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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

Argentina, Armenia, Austria, Belgium, Bulgaria, Chile, Costa Rica, Côte d'Ivoire, Cyprus, Czechia, Denmark, Estonia, Finland, France, Germany, Greece, Honduras, Iceland, Ireland, Italy, Lebanon, Liechtenstein, Lithuania, Malta, Netherlands, Portugal, Republic of Moldova, Romania, Slovakia, Slovenia, Sweden, Switzerland, Tunisia and United Kingdom of Great Britain and Northern Ireland: draft resolution

The safety of journalists and the issue of impunity

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming the Universal Declaration of Human Rights,¹ and recalling relevant international human rights treaties, including the International Covenant on Civil and Political Rights² and the International Convention for the Protection of All Persons from Enforced Disappearance,³ as well as the Geneva Conventions of 12 August 1949⁴ and the Additional Protocols thereto,⁵

Recalling its previous resolutions on the safety of journalists and the issue of impunity, including resolution [68/163](#) of 18 December 2013, in which it proclaimed 2 November as the International Day to End Impunity for Crimes against Journalists, and resolutions [69/185](#) of 18 December 2014, [70/162](#) of 17 December 2015, [72/175](#) of 19 December 2017 and [74/157](#) of 18 December 2019,

Welcoming the latest report of the Secretary-General on the safety of journalists and the issue of impunity, the current situation and the actions undertaken so far in relation thereto,⁶

¹ Resolution [217 A \(III\)](#).

² See resolution [2200 A \(XXI\)](#), annex.

³ United Nations, *Treaty Series*, vol. 2716, No. 48088.

⁴ Ibid., vol. 75, Nos. 970–973.

⁵ Ibid., vol. 1125, Nos. 17512 and 17513.

⁶ [A/76/285](#).



Taking note with appreciation of the United Nations Plan of Action on the Safety of Journalists and the Issue of Impunity, endorsed by the United Nations System Chief Executives Board for Coordination on 12 April 2012, in which United Nations agencies, funds and programmes were invited to work with Member States towards a free and safe environment for journalists and media workers in both conflict and non-conflict situations, with a view to strengthening peace, democracy and development worldwide,

Recalling Human Rights Council resolutions [21/12](#) of 27 September 2012,⁷ [27/5](#) of 25 September 2014,⁸ [33/2](#) of 29 September 2016,⁹ [39/6](#) of 27 September 2018¹⁰ and [45/18](#) of 6 October 2020¹¹ on the safety of journalists, [32/13](#) of 1 July 2016 on the promotion, protection and enjoyment of human rights on the Internet,¹² [34/7](#) of 23 March 2017 on the right to privacy in the digital age¹³ and [27/12](#) of 25 September 2014 on the World Programme for Human Rights Education, Security Council resolutions [1325 \(2000\)](#) of 31 October 2000, [1738 \(2006\)](#) of 23 December 2006 and [2222 \(2015\)](#) of 27 May 2015, and Economic and Social Council resolution [2021/7](#) of 8 June 2021 on mainstreaming a gender perspective into all policies and programmes in the United Nations system,

Taking note with appreciation of the 2020 report of the Director-General of the United Nations Educational, Scientific and Cultural Organization on the safety of journalists and the danger of impunity, as well as the Hague Commitment to Increase the Safety of Journalists and the Windhoek+30 Declaration,

Recalling all other relevant reports of the Secretary-General, the Office of the United Nations High Commissioner for Human Rights and special procedures of the Human Rights Council on the safety of journalists, as well as the most recent report of the Secretary-General on women and peace and security,¹⁴

Commending the role and the activities of the Office of the High Commissioner and the United Nations Educational, Scientific and Cultural Organization with regard to the safety of journalists and the issue of impunity, including their collaboration to strengthen implementation of the United Nations Plan of Action on the Safety of Journalists and the Issue of Impunity, and their facilitation of the commemoration of the International Day to End Impunity for Crimes against Journalists on 2 November, in consultation with relevant entities within the United Nations system, Governments and relevant stakeholders, recalling the outcome of the multi-stakeholder consultation on strengthening the implementation of the United Nations Plan of Action on the Safety of Journalists and the Issue of Impunity, and taking note of the opportunity to further foster the implementation of the Plan on the occasion of its tenth anniversary in 2022,

Acknowledging that the promotion and protection of human rights and the implementation of the 2030 Agenda for Sustainable Development¹⁵ are interrelated and mutually reinforcing, and that, in accordance with target 16.10 of the Sustainable Development Goals, all States are to ensure public access to information and to

⁷ See *Official Records of the General Assembly, Sixty-seventh Session, Supplement No. 53A (A/67/53/Add.1)*, chap. III.

⁸ *Ibid.*, *Sixty-ninth Session, Supplement No. 53A and corrigenda (A/69/53/Add.1, A/69/53/Add.1/Corr.1 and A/69/53/Add.1/Corr.2)*, chap. IV, sect. A.

⁹ *Ibid.*, *Seventy-first Session, Supplement No. 53A and corrigendum (A/71/53/Add.1 and A/71/53/Add.1/Corr.1)*, chap. II.

¹⁰ *Ibid.*, *Seventy-third Session, Supplement No. 53A (A/73/53/Add.1)*, chap. III.

¹¹ *Ibid.*, *Seventy-fourth Session, Supplement No. 53A (A/74/53/Add.1)*, chap. III.

¹² *Ibid.*, *Seventy-first Session, Supplement No. 53 (A/71/53)*, chap. V, sect. A.

¹³ *Ibid.*, *Seventy-second Session, Supplement No. 53 (A/72/53)*, chap. IV, sect. A.

¹⁴ [S/2021/827](#).

¹⁵ Resolution [70/1](#).

protect human rights and fundamental freedoms, in accordance with national legislation and international agreements,

Mindful that the right to freedom of opinion and expression is a human right guaranteed to all, in accordance with article 19 of the Universal Declaration of Human Rights and of the International Covenant on Civil and Political Rights, and that it constitutes one of the essential foundations of a democratic society and one of the basic conditions for its progress and development,

Acknowledging that journalism is continuously evolving to include input from media institutions, private individuals and a range of organizations that seek, receive and impart information and ideas of all kinds, online as well as offline, in the exercise of freedom of opinion and expression, in accordance with article 19 of the International Covenant on Civil and Political Rights, thereby contributing to the shaping of public debate,

Recognizing the importance of freedom of expression and of free, independent, plural and diverse media and access to information, online as well as offline, in building inclusive and peaceful knowledge societies and democracies and in fostering intercultural dialogue, peace and good governance, as well as understanding and cooperation,

Recognizing also the importance of public trust in and the credibility of journalism, in particular the challenges of maintaining media professionalism in an environment where new forms of media are constantly evolving and where targeted disinformation and smear campaigns to discredit the work of journalists are increasing,

Recognizing further that the work of journalists often puts them and their family members at specific risk of intimidation, threats, harassment and violence, which often deters journalists from continuing their work or encourages self-censorship, consequently depriving society of important information,

Noting the good practices of different countries aimed at the protection of journalists, as well as, inter alia, those designed for the protection of human rights defenders, that can, where applicable, be relevant to the protection of journalists,

Urging States to do their utmost to prevent violence, intimidation, threats and attacks against journalists and media workers, including by supporting capacity-building, training and awareness-raising in the judiciary and among law enforcement officers and military and security personnel, as well as among media organizations, journalists and civil society, regarding States' international human rights and international humanitarian law obligations and commitments relating to the safety of journalists,

Recognizing the efforts by States to review and, where necessary, amend laws, policies and practices that limit the ability of journalists to perform their work independently and without undue interference and to bring them fully in line with their obligations under international law,

Emphasizing the role of international cooperation in support of national efforts to prevent attacks and violence against journalists and in raising the capacities of States in the field of human rights, including in preventing attacks and violence against journalists, including through the provision of technical assistance, upon the request of and in accordance with the priorities set by the States concerned,

Recognizing that the number of people whose lives are influenced by the way information is presented is significant and that journalism influences public opinion,

Recognizing also the crucial role of journalists and media workers in the context of elections, including informing the public about candidates, their platforms and ongoing debates, and expressing serious concern that attacks against journalists and media workers increase during election periods,

Expressing serious concern at attacks and violence against journalists and media workers in situations of armed conflict, and recalling in this regard that journalists and media workers engaged in dangerous professional missions in areas of armed conflict shall be considered civilians and shall be protected as such, provided that they take no action adversely affecting their status as civilians,

Bearing in mind that impunity for attacks against journalists remains one of the greatest challenges to the safety of journalists and that ensuring accountability for crimes committed against journalists is a key element in preventing future attacks,

Alarmed at acts of intimidation and reprisal directed against foreign journalists and media workers, especially by political leaders, public officials and/or authorities through, inter alia, the arbitrary and unwarranted denial of accreditation or visas in connection with their journalistic work,

Recognizing the important role that national human rights institutions, where they exist, can play in promoting and protecting human rights, including the right to freedom of opinion and expression, and in addressing human rights violations and abuses against journalists through monitoring, educating and awareness-raising activities, as well as through the examination of complaints, and recognizing further that national mechanisms for reporting and follow-up can contribute to the prevention of human rights violations and abuses against journalists,

Deeply concerned by all human rights violations and abuses committed in relation to the safety of journalists and media workers as a direct result of their profession, including killing, torture, enforced disappearance, arbitrary arrest and arbitrary detention, expulsion, physical and sexual violence, as well as intimidation, harassment, online and offline threats and other forms of violence of all kinds, including by the targeting of their family members or arbitrarily raiding and searching their residence, which often deters journalists from continuing their work or encourages self-censorship, consequently depriving society of important information,

Equally concerned about incidences of extraterritorial targeting of journalists and media workers, including harassment, surveillance and arbitrary deprivation of life,

Expressing deep concern at the growing threat to the safety of journalists posed by non-State actors, including terrorist groups and criminal organizations,

Deeply concerned by the specific risks faced by women journalists in relation to their work, in non-conflict as well as in armed conflict situations, where they continue to be targeted at alarming rates, underlining in this context the importance of taking a gender-responsive approach when considering measures to address the safety of journalists and media workers, including in the online sphere, in particular to effectively tackle all forms of sexual and gender-based discrimination, violence, abuse and harassment, including sexual harassment, threats and intimidation, as well as inequality and gender stereotypes, to enable women to enter and remain in journalism on terms of equality and non-discrimination while ensuring their greatest possible safety, and to ensure that the experiences and concerns of women journalists are effectively addressed and gender stereotypes in the media are adequately tackled,

Deeply concerned also that the coronavirus disease (COVID-19) crisis has significant implications for the work, health and safety of journalists and media workers, and in this regard, concerned about the consequences of the economic impact

of the pandemic, which increases the vulnerability of journalists and weakens media sustainability, independence and pluralism and worsens the risk of the spreading of misinformation and disinformation by limiting access to a wide range of reliable information and opinions,

Alarmed at threats against, and arrests and enforced or involuntary disappearances, as well as disproportionate and undue restrictions on access to information or censorship, freedom of movement or accreditation, of journalists and media workers linked to their reporting on the pandemic;

Acknowledging the particular risks with regard to the safety of journalists in the digital age, including the particular vulnerability of journalists to becoming targets of unlawful or arbitrary surveillance or interception of communications, in violation of their rights to privacy and to freedom of expression,

Recognizing that national legal frameworks consistent with States' international human rights obligations and commitments are an essential condition for a safe and enabling environment for journalists, and expressing deep concern about the misuse of national laws, policies and practices to hinder or limit the ability of journalists to perform their work independently and without undue interference,

Recognizing also that public authorities should strive to make information available, whether the information is proactively published electronically or provided upon request, that access to information, both online and offline, is necessary for, inter alia, journalists and other media workers, civil society organizations, human rights defenders and trade union activists, to conduct their work effectively and meaningfully and that any restriction on the freedom to seek, receive and impart information must comply with relevant international law,

Stressing the need for greater emphasis on prevention measures and the creation of enabling legal frameworks for freedom of expression to ensure a safe and enabling environment for journalists and media workers,

1. *Condemns unequivocally* all attacks, reprisals and violence against journalists and media workers, such as torture, extrajudicial killings, enforced disappearances, arbitrary arrest, arbitrary detention and expulsion, as well as intimidation, threats and harassment, online and offline, including through attacks on, or the forced closure of, their offices and media outlets, in both conflict and non-conflict situations;

2. *Also condemns unequivocally* extraterritorial targeting of journalists and media workers, including harassment, surveillance and the arbitrary deprivation of life and calls upon all States to cease and refrain from these measures, further condemns unequivocally the specific attacks on women journalists and media workers in relation to their work, such as all forms of sexual and gender-based discrimination and violence, including online and offline sexual harassment, intimidation and incitement to hatred against women journalists, and calls upon States to tackle these issues as part of broader efforts to promote and protect the human rights of women, eliminate gender inequality and tackle gender-based stereotypes in society;

3. *Strongly condemns* the prevailing impunity for attacks and violence against journalists, and expresses concern that the vast majority of these crimes go unpunished, which in turn contributes to the recurrence of these crimes;

4. *Calls upon* States to develop and implement effective and transparent legal frameworks and measures for the protection of journalists and media workers and for combating impunity, taking a gender-responsive approach, including, where appropriate, through the creation and strengthening of special investigative units or

independent commissions, the appointment of a specialized prosecutor and the adoption of specific protocols and methods of investigation and prosecution;

5. *Urges* the immediate and unconditional release of journalists and media workers who have been arbitrarily arrested, arbitrarily detained or taken hostage or who have become victims of enforced disappearances;

6. *Calls upon* all States to pay attention to the safety of journalists covering events in which persons are exercising their rights to peaceful assembly and freedom of expression, taking into account their specific role, exposure and vulnerability;

7. *Encourages* States to take the opportunity of the proclamation of 2 November as the International Day to End Impunity for Crimes against Journalists to raise awareness regarding the issue of the safety of journalists and to launch concrete initiatives in this regard;

8. *Requests* the United Nations Educational, Scientific and Cultural Organization, in consultation with relevant entities of the United Nations system, and mindful of the provisions of the annex to Economic and Social Council resolution [1980/67](#) of 25 July 1980, to continue to facilitate the implementation of the International Day in collaboration with Governments and relevant stakeholders;

9. *Urges* Member States to do their utmost to prevent violence, threats and attacks targeting journalists and media workers, to ensure accountability through the conduct of impartial, speedy, thorough, independent and effective investigations into all alleged violence, threats and attacks against journalists and media workers, including sexual and gender-based violence against women journalists and media workers in armed conflict and non-conflict situations, falling within their jurisdiction, to bring perpetrators, including those who command, conspire to commit, aid and abet or cover up such crimes, to justice, and to ensure that victims and their families have access to appropriate remedies;

10. *Urges* political leaders, public officials and/or authorities to refrain from denigrating, intimidating or threatening the media, including individual journalists and media workers, or from using misogynist or any discriminatory language towards women journalists, which thereby undermines trust in the credibility of journalists as well as respect for the importance of independent journalism;

11. *Calls upon* States to create and maintain, in law and in practice, a safe and enabling environment for journalists to perform their work independently and without undue interference, taking a gender-responsive approach, inter alia, by means of:

(a) Legislative measures;

(b) Supporting the judiciary in considering training, capacity-building and awareness-raising and supporting training, capacity-building and awareness-raising among law enforcement officers and military personnel, as well as among journalists and civil society, regarding international human rights and international humanitarian law obligations and commitments relating to the safety of journalists, including with a strong focus on combating sexual and gender-based discrimination, and violence against women journalists, both online and offline, as well as the particularities of online threats and harassment of women journalists;

(c) Regular monitoring and reporting of attacks against journalists;

(d) Collecting and analysing concrete quantitative and qualitative data on online and offline attacks or violence against journalists, that are disaggregated by, among other factors, sex;

(e) Publicly and systematically condemning online and offline attacks, harassment and violence against journalists and media workers;

(f) Dedicating the resources necessary to investigate and prosecute such attacks and to develop and implement gender-responsive strategies for combating impunity for attacks and violence against journalists, including by using, where appropriate, good practices such as those identified in Human Rights Council resolution 33/2;

(g) Putting in place safe gender-responsive preventive measures and investigative procedures, in order to protect journalists;

(h) Encouraging journalists to report online and offline attacks against them and providing victims and survivors with adequate support, including psychosocial support;

12. *Condemns unequivocally* measures taken by States in violation of international human rights law aiming to or that intentionally prevent or disrupt access to or the dissemination of information online and offline, aiming to undermine the work of journalists in informing the public, including through practices such as Internet shutdowns or measures to unduly restrict, block or take down media websites, such as denial of service attacks, and calls upon all States to cease and refrain from these measures, which cause irreparable harm to efforts at building inclusive and peaceful knowledge societies and democracies;

13. *Calls upon* States to ensure that measures to combat terrorism and preserve national security or public order are in compliance with their obligations under international law and do not arbitrarily or unduly hinder the work and safety of journalists, including through arbitrary arrest or detention or the threat thereof;

14. *Also calls upon* States to ensure that defamation and libel laws are not misused, in particular through excessive criminal sanctions, to illegitimately or arbitrarily censor journalists and interfere with their mission of informing the public and, where necessary, to revise and repeal such laws, in compliance with States' obligations under international human rights law;

15. *Reaffirms* that the same rights that people have offline must also be protected online, in particular the right to freedom of opinion and expression;

16. *Emphasizes* that, in the digital age, encryption and anonymity tools have become vital for many journalists to freely exercise their work and their enjoyment of human rights, in particular their rights to freedom of expression and to privacy, including to secure their communications and to protect the confidentiality of their sources, and calls upon States not to interfere with the use of such technologies and to ensure that any restrictions thereon comply with States' obligations under international human rights law;

17. *Also emphasizes* the important role that media organizations can play in providing adequate safety, risk awareness, digital security and self-protection training and guidance to journalists and media workers, together with protective equipment;

18. *Stresses* the need to ensure better cooperation and coordination at the international and regional levels, including through technical assistance and capacity-building, with regard to helping to improve the safety of journalists at the national and local levels;

19. *Calls upon* States to cooperate with relevant United Nations entities, in particular the United Nations Educational, Scientific and Cultural Organization, as well as international and regional human rights mechanisms, including the relevant special procedures of the Human Rights Council, and invites States to share information on a voluntary basis on the status of investigations into attacks and violence against journalists, including in response to requests by the Director-General of the United Nations Educational, Scientific and Cultural Organization through the

mechanism operated by its International Programme for the Development of Communication;

20. *Encourages* States to continue to address the issue of the safety of journalists through the process of the universal periodic review;

21. *Encourages* the Secretary-General to further intensify his efforts regarding the safety of journalists and media workers, and invites the agencies, organizations, funds and programmes of the United Nations system to actively exchange information and enhance cooperation, including through the network of focal points and, at the local level, with United Nations country teams, as well as accelerate gender mainstreaming in the implementation of the United Nations Plan of Action on the Safety of Journalists and the Issue of Impunity, in cooperation with Member States and under the overall coordination of the United Nations Educational, Scientific and Cultural Organization;

22. *Recognizes* the important contribution of the promotion and protection of the safety of journalists in the realization of the 2030 Agenda for Sustainable Development and its Sustainable Development Goals, in particular target 16.10, and calls upon States to strengthen national collection of disaggregated data, analysis and reporting on the number of verified cases of killing, kidnapping, enforced disappearance, arbitrary detention, torture and other harmful acts against journalists and associated media personnel, in accordance with Sustainable Development Goal indicator 16.10.1, and to do their utmost to make these data available to the relevant entities, in particular the Office of the United Nations High Commissioner for Human Rights and the United Nations Educational, Scientific and Cultural Organization;

23. *Requests* the Secretary-General to further assist in the implementation of the present resolution and to report to the General Assembly at its seventy-eighth session and to the Human Rights Council at its fifty-first session on the safety of journalists and media workers, with a special focus on the safety of women journalists, online and offline, and the activities of the network of focal points in addressing 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.
