



Human Rights Council (HRC)

Tackling unlawful detention and
assault of journalists



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Introduction

With the great rise of democracy in the recent century in the developed world, more and more people become aware of the injustices committed all around the globe. Conflict, breach of human rights and illegal torture are all known to the world because of the millions of journalists who risk their lives in order to shed light on world events. However, the unlawful detention and assault of journalists have emerged as a government response. The global concern threatens not only press freedom but also the founding principles of free speech. Journalists serve as a link between society and current knowledge holding authorities accountable, bringing multiple perspectives and creating transparency in public affairs. In the authoritarian age, freedom of speech and expression comes under danger with journalists experiencing violence, detention and harassment. These incidents in the line of duty impact the access of the general public to the full information and create obstacles on the way to truth, manipulating public perception and impacting the political state of regimes around the world. Undermining human rights and weakening democracy such actions lead to long-lasting effects on the society as a whole.



Definition of Key Terms

Authoritarianism

An authoritarian regime can also be described as a hybrid of totalitarian and democratic states. Such a government regime has democratic institutes that however only function as a facade. While performing their formal responsibilities they do not actually hold any power. Rather, the bureaucracy of democratic institutions is present without holding any actual power. Authoritarian regimes hold all power in a set of few hands (usually the country leader). Unlike totalitarian regimes, however, the authoritarians do not have an ideology (or the ideology is very weak) and rather focus on staying in the position of power forever. Moreover, authoritarian regimes do not require mobilisation and active participation in the political process of civilians (like totalitarian regimes require), but instead attempt to neutralise and depoliticise the society leaving all decision-making to the government. The authoritarian regimes have government censorship although it is more sporadic and done to scare the society (Šul'man).

Human rights

Human rights are internationally recognised moral principles of human behaviour that are protected by national and international laws. The Universal Declaration of Human Rights was adopted in the General Assembly of the United Nations on 10 December 1948 and was signed by every country. The document consists of 30 articles designed to protect people from any sort of harm or discrimination by authorities. Most commonly the upheld of the declaration lays on the governments upholding fair and democratic treatment towards the citizens.

ICC

International Criminal Court is an inter-governmental organisation and a court located in the Hague, the Netherlands. It prosecutes individuals who are suspected of war crimes, genocides, crimes against humanity and the crime of aggression. The ICC was established by the Treaty of Roman Statute in 2002. Famously, the ICC prosecuted Muammar Gaddafi in 2011 for crimes against humanity during the 2011 Libyan civil war. Another notable case is the case against Israel for committing genocide brought in by South Africa in 2024.

IGO

Intergovernmental Organisations (IGOs) are institutions with three or more member states that have entered into a formal agreement with each other. With increased decolonisation and



globalisation, there is an increased need for common methods of interaction. Organisations are formed on shared concerns; e.g. political - United Nations (UN), Alliance of South East Asian Nations (ASEAN), economic - World Trade Organisation (WTO), health - World Health Organisation. Sometimes IGOs serve as a combination of concerns. For example, the European Union (EU) is both political and economic.

Sanctions

Third-party actors limiting access or provisions of certain financial services or economic resources. F.e. freezing assets of actors in the third-party state or stopping loan payments from a third-party state. These can be done for a variety of reasons. Coercing a regime or individuals within the regime into changing “offending behaviour” by changing the cost-benefit ratio. Constraining a target by trying to deny them access to key resources needed to continue the offending behaviour. Or signalling disapproval to both the actor and the international community.

General Overview

Unlawful detention and assault of journalists is a global crisis that poses threats to freedom of media, human rights and democracy as a whole. In many countries, journalists are at a higher risk of harassment, receiving threats, physical assault, imprisonment, torture and death due to their work especially when covering sensitive issues such as corruption, human rights abuses or ongoing conflicts. Due to the main oppressor being the government, the impunity in these cases is extremely high with those responsible for the crime will rarely be held accountable. As journalists receive threats from both state and non-state actors, there is little national legal protection available if any, leaving the press vulnerable.

Physical assault

Physical assaults are the most immediate threat to journalists. Commonly consisting of violence of actors such as police, or hired hitmen the danger could be any deduction of harm. Journalists in politically charged environments covering protests, rallies, and conflict zones are particularly sensitive to violence that as mentioned above can be coming from government officials or hostile crowds. For example, in 2023 Elena Milashina was severely beaten in Chechnya while covering a political trial there.

Murder



Commonly, the actors targeting journalists do not try to scare them or make them “pay” for their articles. Rather, they are tasked with the direct murder of the members of the press. Whether violent or non-violent, forceful removal of one’s life is breaking all international laws and laws against humanity. For example, over 11 years of conflict in Syria over 700 journalists have been killed making the country one of the highest on the World Press Freedom Index. In 2021 Dutch reporter Peter R. de Vries was murdered in the centre of Amsterdam after his criminal reporting.

Kidnapping and forced disappearance

In some regions, journalists are at high risk of being kidnapped or disappeared entirely. These forms of assault attempt to silence the reporters and media in general indefinitely without a “big fuss” around the death of a journalist. The risk of abduction is faced by journalists working in conflict zones partly or fully controlled by non-state actors. Military militias and terrorist organisations use abduction as a common tool of silence. For example, the Islamic State of Iraq and Syria (ISIS) occupying territories from Syria to the Sahel, use kidnapping as a mass tool of eradication, kidnapping an estimated 8,143 people in Syria alone.

Detention and Imprisonment

Mass detention and imprisonment of journalists are a common tactic more frequently employed by the government. Detention ranges from hours to years often without any sufficient criminal evidence. Often, the judicial process is even rushed or manipulated sentencing on no evidence with no legal support for the journalists. For example in 2021 Belarusian journalist Roman Pratosevich was detained after his flight was forcefully diverted to Minsk, Belarus. The torture in prison was so excessive that Pratosevich developed Stockholm syndrome - hostages developing psychological bonds with their captains.

Major Parties Involved

Russian Federation

The Russian Federation is an authoritarian regime with a long track record of unlawful



detention and assault of journalists. With the existence of legal framework and censorship, systematic targeting of journalists is extremely high and constant. The first encounter of a crackdown was on 14th April 2000 with a hostile takeover of a liberal opposition television network NTV. Since then, various laws such as foreign agent law have been imposed restricting press freedom and prosecution of journalists. Autonomous regions such as Chechnya also have extreme assaults on the press. Any independent or critical media person in Chechnya has been beaten, kidnapped or killed. The absence of legal consequences for such brutal violations of human rights is still absent in the state.

Iran

The Iranian government intensely controls the media censoring any critique of the state and its representatives. Many journalists reporting on political issues face discrimination, intimidation and arrest. Another common practice of the Iranian government towards journalists is the systematic murder of anyone affiliated with any media outside the government-owned media outlets. Iran is known for its high-profile arrests with high sentences. Niloofar Hamedani and Elaheh Mohammadi were arrested in 2022 for covering a police murder of Mahsa Amini for 12 and 13 years respectively. In Iranian prisons, journalists are tortured and commonly die in custody after constant assault. United Nations, Reporters Without Borders and Amnesty International constantly critique the government of Iran for violation of human rights and unlawful tackling of journalists.

Reporters Without Borders

Reporters Without Borders (RSF) is an international non-profit organisation dedicated to promoting freedom of the press and defending the rights of journalists around the world. RSF publishes annual reports on the World Press Freedom Index, ranking all countries. The NGO tracks every assault, detention and death of journalists or media networks. RSF also provides legal and financial support for journalists representing them in trials and aiding in exile. Furthermore, RSF advocates for the rights of journalists, protection in conflict zones, raising awareness of the issue, and representing press freedom in global InterGovernmental Organisations such as the European Union or the United Nations.

Amnesty International

A global human rights organisation plays a crucial role in protecting the rights of journalists. Amnesty conducts investigations and releases reports on countries where freedom of the press is suppressed and journalists are detained. Providing important evidence, the organisation holds countries such as Russia and Iran accountable. Amnesty also runs global campaigns for journalist



protection worldwide and hosts rallies to support individual journalists prosecuted and detained. For example, the organisation supported journalist Maria Ressa in the Philippines against political prosecution.

Timeline of Key Events

Date	Description of event
December 10th 1948	Universal Declaration of Human Rights
December 16th 1966	International Covenant on Civil and Political Rights
1985	Reporters Without Borders (RSF) founded
1981	Committee to Protect Journalists (CPJ) founded
December 1993	World Press Freedom Day was established
December 23d 2006	UN Security Council resolution 1738
2014	#FreeAJStaff Campaign for Al Jazeera Journalists in Egypt
2016	UN Plan of Action on the Safety of Journalists and the Issue of Impunity
October 2d 2018	Murder of Jamal Khashoggi
July 10th 2019	Global Conference for Press Freedom in London
2020	Declaration of Press Freedom Coalition
2022	UNESCO Conference of Safety of Journalists
July 11th 2023	International Mechanism for Journalist Safety Proposed



Possible Solutions

Strengthening legal protection

Establishing internationally recognised special protection status for journalists can help protect them on paper. Furthermore, creating new binding treaties along with strengthening the current ones. Advocating for states to impose national laws protecting journalists and putting them under state protection can also be an option.

International accountability measures

Impose targeted sanctions on states unlawfully detaining and/or assaulting journalists. Specifically individual sanctions on government officials, agencies and entities involved in violating international law and human rights towards the press and free media. The cases should be brought to the ICC for further prosecution.

Global advocacy and public awareness

Raising awareness of assault on journalists through running national and global campaigns and rallies calling for government action. Using high profile cases to create public support and advocate for the issue through the use of a few examples. Encouraging civil action and engagement in public defence and advocacy.

Creating safe reporting environments

Providing journalists working in high-danger conflict zones or wars with protective gear can be life-saving in the case of targeted or accidental attacks. Even doing as little as getting vests with the word “PRESS” written on the front and back can be lifesaving.

Emergency support and legal aid for journalists

Offering guaranteed legal aid to journalists, suing any decisions discriminating and/or targeting free media. Such support can be financed and backed by the organisations such as RSF, Amnesty International, the United Nations and the Committee to Protect Journalists. Creating emergency funds to support journalists in exile or those in immediate need.

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