Bar Association, International Press Institute and Espacio Público.

³⁹ [CCPR/C/NGA/CO/2](#), para. 46, and communications MDV 1/2020 and URY 1/2019.

⁴⁰ Communication TUR 4/2021. See also OHCHR, "Press briefing notes on Belarus", 25 May 2021.

⁴¹ [A/HRC/47/25](#), para. 55.

⁴² Communication TKM 1/2021 and VNM 3/2020.

⁴³ [A/HRC/44/49](#). See also Amnesty International, "COVID-19 crackdowns: police abuse and the global pandemic", 17 December 2020; European Center for Not-for-Profit Law, "Civic space in the era of securitised COVID-19 responses", pp. 11–12; and UNAMI and OHCHR, "Freedom of expression in the Kurdistan Region of Iraq", pp. 10–11.

⁴⁴ [A/HRC/47/25](#), para. 23, and [A/HRC/46/63](#), para. 49.

⁴⁵ Maria Ressa, recipient of the 2021 UNESCO/Guillermo Cano World Press Freedom Prize, is an example. See Julie Posetti and others, *The Chilling*.

⁴⁶ See, for example, [A/HRC/46/35/Add.2](#), paras. 34–36. See also OHCHR, "Thailand: judicial system abused by business to silence human rights defenders – UN experts", 12 March 2020; Council of Europe, *Hands Off Press Freedom: Attacks on Media in Europe Must Not Become a New Normal: Annual Report by the Partner Organisations to the Council of Europe Platform to Promote the Protection of Journalism and Safety of Journalists*, 2020; EU-Citizen, Academic Network on European Citizenship Rights, *Ad Hoc Request: SLAPP in the EU Context*, 29 May 2020, p. 8.

⁴⁷ [A/HRC/46/35/Add.2](#), para. 34.

⁴⁸ See, for example, EU-Citizen, *Ad Hoc Request*.

⁴⁹ [A/HRC/46/35/Add.2](#), paras. 34–36.

⁵⁰ See communications PAK 3/2020 and MMR 1/2021, and the contribution of the Human Rights Institute of the International Bar Association.

in such a manner that it could be contrary to international human rights standards.⁵¹ Some Human Rights Council special procedure mandate holders, as well as the Human Rights Institute of the International Bar Association, also noted that data localization requirements could facilitate the surveillance of online communications and consequently increase the risk of unlawful surveillance.⁵² The Institute referred to laws that granted authority to restrict Internet traffic, including network traffic to websites and platforms to pressure them into compliance with content take-down orders.⁵³

18. As mentioned by some United Nations human rights mechanisms and by civil society organizations, journalists face restrictions on their ability to access and disseminate media content, most notably through content filtering and the blocking of websites,⁵⁴ and the disruption of Internet connectivity (so-called Internet shutdowns). UNESCO, some United Nations human rights mechanisms and civil society organizations noted that Internet shutdowns are often implemented during elections or mass social movements.⁵⁵

19. In that regard, some Human Rights Council special procedure mandate holders, as well as the Special Rapporteur for Freedom of Expression of the Inter-American Commission on Human Rights, highlighted the risks associated with using artificial intelligence to moderate content without meaningful human oversight.⁵⁶ They also highlighted that most companies did not explicitly base content standards on any particular body of law, such as national law or international human rights law,⁵⁷ which had led to accounts of journalists being taken down.⁵⁸ In addition, Governments put pressure on social media companies to remove online content, including by making specific requests or by enacting legislation aimed at encouraging or requiring takedowns contrary to the freedom of expression.⁵⁹ In their reports, civil society organizations suggested that there was a widespread practice of flagging journalistic content as copyright infringements so as to trigger temporary or permanent takedowns by social media companies.⁶⁰

⁵¹ [A/HRC/38/35](#), para. 13, [A/HRC/32/38](#), para. 46, [A/HRC/47/25](#), para. 57, communication MMR 1/2021 and the contribution of the Human Rights Institute of the International Bar Association.

⁵² See, for example, communications PAK 3/2020 and MMR 1/2021, and the contribution of the Human Rights Institute of the International Bar Association.

⁵³ Contribution of the Human Rights Institute of the International Bar Association.

⁵⁴ [A/HRC/41/35/Add.2](#), paras. 23 and 52, [CCPR/C/TJK/CO/3](#), para. 47, [CCPR/C/GNQ/CO/1](#), para. 52, [CCPR/C/NGA/CO/2](#), para. 40, [A/HRC/43/70](#), para. 43, and the contributions of the International Alliance for Peace and Development, Free Press Unlimited, Reporters without Borders and Article 19.

⁵⁵ Communications IRN 16/2019, IRQ 4/2019, SDN 1/2019, IDN 7/2019, IDN 8/2019, RUS 6/2019, MMR 6/2019 and MMR 1/2021. See also [A/HRC/44/49](#), paras. 27–28, [A/HRC/41/41](#), paras. 51–53.

⁵⁶ [A/73/348](#), and [A/HRC/44/49](#), para. 53.

⁵⁷ [A/HRC/38/35](#), para. 24.

⁵⁸ [A/HRC/43/70](#), para. 40.

⁵⁹ Communications TZA 4/2020, OTH 73/2020 and BRA 6/2020.

⁶⁰ See, for example, Access Now, “Warning: repressive regimes are using DMCA takedown demands to censor activists”, 22 October 2020.

III. Initiatives relating to the freedom of expression of journalists online

A. States

20. A number of States reported on constitutional provisions and relevant laws regulating the freedom of expression of journalists, including online.⁶¹ Romania reported the decriminalization of insult and defamation.⁶² Some States also reported having legal frameworks that criminalized violence online.⁶³

21. A number of States reported on measures to protect journalists from violence against them, including online.⁶⁴ Serbia stated that it had established, in December 2020, a working group for the safety and protection of journalists, which is mandated to improve the efficiency of responses to attacks on journalists and to monitor the actions taken to protect their safety.⁶⁵ In 2020, a national mechanism for the safety and defence of journalists was reportedly created in Angola at the initiative of the Angolan union of journalists and other socio-professional associations, in cooperation with United Nations agencies, the African Union and regional actors.⁶⁶

22. A number of States reported on advocacy and awareness-raising.⁶⁷ Greece reported work on the promotion of media literacy, noting that combating gender stereotypes and sexism in the media was one of the strategic objectives of its national action plan on gender equality. As part of an ongoing project entitled “Public debate on gender”, the authorities reportedly supported actions promoting capacity-building for women candidates and media stakeholders participating in public debates in Greece.⁶⁸

23. Some States cooperated with each other and with other stakeholders on the offline and online safety of journalists. In particular, in July 2019, at the Global Conference for Media Freedom, the Media Freedom Coalition was formed. The Coalition is a partnership of States working together to advocate for media freedom online and offline, and the safety of journalists. To date, the global pledge on media freedom,⁶⁹ a written commitment to improve media freedom at the national level and work together at the international level, has been signed by 49 members. The pledge includes references to the threat of unlawful surveillance and manipulation.⁷⁰

24. In December 2020, ministers of foreign affairs and other Government representatives convened at the initiative of the Netherlands on the occasion of the World Press Freedom Conference 2020. The resulting Hague commitment to increase the safety of journalists was signed by more than 50 ministers. Signatories made a number of commitments, among them the commitment to launch independent investigations and prosecutions of all forms of online and offline crimes against journalists.

⁶¹ Contributions of Angola, Benin, Bulgaria, the Gambia, India, Iraq, Italy, Lebanon, Lithuania, Mauritius, Poland, the Russian Federation, Senegal, Spain, Switzerland, Togo and Turkmenistan, and of the Office of the Human Rights Prosecutor of Nicaragua.

⁶² Contribution of Romania.

⁶³ Contributions of Croatia, Lithuania, Romania, Senegal, Spain and Switzerland.

⁶⁴ Contributions of Croatia, El Salvador, India, Italy, Iraq, Poland, the Russian Federation and Spain, and of the National Human Rights Commission of Mexico.

⁶⁵ Contribution of Serbia.

⁶⁶ Contribution of Angola.

⁶⁷ Contributions of Angola, Lithuania and Romania.

⁶⁸ Contribution of Greece.

⁶⁹ Available at www.gov.uk/government/publications/global-pledge-on-media-freedom/global-pledge-on-media-freedom.

⁷⁰ Media Freedom Coalition ministerial communiqué, 16 November 2020. Available at www.canada.ca/en/global-affairs/news/2020/11/media-freedom-coalition-ministerial-communique.html.

B. United Nations

Security Council and General Assembly

25. Since the previous report of the Secretary-General on the safety of journalists was issued, the Security Council⁷¹ and the General Assembly⁷² have addressed the safety of journalists in relation to a number of situations. In particular, the Security Council reiterated that there was an urgent and imperative need to hold accountable all those responsible for violations of international humanitarian law and for violations and abuses of human rights, among them the right to freedom of expression, including against journalists and other media professionals and associated personnel.⁷³

26. In its resolution [75/176](#) on the right to privacy in the digital age, the General Assembly noted with deep concern that, in many countries, persons and organizations engaged in promoting and defending human rights and fundamental freedoms, journalists and other media workers could frequently face threats and harassment and suffer insecurity, as well as unlawful or arbitrary interference with their right to privacy, as a result of their activities.

Human Rights Council and its mechanisms

27. During the reporting period, the Human Rights Council adopted two resolutions on the safety of journalists, namely resolutions [39/6](#) and [45/18](#). In resolution [45/18](#), the Council emphasized the particular risks to the safety of journalists in the digital age, including the particular vulnerability of journalists to becoming targets of unlawful or arbitrary surveillance and/or the interception of communications, hacking, including government-sponsored hacking, and denial of service attacks to force the shutdown of particular media websites or services, in violation of their rights to privacy and to freedom of expression. In the same resolution, the Council emphasized that encryption and anonymity tools had become vital for many journalists to exercise freely their work and their enjoyment of human rights.

28. In its resolution [44/12](#) on freedom of opinion and expression, the Human Rights Council called on States to refrain from practices such as the use of Internet shutdowns to intentionally and arbitrarily prevent or disrupt access to or the dissemination of information online.

29. The issue of freedom of expression and the safety of journalists online has increasingly been raised explicitly in the context of the universal periodic review. Recommendations issued to some States during the reporting period concerned the need to ensure the freedom of expression online and offline, end practices of filtering online content and blocking Internet access, guarantee the freedom of the media online, amend or repeal legislation that restricts online expression, ensure the online safety of journalists by investigating and prosecuting online attacks, including gender-based violence, and combat online violence in general.⁷⁴

30. Violations of the rights of journalists operating online were documented by international commissions of inquiry and fact-finding missions mandated by the

⁷¹ Security Council resolutions [2488 \(2019\)](#), para. 2, subpara. e, [2498 \(2019\)](#), para. 19, subpara. c, [2507 \(2020\)](#), para. 1, subpara. e, [2514 \(2020\)](#), [2536 \(2020\)](#), para. 1, subpara. e, [2540 \(2020\)](#), paras. 7–8, [2551 \(2020\)](#), para. 19, subpara. c, [2567 \(2021\)](#), [2576 \(2021\)](#) and [2577 \(2021\)](#).

⁷² General Assembly resolutions [74/9](#), paras. 34 and 36, [74/89](#), para. 9, [74/167](#), para. 16, [74/168](#), para. 6, subpara. l, [74/169](#), paras. 11–12, [74/246](#), para. 8, subpara. i, [75/90](#), paras. 29–31, [75/98](#), para. 9, [75/191](#), paras. 16 and 19, [75/192](#), para. 6, subparas. d and m–o, [75/193](#), paras. 11, 12 and 48, and [75/238](#), paras. 1, 5 and 8, subpara. f.

⁷³ Security Council resolution [2540 \(2020\)](#), para. 8.

⁷⁴ See [A/HRC/43/6](#), [A/HRC/43/8](#), [A/HRC/43/10](#), [A/HRC/43/12](#), [A/HRC/43/14](#), [A/HRC/43/16](#), [A/HRC/44/4](#), [A/HRC/44/6](#), [A/HRC/44/14](#), [A/HRC/43/17](#) and [A/HRC/44/17/Add.1](#).

Human Rights Council. The Group of Eminent International and Regional Experts on Yemen, for example, documented violations against a media campaigner who had been active online in denouncing human rights violations. The campaigner was arbitrarily arrested and detained, and eventually charged before a military court.⁷⁵ The Independent International Commission of Inquiry on the Syrian Arab Republic reported that members of armed groups had threatened a journalist in relation to information she had published online which contained criticism of the provision of services and other issues in Idlib for which she believed the group bore responsibility.⁷⁶

31. In the reporting period, several Human Rights Council special procedure mandate holders raised the question of safety of journalists in communications to States and non-State actors, including on alleged human rights violations and legislative developments relevant to the protection of freedom of expression.⁷⁷ Some special procedure mandate holders voiced concern over the compatibility of domestic legislation, including laws on hate speech,⁷⁸ cybercrimes⁷⁹ and the protection of national security with the right to freedom of expression.⁸⁰ They highlighted the chilling effect that strategic lawsuits against public participation had on journalists and others and called on States to protect them against such measures.⁸¹

32. The Special Rapporteur on the right to freedom of opinion and expression condemned laws granting broad powers to block websites or access to content online,⁸² raised concerns about the targeted surveillance of journalists and about the impact of mass and targeted surveillance on the freedom of expression in general, and on journalism in particular.⁸³

33. Some special procedure mandate holders stressed that companies, including social media platforms, search engine companies and Internet service providers, were expected to respect the Guiding Principles on Business and Human Rights.⁸⁴ That extended to the application of international law standards to the moderation of content and in the curation of content.⁸⁵

34. The Special Rapporteur on violence against women, its causes and consequences addressed the issue of online violence against women and girls, including women journalists.⁸⁶ She recommended that States recognize online

⁷⁵ A/HRC/45/CRP.7. Available at <https://ohchr.org>.

⁷⁶ A/HRC/43/57.

⁷⁷ Communications DZA 5/2018, RUS 23/2018, CAF 1/2018, MAR 1/2019, EGY 1/2019, SDN 1/2019, PAK 2/2019, VNM 2/2019, IRN 6/2019, MAR 4/2019, MAR 4/2020, HTI 4/2019, BDI 1/2020, DJI 1/2019, FRA 4/2020, FRA 5/2020, MLI 1/2021, CUB 5/2019, CUB 7/2019, ECU 16/2019, MEX 2/2020, COL 5/2020, VEN 1/2020, VEN 4/2020, PER 5/2020, IND 16/2019, IND 1/2020, IND 8/2020, IND 22/2020, BLR 4/2020, BLR 1/2021, EGY 6/2020, EGY 19/2020, MMR 10/2020, MMR 1/2021, PAK 13/2020, PAK 2/2021, VNM 4/2019, VNM 5/2019, VNM 3/2020, VNM 4/2020, IRN 17/2019, IRN 4/2020, IRN 8/2021, BRA 10/2019, BRA 1/2020, JPN 3/2019, IDN 7/2019, LBY 2/2019, IRQ 4/2019, IRQ 6/2019, IRQ 3/2020, IRQ 8/2020, UKR 1/2020, USA 1/2020, USA 2/2020, SSD 1/2020, TZA 1/2020, BGD 2/2020, ETH 1/2020, ZAF 1/2020, LKA 5/2020, BOL 3/2020, CMR 4/2020, TKM 1/2021, TUR 4/2021, TUR 5/2021, NLD 2/2021, SYR 1/2021, AFG 1/2021, MDV 1/2020, THA 3/2020, CHN 2/2020, OTH 43/2019, OTH 52/2019, OTH 55/2019, OTH 2/2020, OTH 10/2020 and OTH 66/2020.

⁷⁸ A/HRC/44/49/Add.1, paras. 32–33, and A/74/486, paras. 32 and 34.

⁷⁹ Communication NIC 3/2020.

⁸⁰ Communication SAU 12/2020.

⁸¹ A/HRC/46/35/Add.2, paras. 34–36 and para. 80, subpara. b.

⁸² A/HRC/41/35/Add.2, paras. 23 and 26, and A/HRC/41/41, paras. 41–42.

⁸³ Communication COL 5/2020, and A/HRC/41/35, para. 66.

⁸⁴ See, for example, communications OTH 24/2019, OTH 60/2019, OTH 2/2020 and OTH 37/2020.

⁸⁵ See communication OTH 24/2019, and A/HRC/47/25, para. 63.

⁸⁶ See A/HRC/38/47 and A/HRC/44/52.

violence against women and violence against women facilitated by information and communications technology as a human rights violation and a form of discrimination and gender-based violence,⁸⁷ and to prohibit and criminalize such violence.⁸⁸ The Special Rapporteur urged States to encourage the reporting of harassment or violence, remove any statute of limitations for its prosecution, and provide adequate reparations and compensation for victims. She recommended that States take a variety of measures to address the causes of gender-based violence and prevent it.⁸⁹

35. On the topic of artificial intelligence, particularly its use in the curation of content, the Special Rapporteur on the right to freedom of opinion and expression recommended that companies review their business models in order to ensure compatibility with international human rights law.⁹⁰

Human rights treaty bodies

36. In their concluding observations on the periodic reports of States parties, most treaty bodies raised concerns about and made recommendations on the safety of journalists, including online. The Human Rights Committee addressed media freedom and the situation of journalists, including online both in its concluding observations⁹¹ and in its views concerning individual communications.⁹² Other committees also addressed the situation of journalists in their concluding observations, such as the Committee on Economic, Social and Cultural Rights,⁹³ the Committee on the Elimination of Discrimination against Women,⁹⁴ the Committee against Torture,⁹⁵ the Committee on the Elimination of Racial Discrimination,⁹⁶ and the Committee on the Rights of Persons with Disabilities.⁹⁷

37. In particular, the Human Rights Committee called on States to ensure the effective protection of independent journalists against any action that may constitute harassment, persecution or undue interference in the exercise of their professional activities or of their right to freedom of opinion and expression, to ensure that such acts were thoroughly and independently investigated, prosecuted and sanctioned and that victims were provided with effective remedies.⁹⁸

38. Some Treaty bodies repeatedly called on States to amend legislation incompatible with the freedom of expression, raised concern about the prosecution and punishment of journalists, and urged States to provide effective remedies for victims and take measures to prevent the recurrence of the violation.⁹⁹ The Human

⁸⁷ [A/HRC/38/47](#), para. 93.

⁸⁸ [A/HRC/44/52](#), para. 93, subpara. d.

⁸⁹ [A/HRC/44/52](#), para. 93.

⁹⁰ [A/HRC/47/25](#), para. 95.

⁹¹ [CCPR/C/UZB/CO/5](#), [CCPR/C/CAF/CO/3](#), [CCPR/C/TUN/CO/6](#), [CCPR/C/SEN/CO/5](#), [CCPR/C/CZE/CO/4](#), [CCPR/C/MEX/CO/6](#), [CCPR/C/NGA/CO/2](#), [CCPR/C/MRT/CO/2](#), [CCPR/C/TJK/CO/3](#), [CCPR/C/GNQ/CO/1](#) and [CCPR/C/PRY/CO/4](#).

⁹² [CCPR/C/126/D/2307/2013](#), [CCPR/C/127/D/3067/2017](#), [CCPR/C/129/D/2520/2015](#), [CCPR/C/129/D/2535/2015](#) and [CCPR/C/127/D/2431/2014](#).

⁹³ [E/C.12/UKR/CO/7](#).

⁹⁴ [CEDAW/C/BIH/CO/6](#).

⁹⁵ [CAT/C/UZB/CO/5](#), [CAT/C/NER/CO/1](#), [CAT/C/BGD/CO/1](#) and [CAT/C/MEX/CO/7](#).

⁹⁶ [CERD/C/PSE/CO/1-2](#) and [CERD/C/MEX/CO/18-21](#).

⁹⁷ [CRPD/C/ECU/CO/2-3](#).

⁹⁸ [CCPR/C/UZB/CO/5](#), para. 45, subpara. b, and [CCPR/C/GC/34](#), para. 23.

⁹⁹ [CCPR/C/UZB/CO/5](#), para. 45, [CCPR/C/CAF/CO/3](#), para. 36, [CCPR/C/TUN/CO/6](#), para. 46, [CCPR/C/SEN/CO/5](#), para. 45, [CCPR/C/CZE/CO/4](#), paras. 34 and 37, [CCPR/C/MEX/CO/6](#), para. 43, [CCPR/C/NGA/CO/2](#), para. 45, [CCPR/C/MRT/CO/2](#), para. 43, [CCPR/C/GNQ/CO/1](#), paras. 51 and 53, [CCPR/C/TJK/CO/3](#), para. 48.

Rights Committee expressed concern about the blocking of websites and urged States to refrain from the practice,¹⁰⁰ as well as from restricting Internet connectivity.¹⁰¹

United Nations departments, agencies, funds and programmes

39. In September 2020, the United Nations Joint Human Rights Office in the Democratic Republic of the Congo and the country's Council for Audiovisual Media and Communications jointly hosted a round table on the emergence of new media. The Office also continued to advocate for the decriminalization of press offences and for the establishment of a more protective legislative framework for journalists in accordance with international human rights law.

40. On the topic of capacity-building, in 2019, OHCHR conducted an assessment of the mechanism for the protection of human rights defenders and journalists in Mexico, which included the issue of the safety of journalists online.¹⁰² Following the assessment, the mechanism initiated with the support of Ireland a process to strengthen its capacity to counter digital attacks.¹⁰³ From December 2020 to September 2021, OHCHR co-organized, with UN-Women and in partnership with UNESCO, a 12-session training series entitled "Enhanced protection of women journalists and advance women's human rights in the context of shrinking democratic space in Asia". The aim of the series was to enhance the capacity of women journalists and media workers to investigate and report on gender-related issues, identify issues concerning the narrowing of democratic space and its impact on women journalists, and enhance self-protection assessments, including in the area of online and digital security. In December 2020, ahead of the elections in Chad and the Niger, OHCHR held workshops for journalists, among them workshops on online freedom of expression.

41. OHCHR and UNESCO continued to provide support to the monitoring unit of the Tunisian national union for journalists, the aim of which is to develop a national database on cases of violations of the safety of journalists based on quantitative and qualitative indicators. During the reporting period, the monitoring unit continued to record restrictions on media websites and threats to and attacks on journalists in the digital space. It also monitored cases in which Internet content was blocked or filtered, and prosecutions of journalists exercising their freedom of expression online. In particular, the monitoring unit developed national indicators of impunity for crimes and offences committed against journalists and made them publicly available on a monthly basis.

42. In 2019, the Executive Board of UNESCO invited the Director-General of UNESCO to prioritize activities to address the specific threats to the safety of women journalists, both online and offline, as well as new and emerging threats to the safety of journalists. UNESCO also implemented projects to promote the digital safety of journalists and to provide support to journalists to improve the way in which they cope with challenges in the digital sphere. It enhanced its capacity-building activities on these issues through the development of a massive open online course on ways to report on issues related to Internet and technology, in partnership with the Knight Centre for Journalism in the Americas of the University of Texas. UNESCO held several webinars and issued guidelines on the role of judicial operators in the protection and promotion of the rights to freedom of expression, access to information and privacy in relation to the COVID-19 pandemic.

¹⁰⁰ See, for example, [CCPR/C/TJK/CO/3](#), para. 47, subpara. d, and [CCPR/C/GC/34](#), para. 43.

¹⁰¹ [CCPR/C/GC/37](#), para. 34.

¹⁰² OHCHR, *Diagnóstico sobre el Funcionamiento del Mecanismo* (Mexico, July 2019).

¹⁰³ See Embassy of Ireland in Mexico, "Lanzamiento del Fondo de Cooperación Irlanda-México para los Derechos Humanos 2020", 16 June 2020.

43. UNESCO scaled up its activities to promote the safety of women journalists. It did so by, among other things, launching a major research project on online violence against women journalists. In partnership with the International Women's Media Foundation and the Knight Centre, UNESCO developed a training module on the safety of women journalists. Furthermore, UNESCO developed guidelines on ways to integrate a gender-sensitive and gender-responsive approach into the safety policies and practices of media organizations. Those guidelines also covered digital safety. UNESCO continued to raise awareness, including by launching a campaign on International Women's Day, 8 March 2021, to address online violence against women journalists.

C. Regional organizations

44. At its sixty-fifth ordinary session, held in Banjul from 21 October to 10 November 2019, the African Commission on Human and Peoples' Rights adopted a declaration of principles on freedom of expression and access to information in Africa. In the declaration, the Commission affirmed the importance of protecting the freedom of expression from online and offline interference, and laid down that the right to express oneself through journalism must not be subject to undue legal restrictions. According to the declaration, States must guarantee the safety of journalists and other media practitioners, take measures to prevent attacks on them and take specific measures to ensure the safety of female journalists and media practitioners by addressing gender-specific safety concerns. On 25 June 2020, the Court of Justice of the Economic Community of West African States issued an important judgment¹⁰⁴ in which it recognized Internet access as a derivative right that it is a component of the exercise of the right to freedom of expression¹⁰⁵ and that, in the case at hand, shutting down the Internet had constituted a violation of the freedom of expression.¹⁰⁶

45. In its resolution 1/2020 on the pandemic and human rights in the Americas, the Inter-American Commission on Human Rights offered a series of recommendations to the States members of the Organization of American States:¹⁰⁷ States should, inter alia, refrain from bringing civil or criminal actions against journalists because of their opinions, from detaining journalists on the basis of overly broad or ambiguous criminal charges, and from exposing them to the risk of being attacked, in person or online.¹⁰⁸ States should honour the prohibition on prior censorship and refrain from the total or partial blocking of media sites, platforms and private Internet accounts, ensure the broadest possible access to the Internet and develop affirmative measures to quickly close the digital divide that is facing vulnerable, lower-income groups.

46. In 2019, the Special Rapporteur for Freedom of Expression of the Inter-American Commission on Human Rights published guidance on guaranteeing the freedom of expression in respect of deliberate disinformation in electoral contexts. The guidance contained a specific recommendation to the executive branch of Governments to protect journalists and social communicators from violence, and highlighted the special obligations of protection, prevention, and investigation that

¹⁰⁴ Court of Justice of the Economic Community of West African States, *Amnesty International Togo and others v The Togolese Republic*, ECW/CCJ/JUD/09/20, Judgment, 25 June 2020.

¹⁰⁵ *Ibid.*, para. 38.

¹⁰⁶ *Ibid.*, para. 45.

¹⁰⁷ Inter-American Commission on Human Rights, *Pandemic and Human Rights in the Americas*, resolution 1/2020, 10 April 2020. Available at <https://www.oas.org/en/IACHR/jsForm/?File=/en/iachr/decisions/resolutions.asp>.

¹⁰⁸ *Ibid.*, para. 30.

weigh on the state authorities in the fight against violence against journalists and social communicators.¹⁰⁹

47. On 2 November 2020, to mark the International Day to End Impunity for Crimes against Journalists, the Office of the Representative on Freedom of the Media of the Organization for Security and Cooperation in Europe launched *Safety of Female Journalists Online: A #SOFJO Resource Guide*. The guide contained proposals for action that key stakeholder groups could take to address online gender-based abuse of journalists.

48. In January 2020, the Parliamentary Assembly of the Council of Europe adopted a resolution entitled “Threats to media freedom and journalists’ security in Europe”, in which the Assembly called on member States to review their legislation and to take national measures to protect journalists. In June 2021, the Council’s Conference of Ministers responsible for media and information society convened under the theme “Artificial intelligence, intelligent politics: challenges and opportunities for media and democracy”. The Conference issued a final declaration in which it adopted resolutions on the freedom of expression and digital technologies, the safety of journalists, the changing media and information environment, and the impact of the COVID-19 pandemic on the freedom of expression.

49. The European Court of Human Rights monitors compliance with the European Convention on Human Rights by its high contracting parties. In 2019 and 2020 alone, the Court found that violations of the right to freedom of expression had occurred in 148 cases before it, including cases relating to journalists.¹¹⁰

50. The European Commission launched a proposal for a recommendation on ensuring the safety of journalists in the European Union, including online. The purpose of the proposed recommendation was to set out a targeted approach to countering the most worrying recent trends with regard to the safety of journalists. The Commission also launched a proposal known as the Digital Services Act, which was pending in the European Parliament at the time of drafting the present report.¹¹¹

D. Civil society

51. In their contributions, civil society organizations outlined policies and initiatives currently being implemented to address safety online. Reporters without Borders indicated that it was leading the International Initiative on Information and Democracy, which was aimed at bringing democratic safeguards to the global space of information and communication. Altogether 42 States have signed the International Partnership for Information and Democracy, thus committing to upholding democratic principles for the information and communication space. The principles were further developed and their implementation facilitated by the Forum on Information and Democracy, which was founded by civil society and research organizations. The Forum publishes concrete recommendations to States, platforms and other stakeholders on specific issues that affect the public debate and democracy.

¹⁰⁹ Office of the Special Rapporteur for Freedom of Expression of the Inter-American Commission on Human Rights, the Department of Electoral Cooperation and Observation, and the Department of International Law of the General Secretariat of the Organization of American States, *Guide to Guarantee Freedom of Expression Regarding Deliberate Disinformation in Electoral Contexts*, October 2019, pp. 35–36.

¹¹⁰ Council of Europe, “Safety of journalists”, document SG/Inf(2021)2. Available at <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=0900001680a15116>.

¹¹¹ European Commission, “Proposal for a regulation of the European Parliament and of the Council on a single market for digital services (Digital Services Act) and amending Directive 2000/31/EC”, document COM(2020) 825 final.

Reporters without Borders further set up the Justice for Journalists task force with the aim of addressing impunity for crimes against journalists through strategic litigation.¹¹²

52. Free Press Unlimited and Greenhost reportedly developed Totem, an online platform for journalists and activists to learn more about digital safety and privacy tools, including how to apply tools and tactics for digital safety and privacy in their work. Free Press Unlimited offered nine courses in five languages.¹¹³

IV. Strengthening the safety and protection of journalists online

53. The present section outlines measures that could be taken to strengthen the safety of journalists online. They are based on a review of State practice and relevant work done by international, regional and national organizations and civil society. All require a gender-sensitive approach and meaningful participation on the part of various constituencies in their development is essential.

Sustained political commitment

54. Unequivocal and sustained political will and efforts are needed to improve the safety of journalists online and offline, as well as address the persistent impunity for violations. In recognition of the importance of access to information and independent journalism for development and peace, States should express clear commitments to ensuring a safe and enabling environment for journalists and other civil society actors. For journalism to thrive in the digital age, it is essential that States, in their attempts to regulate, commit to maintaining an online sphere conducive to free expression and the exchange of ideas, regardless of frontiers, and to ensuring a safe Internet on which human rights are respected and space is made for a plurality of voices.

55. It is essential that political leaders and public officials refrain from attacking, threatening or harassing journalists, and from silencing critical reporting. Any form of attack against, surveillance of and undue prosecution of journalists expressing themselves online and offline, should be condemned at the highest levels of government.

56. To facilitate journalistic work and prevent violations of the rights of media workers, States should strengthen the capacity of lawmakers, law enforcement and the judiciary to implement international law obligations by taking appropriate preventive, protective and accountability measures. As laws and policies are developed and implemented, it is crucial to ensure that civil society actors, in particular the media community, participate and influence decision-making.

Effective legal protection and protection mechanisms

57. Effective laws and measures have to be put in place by States to prevent attacks aimed at silencing those exercising their right to freedom of expression online, including journalists. When responding to online threats, States must refrain from adopting instruments that restrict the freedom of expression and privacy or bypass independent courts to review any decisions relating to online content. Protection mechanisms must fully integrate the online space into their strategies and address the specific needs of people of different risk profiles.

58. States should refrain from adopting laws that can negatively affect journalism and the freedom of expression. Legislation criminalizing or unduly restricting journalists' freedom of expression online and offline must be promptly repealed and

¹¹² Contribution of Reporters without Borders.

¹¹³ Contribution of Free Press Unlimited.

should not be used pending their repeal. If State regulation requires private social media companies to interfere with online content, applicable laws and regulations must be legal, necessary, proportional and non-discriminatory. Likewise, statutory offences should meet the principles of legality and legal certainty to ensure that lawful expression is not criminalized. Transparency on the part of States and companies is a crucial element in ensuring accountability. As the General Assembly has stressed, States should not interfere with the use of digital technologies and ensure that any restrictions on encryption and anonymity comply with obligations under international human rights law.¹¹⁴

Accountability

59. Ensuring accountability for human rights violations against journalists online and offline is essential to expose such violations, bring redress to the victims and prevent future violations. Alleged violations must be investigated promptly, effectively, impartially, thoroughly and transparently, and those responsible must be held accountable. Law enforcement personnel and the judiciary should be trained in the particularities of online threats against and harassment of journalists, with particular attention paid to women journalists; they should also be trained in ways to effectively address such attacks. This is important because offline attacks are often related to online attacks.

60. Effective solutions to online attacks require a strong commitment to transparency on the part of States and social media platforms. States need to ensure that their legal frameworks provide for effective, gender-sensitive, accessible and effective remedies. Journalists should be empowered to claim their rights without being placed at further risk. National protection mechanisms should be equipped to cover the digital space and cater for the specific needs of women, minority and other categories of journalists. States should support civil society efforts to monitor trends on online civic space.

61. In line with the Guiding Principles on Business and Human Rights, endorsed by the Human Rights Council in its resolution 17/4, private companies have a responsibility to respect human rights and should seek to prevent or mitigate any adverse impact on human rights directly linked to their operations, products or services. Given their impact on human rights, social media companies must invest in consistent transparency-related reporting with a view to informing the public and the media in a timely manner about content restrictions requested by States and about organized hostile operations. Social media companies should have effective remedy processes in order to guarantee accountability. They must also establish regular lines of contact with journalists and media at the local level to enable a more effective channelling of concerns.

Awareness-raising

62. Awareness must be raised among and within Governments, law enforcement and security agencies, the judiciary, media professionals, social media corporations, educational institutions and the general public of the online and offline safety of journalists, the online freedom of expression and the critical role of women journalists in the digital space.

Improving protection and self-protection

63. Media organizations, social media companies and civil society can play an important role in facilitating and advising journalists on measures they can take to

¹¹⁴ General Assembly resolution 74/157, para. 15.

increase their security online.¹¹⁵ Such measures may include the use of encryption and anonymity tools, which have become a vital to the free exercise of the profession for many journalists.

64. In collaboration with civil society, academic experts and companies, States should regularly conduct assessments on the risks faced by journalists online and offline. Justice systems remain the cornerstones of efforts to ensure effective protection.

V. Conclusions and recommendations

65. Digital technology offers opportunities and presents risks to journalists. The General Assembly has acknowledged particular risks with regard to the safety of journalists in the digital age. Relevant actors at the international, regional and national levels have begun to address the safety of journalists online and there is wide scope for more to be done, in particular with respect to women journalists.

66. States, civil society actors and private companies are encouraged to take the range of measures outlined in section V of the present report to strengthen the safety of journalists online. Those measures draw attention to the need for sustained political commitments, for effective transparency, better monitoring, preventive and protective measures, increased accountability and awareness-raising, and for enhancing the capacity of journalists to protect themselves in the digital landscape.

67. In particular, States that have not done so should put in place effective laws and policies that establish a protective framework for journalists carrying out their work that includes an express recognition of the protection of online expression and protection from attacks aimed at silencing those exercising their right to freedom of expression online or offline. The application of legislation regulating media activities online should not infringe on the due exercise of human rights. Legislation unlawfully criminalizing or unduly restricting online and offline expression by journalists must be promptly repealed or amended.

68. When developing measures to address the safety of journalists online, States are encouraged to take a gender-sensitive approach and to ensure meaningful and inclusive participation in their development and implementation, including by, but not limited to, women, youth and minorities.

¹¹⁵ General Assembly resolution [74/157](#), para. 16.