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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Albania,* Andorra,* Argentina, Armenia, Australia,* Austria,* Belgium,* Bosnia and Herzegovina,* Brazil, Bulgaria,* Canada,* Chile,* Costa Rica,* Croatia,* Cyprus,* Czechia, Denmark,* Ecuador,* Estonia,* Finland, France, Georgia,* Germany, Greece,* Hungary,* Iceland,* Ireland,* Italy,* Latvia,* Liechtenstein,* Lithuania, Luxembourg, Malta,* Mexico, Monaco,* Montenegro, Morocco,* Netherlands, Norway,* Paraguay,* Peru,* Poland, Portugal,* Qatar, Romania,* San Marino,* Slovakia,* Slovenia,* Spain,* Sweden,* Switzerland,* Tunisia,* Ukraine and Uruguay*: draft resolution

51/... The safety of journalists

The Human Rights Council,

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

Reaffirming the Universal Declaration of Human Rights, and recalling relevant international human rights treaties, including the International Covenant on Civil and Political Rights and the International Convention for the Protection of All Persons from Enforced Disappearance, and the Geneva Conventions of 12 August 1949 and the Additional Protocols thereto of 8 June 1977,

Recalling all General Assembly and Human Rights Council resolutions on the safety of journalists, in particular Assembly resolution 76/173 of 16 December 2021 and Council resolution 45/18 of 6 October 2020, as well as Council resolution 50/15 of 8 July 2022, on freedom of opinion and expression, and Security Council resolutions 1738 (2006) of 23 December 2006 and 2222 (2015) of 27 May 2015, on the protection of civilians in armed conflict,

Recalling also the United Nations Plan of Action on the Safety of Journalists and the Issue of Impunity and the important role of the network of focal points throughout the United Nations system in enhancing the safety of journalists and media workers,

Welcoming the important work of the United Nations Educational, Scientific and Cultural Organization for the safety of journalists, including its role in monitoring developments in this area, awareness-raising and capacity-building, and in this context recalling the report of the Director General of the United Nations Educational, Scientific and Cultural Organization on the safety of journalists and the danger of impunity, issued in 2020, the Global Media Defence Fund, as well as the Windhoek+30 Declaration,

* State not a member of the Human Rights Council.



Welcoming also the work of the relevant special procedures of the Human Rights Council with regard to the safety of journalists, in particular the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, and taking note of her recent report on reinforcing media freedom and the safety of journalists in the digital age,¹

Welcoming further the initiatives taken by States, media organizations and civil society organizations relevant to the safety of journalists, such as the Media Freedom Coalition, the Freedom Online Coalition, the International Partnership on Information and Democracy, resulting from the Paris Peace Forum, the Safety of Journalists Coalition, the Journalism Trust Initiative, the Journalism Safety Research Network, the Freelance Journalist Safety Principles and the International Declaration on the Protection of Journalists, presented at the World Congress of the International Press Institute, held in March 2016 in Doha,

Recognizing the importance of freedom of expression and of free, independent, plural and diverse media, online as well as offline, in building and supporting the functioning of inclusive societies and democracies, an informed citizenry, the rule of law and participation in public affairs and in holding public institutions and officials accountable, including by exposing corruption,

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,

Underlining that the right to freedom of opinion and expression, in accordance with article 19 of the International Covenant on Civil and Political Rights, includes the right to seek, receive and impart information held by public authorities, subject only to any restrictions that fully comply with international law, and stressing the importance of access to information to the work of journalists and media workers and that they themselves also play a critical role in the enjoyment of this right,

Recognizing the current range of threats to the safety of journalists, media freedom and media pluralism, which include physical, psychological, legal, political, technological and economic threats,

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, where targeted disinformation and smear campaigns to discredit the work of journalists are increasing and where the spread of disinformation is often facilitated and amplified by the algorithms of digital platforms, including social media platforms,

Recognizing further the importance of investigative journalism and that the ability of the media to investigate and to publish the results of their investigations, including on the Internet, without fear of reprisals, plays an important role in societies, including in contributing to holding public institutions and officials accountable or detecting cases of corruption, and in revealing human rights abuses by business enterprises,

Expressing concern about the ongoing and deepening threats to media diversity and independence as a result of, among other things, the shutting down of media resources under political pretexts, the significant reduction in advertising revenues for legacy media, the undermining of news production, especially local and investigative journalism, the increased concentration of media ownership, the political control over, and insufficient financial allocations to, public service media, the failure to develop community broadcasting sufficiently and ongoing attempts to exert control over the media, including through regulation,

Underlining that journalists and media workers serve a crucial function in times of crisis and that States must take active measures to ensure that individuals and communities

¹ A/HRC/50/29.

are fully informed about the full scope that any threat poses to the lives and health of journalists and media workers, in order to make appropriate personal choices and decisions,

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

Deeply concerned that the work of journalists and media workers often puts them at specific risk of human rights violations and abuses, including killing, torture, enforced disappearance, arbitrary arrest and arbitrary detention, arbitrary expulsion, physical, sexual and gender-based violence, as well as intimidation, threats and harassment of all kinds, including by the targeting of their family members or arbitrarily raiding and searching their residences, which often deters journalists from continuing their work or encourages self-censorship, consequently depriving society of important information,

Equally concerned about incidents of the extraterritorial targeting of journalists and media workers, including killings, enforced disappearances, harassment and surveillance,

Alarmed at instances in which political leaders, public officials and/or authorities denigrate, intimidate or threaten the media, including individual journalists, which increases the risk of threats, reprisals and violence against journalists and undermines public trust in the credibility of journalism,

Alarmed also 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 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,

Deeply concerned about all attempts to silence journalists and media workers, including by legislation that can be used to criminalize journalism and by the misuse of overbroad or vague laws to repress legitimate expression, including defamation and libel laws, laws on misinformation and disinformation or counter-terrorism and counter-extremism legislation, when not in conformity with international human rights standards,

Expressing serious concern at the rise of strategic lawsuits against public participation, including by business entities, to exercise pressure, intimidate or exhaust the resources and morale of journalists, and thereby stop them from critical and/or investigative reporting on matters of public interest,

Underlining that any measure or restriction introduced under emergency measures must be necessary, proportionate to the evaluated risk and applied in a non-discriminatory way, have a specific focus and duration and be in accordance with the State's obligations under applicable international human rights law, and that the right to seek, receive and impart information requires that media freedom and the safety of journalists are protected during a state of emergency, including in the context of protests or during health crises,

Deeply concerned that the coronavirus disease (COVID-19) crisis had and still 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, arbitrary arrests, arbitrary detentions and enforced disappearances of, disproportionate and undue restrictions on access to information freedom of movement or accreditation for, and the censorship of, journalists and media workers linked to their reporting on the pandemic,

Taking into account that journalists may face specific risks in relation to their work owing to various forms of discrimination, such as but not limited to sex, race, religion, ethnicity, minority status, economic and socioeconomic status, disability, age or political affiliation,

Deeply alarmed at the specific risks faced by women journalists in relation to their work, and underlining in this context the importance of taking a gender-responsive approach when considering measures to address the safety of journalists, including in the online sphere, in particular to effectively tackle gender-based discrimination, violence, including sexual and gender-based violence, threats, including threats of rape, intimidation, harassment, online gender-based harassment and abuse, including blackmailing with private content, inequality and gender-based 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,

Recognizing that online attacks against women journalists, including through targeted unlawful or arbitrary digital surveillance, are one of the serious contemporary threats to their safety,

Expressing serious concern at attacks and violence against journalists and media workers in situations of armed conflict, including the specific risks faced by women journalists in this context, and recalling in this regard that journalists and media workers engaged in dangerous professional missions in areas of armed conflict are civilians under international humanitarian law and are to be protected as such, provided that they take no action adversely affecting their status as civilians,

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

Emphasizing 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 and/or the interception of communications, hacking, including government-sponsored hacking, malware, spyware, forced data handover or 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,

Emphasizing also that, in the digital age, encryption, pseudonymization and anonymity tools have become vital for many journalists to exercise freely 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,

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

Emphasizing the role of international cooperation in support of national efforts to prevent attacks and violence against journalists and in increasing the capacities of States in the field of human rights, including for 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,

Bearing in mind that impunity for attacks and violence against journalists constitutes 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,

Stressing the need to conduct impartial, prompt, thorough, independent and effective investigations into human rights violations and abuses against journalists and media workers, including into whether those violations or abuses were connected with the journalistic work of the victim,

Emphasizing the crucial role of the judiciary, prosecution services and law enforcement officers in ensuring journalists' safety, access to justice and effective remedies and ensuring accountability for crimes and attacks against them, thereby contributing to upholding the rule of law,

Stressing the need for greater emphasis on prevention measures and the creation of enabling national legal frameworks consistent with the State's international human rights obligations and commitments 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 killings, torture, enforced disappearances, arbitrary arrests and arbitrary detention, expulsions, 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* the extraterritorial targeting of journalists and media workers, including killings, enforced disappearances, harassment and surveillance, and urges States to cease and/or refrain from such attacks or measures;

3. *Further condemns unequivocally* the specific attacks on women journalists and media workers in relation to their work, such as gender-based discrimination, sexual and gender-based violence, threats, intimidation and harassment, online and offline;

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

5. *Condemns unequivocally* measures 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, which undermine the work of journalists in informing the public, including through practices such as Internet shutdowns or measures to unlawfully or arbitrarily 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 aimed at building inclusive and peaceful knowledge societies and democracies;

6. *Expresses concern* about the spread of disinformation and propaganda, including on the Internet, which can be designed and implemented so as to mislead, to violate human rights, including the rights to privacy and to freedom of expression, and so as to spread hatred, racism, xenophobia, negative stereotyping or stigmatization and to incite violence, discrimination and hostility, and emphasizes the important contribution by journalists in countering this trend;

7. *Stresses* the importance of the full respect for the right to seek, receive and impart information, as included in the right to freedom of opinion and expression, and in this regard the freedom of journalists to have access to information held by public authorities and the right of the general public to receive media output, and that the safety of journalists and media workers is indispensable to ensuring these rights;

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

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

10. *Underlines* the importance of providing for an enabling environment for the work of civil society organizations, as they play a vital role in enhancing the safety and security of journalists and media workers;

11. *Calls upon* States:

(a) To bring their laws, policies and practices fully into compliance with their obligations and commitments under international human rights law, and to review and where

necessary repeal or amend them so that they do not limit the ability of journalists and media workers to perform their work independently and without undue interference;

(b) To establish prevention and protection mechanisms, such as an early warning and rapid response mechanism, and to give journalists and media workers, when threatened, immediate access to authorities that are competent and adequately resourced to provide effective protective measures;

(c) To ensure accountability through the conduct of impartial, prompt, thorough, independent and effective investigations into all alleged cases of violence, threats and attacks against journalists and media workers falling within their jurisdiction, including by following and exhausting lines of enquiry that determine whether violence, threats and attacks result from the journalistic activities of the victims, 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 restitution, compensation and assistance;

(d) To develop and implement strategies for combating impunity for attacks and violence against journalists, including by: (i) creating special investigative units or independent commissions; (ii) appointing a specialized prosecutor; (iii) adopting specific protocols and methods of investigation and prosecution that are gender-responsive and take into account relevant international human rights standards, such as the Minnesota Protocol on the Investigation of Potentially Unlawful Death; (iv) considering the designation of a government focal point to coordinate policies and liaise with other relevant stakeholders on the issue of the safety of journalists;

(e) To ensure that measures to combat terrorism and preserve national security, public order or health 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;

(f) To support 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 members of civil society, regarding States' international human rights and international humanitarian law obligations and commitments relating to the safety of journalists;

(g) To take into account the specific role, exposure and vulnerability of journalists and media workers observing, monitoring, recording and reporting protests and assemblies, and the need to protect their safety, even if a protest has been declared unlawful or is dispersed;

(h) To ensure that defamation and libel laws are not misused, in particular through 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;

(i) To take measures to protect journalists and media workers from strategic lawsuits against public participation, where appropriate, including by adopting laws and policies related to such cases that allow for early dismissal, limit the damages claimed, permit a public interest defence and provide legal support to victims;

(j) To protect in law and in practice the confidentiality of journalists' sources, including whistle-blowers, in acknowledgement of the essential role of journalists and those who provide them with information in fostering government accountability and an inclusive and peaceful society, subject only to limited and clearly defined exceptions provided for in national legal frameworks, including judicial authorization, in compliance with States' obligations under international human rights law;

(k) To adopt and implement transparent, clear and expedient laws and policies that provide for the effective disclosure of information held by public authorities, including online, and a general right to request and receive information, for which public access should be granted, except within narrow, proportionate, necessary and clearly defined limitations that comply with international human rights law;

(l) To refrain from interference with the use of technologies such as encryption and anonymity tools, and from employing unlawful or arbitrary surveillance techniques, including through hacking;

(m) To ensure that targeted surveillance technologies are only used in accordance with the human rights principles of lawfulness, legitimacy, necessity and proportionality, and that legal mechanisms of redress and effective remedies are available for victims of surveillance-related violations and abuses;

(n) To promote the availability and accessibility of the broadest possible diversity of media content and the representation of the whole diversity of society in the media, in this regard to do their utmost to reduce the economic and socioeconomic vulnerability of journalists, and to address the financial viability of media organizations, in particular local news media;

(o) To cooperate with journalists, the media and civil society organizations to assess the damage that the COVID-19 pandemic was and still is inflicting on the provision of vital information to the public and the sustainability of media environments, and to consider, wherever possible, devising appropriate mechanisms to provide financial support to the media, including local journalism and investigative reporting, and to ensure that support is given without compromising editorial independence;

(p) To take measures to prevent sexual harassment and other forms of sexual and gender-based violence, including threats, threats of rape, intimidation and harassment against women journalists, to encourage the reporting of harassment or violence by providing gender-sensitive investigative procedures, to provide adequate support, remedy, reparations and compensation for victims, including psychological support as part of broader efforts to promote and protect the human rights of women, to eliminate gender inequality and to tackle gender-based stereotypes in society, and to prohibit incitement to hatred against women journalists, online and offline, and other forms of abuse and harassment through relevant policy and legal measures that comply with international human rights law;

(q) To give full support for and to raise public awareness of the importance of independent, plural and diverse media, inter alia, by government representatives publicly, unequivocally and systematically condemning violence, intimidation, threats and attacks against journalists and media workers and refraining from verbally attacking or discrediting journalists or inciting hatred against them or distrust towards independent journalists;

(r) To establish or enhance information-gathering and monitoring mechanisms, such as databases, including by drawing on data collected by media and/or civil society organizations, to permit the collection, analysis and reporting of concrete quantitative and qualitative disaggregated data on threats, attacks or violence against journalists, and to do their utmost to make data, in accordance with Sustainable Development Goal indicator 16.10.1, available to relevant entities, in particular the Office of the United Nations High Commissioner for Human Rights and the United Nations Educational, Scientific and Cultural Organization;

(s) To provide for an enabling environment for civil society organizations to contribute to monitor and report cases of violence against the media and other infringements of freedom of expression, to provide assistance to journalists and media workers against wrongful prosecutions, and to advocate for crimes against them to be properly investigated and, where appropriate, for improvement of legal frameworks governing an enabling environment for journalists and media workers;

(t) To implement all recommendations accepted in the context of the universal periodic review relating to the safety of journalists and media freedom, in consultation with relevant stakeholders;

(u) To integrate the issue of the safety of journalists and media freedom and access to information into national development frameworks under the 2030 Agenda for Sustainable Development;

(v) To consider developing national action plans or similar measures, where appropriate, to improve the safety of journalists;

(w) To ensure better internal coordination and sharing of information, in particular within and between relevant ministries, law enforcement and the judiciary at the local and national levels;

(x) To sign, ratify and implement more effectively the international and regional human rights instruments relevant to the safety of journalists and media workers, and to implement relevant resolutions adopted by United Nations bodies and regional intergovernmental organizations and the recommendations made by the treaty bodies, the special procedures of the Human Rights Council and in the context of the universal periodic review relating to the safety of journalists;

12. *Also calls upon* States to encourage journalists and media workers to report threats and attacks against them to the relevant authorities or agencies or through relevant platforms, at the national level, as well as at the regional and international levels, such as the relevant special procedures of the Human Rights Council, the Special Rapporteur for Freedom of Expression of the Organization of American States, the Special Rapporteur on Freedom of Expression and Access to Information in Africa of the African Commission on Human and Peoples' Rights, the Digital Platform for Safety of Journalists in Africa, the Representative on Freedom of the Media of the Organization for Security and Cooperation in Europe or the Platform for the Protection of Journalism and Safety of Journalists of the Council of Europe, as appropriate;

13. *Recognizes* the important contribution of the promotion and protection of the safety of journalists in the realization of target 16.10 of the Sustainable Development Goals;

14. *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, in particular for journalists on dangerous assignments, together with protective equipment and insurances, where necessary;

15. *Stresses* that there is the need to ensure better cooperation and coordination at the international level, including through technical assistance and capacity-building, with regard to ensuring the safety of journalists, and encourages national, subregional, regional and international human rights mechanisms and bodies, including the relevant special procedures of the Human Rights Council, the treaty bodies and national human rights institutions, in the framework of their mandates, to continue to address the relevant aspects of the safety of journalists in their work;

16. *Invites* United Nations agencies, funds and programmes, other international and regional organizations, States Members of the United Nations and all relevant stakeholders, when applicable and in the scope of their mandates, to actively exchange information and enhance cooperation, including through the United Nations network of focal points on the safety of journalists and the issue of impunity and, at the local level, with United Nations country teams, to cooperate further in promoting awareness of and implementing the United Nations Plan of Action on the Safety of Journalists and the Issue of Impunity, and to this end calls upon States to cooperate with relevant United Nations entities, in particular the United Nations Educational, Scientific and Cultural Organization, the Office of the High Commissioner, relevant special procedures of the Human Rights Council and international and regional human rights mechanisms;

17. *Invites* all relevant special procedure mandate holders of the Human Rights Council to continue and strengthen their work and cooperation relating to the issue of the safety of journalists and impunity;

18. *Encourages* 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 United Nations Educational, Scientific and Cultural Organization through the mechanism operated by its International Programme for the Development of Communication;

19. *Also encourages* States to continue to address the issue of the safety of journalists through the universal periodic review mechanism;

20. *Invites* States, the Director-General of the United Nations Educational, Scientific and Cultural Organization, the United Nations High Commissioner for Human Rights and all other relevant stakeholders to take the opportunity of the tenth anniversary of the United Nations Plan of Action on the Safety of Journalists and the Issue of Impunity to strengthen the implementation of the Plan of Action over the next decade by, inter alia, strengthening multi-stakeholder partnerships and coalition-building and by fostering a coherent and comprehensive policy approach that encompasses the three pillars of prevention, protection and prosecution;

21. *Requests* the High Commissioner to organize, before the fifty-fourth session of the Human Rights Council, a one-day expert seminar on legal and economic threats to the safety of journalists, in consultation with all relevant stakeholders, and to prepare a summary report thereon, and to submit it to the Council at its fifty-fifth session;

22. *Decides* to continue its consideration of the safety of journalists in accordance with its programme of work.
