



## Draft Accra Declaration

World Press Freedom Day 2018

**“Keeping Power in Check: Media, Justice and the Rule of Law”**

**We, the participants at the UNESCO World Press Freedom Day International Conference, held in Accra, Ghana, 2-3 May 2018,**

1. **Recalling** Article 19 of the *Universal Declaration of Human Rights*, which states: “Everyone has the right to freedom of opinion and expression; this includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers”;
2. **Noting** that the preamble to the Declaration of Principles on Freedom of Expression in Africa reaffirms the “fundamental importance of freedom of expression as an individual human right, as a cornerstone of democracy and as a means of ensuring respect for all human rights and freedoms”;
3. **Recognising** that freedom of expression, including media freedom, is a fundamental underpinning for the successful operation of all democratic mechanisms which keep power in check and hold it to account;
4. **Emphasising** States’ obligations to create an enabling legal and policy environment so as to foster an independent and diverse media sector and to promote respect for freedom of expression;
5. **Aware** that respect for freedom of expression depends on the rule of law and, in turn, an independent judiciary which is aware of and upholds international, constitutional and regional standards governing human rights and freedom of expression;
6. **Acknowledging** that the many challenges facing the justice system have contributed to impunity for crimes against journalists and media workers and the resulting need for judicial reform;
7. **Noting** with concern the global backsliding in terms of respect for freedom of expression, media diversity, journalistic safety and independence, and the lack of progress in terms of gender

equality in and through media, as highlighted in UNESCO's report on *World Trends in Freedom of Expression and Media Development*;

8. **Recalling** that in 2019 the United Nations (UN) will review progress on Sustainable Development Goal (SDG) 16 on peace, justice and strong institutions, including target 16.10 on “public access to information and fundamental freedoms” and its indicators on safety of journalists and guarantees of the right to information;
9. **Reaffirming** the importance of highlighting these issues, including on 3 May, World Press Freedom Day; on 28 September, International Day for Universal Access to Information; and on 2 November, International Day to End Impunity for Crimes against Journalists;
10. **Acknowledging** that most States still have a long way to go to achieve gender equality in and through the media;
11. **Highlighting** the threat posed to the free flow of information and ideas in society, as guaranteed by international law, by the proliferation of falsified information and the growing phenomenon of information silos or “social media bubbles”;
12. **Concerned** about the impact on freedom of expression of disproportionate regulatory responses regarding the Internet;
13. **Disturbed** by the growing number of intentional disruptions of networks and platforms;
14. **Convinced** that professional, independent journalism, based on independently verifiable facts, and in particular investigative journalism, play an essential role in terms of holding the government and other powerful actors to account, keeping the public informed, exposing wrongdoing, creating spaces for healthy public debate and enabling public participation in decision-making;
15. **Stressing** the increasing economic difficulties facing media outlets, especially those that are committed to professional and investigative journalism, and the obligation on States to take measures to mitigate this challenge, which respecting media and editorial independence;
16. **Emphasising** that media freedom and independence cannot exist where journalists live in poverty and fear;
17. **Welcoming** the growing number of States which have adopted laws giving effect to the right to access information held by public authorities (right to information), while also calling on all States which have not yet done so to adopt such laws and on all States to ensure proper implementation of those laws;

18. **Mindful** of the particular difficulties of protecting, in the digital era, confidential journalistic sources, which is a pre-requisite for independent journalism;
19. **Alarmed** at the proliferation of laws restricting freedom of expression in the name of protecting national security and combating extremism and terrorism which fail to respect relevant international standards;
20. **Concerned** that journalists in many countries are denied their rights freely to join or form organisations to defend themselves and/or protect their rights;
21. **Deploring** the fact that the rate of attacks on journalists remains unacceptably high and that the rate of impunity for these crimes also remains unacceptably high;
22. **Honouring** the journalists and media workers who contribute to media freedom through their work and commitment, often at the risk of their safety and personal security;

**We therefore:**

**Call on each UNESCO Member State to:**

23. **Create or reinforce** an enabling legal and policy framework to ensure respect for freedom of expression and to foster a diverse, independent media sector, and to ensure that relevant officials are properly trained so as to ensure respect for that framework in practice;
24. **Enhance** the capacity of administration of justice actors – including the police, prosecutors and judges – both to respect freedom of expression themselves and to ensure that those responsible for threats or attacks against journalists, media outlets and others for exercising their right to freedom of expression are brought to justice and otherwise to address cases that raise freedom of expression issues;
25. **Adopt** strong and appropriate anti-discrimination rules, including in relation to gender, with a view, among other things, to ensuring that everyone in society can enjoy equally the right to freedom of expression;
26. **Align** their rules on the right to information with international standards, where necessary by adopting or amending right to information legislation, ensure that these rules are implemented properly, and monitor progress on achieving indicator SDG 16.10.2;
27. **Put in place**, where warranted by the situation, dedicated national safety mechanisms to: monitor progress on SDG indicator 16.10.1 on safety of journalists and respond to annual requests by the UNESCO Director General for information on impunity; provide protection for journalists and

others who are attacked for exercising their right to freedom of expression; and combat impunity when such attacks do occur;

28. **Review**, as necessary, restrictions on freedom of expression which purport to protect national security or to support the fight against terrorism so as to ensure that they fully respect international freedom of expression standards;
29. **Respect** judicial decisions of regional human rights courts, including on freedom of expression issues;
30. **Recognise** in law the right of journalists to protect the secrecy of their confidential sources of information and ensure that such protection extends to cover digital surveillance and other techniques through which sources might be exposed;
31. **Protect** digital intermediaries against liability for illegal third party content unless they specifically intervene in or promote that content or refuse to obey an order adopted by an independent oversight body to remove it;
32. **Abstain** from delegating, legally or through political pressure, the regulation of online content to platforms (privatising censorship);
33. **Refrain** from adopting laws which create broad offences or impose special penalties simply because activities are committed online, and limit the scope of any cybercrime laws to activities which may legitimately be restricted under international law and which are not already covered by existing laws;
34. **Avoid** adopting regulatory responses to the problems of disinformation and misinformation which are broadly worded, fail to respect international standards of necessity, proportionality and legitimate purpose, and/or which risk infringing on freedom of expression;
35. **Develop** a framework for the protection of communications systems against cyber attacks and for providing protection as needed to those whose face a risk of cyber attack in retaliation for exercising their right to freedom of expression;
36. **Avoid** imposing Internet or other general communications shutdowns, or other measures that unduly limit the digital exchange of information, including via filtering or blocking techniques;
37. **Foster** media and information literacy among the general public, with a particular focus on the youth, in various ways, including by incorporating it into the school curriculum;
38. **Respect**, through law and practice, judicial independence and the rule of law, including where judges interpret international or constitutional human rights guarantees in a way that overrides national legislation;

39. **Promote** media diversity, including by preventing excessive concentration of media ownership, by requiring media outlets to be transparent about their ownership, by fostering a three tier broadcasting system comprising public service, commercial and community broadcasters, by promoting fair representation in the media of different groups in society and by converting, where they exist, government or State broadcasters into public service broadcasters;
40. **Recognise**, in law and in practice, the right to freedom of association for media workers;
41. **Encourage and support** artists and other creative thinkers including so that they are able to use digital communications tools and online platforms to create robust business models for disseminating their work and connecting with their audiences;
42. **Consider** putting in place measures to create a more robust economic environment for quality journalism, investigative journalism and independent, professional media;
43. **Promote** universal access to the Internet at affordable prices, including through the establishment of free public access points in both urban and rural areas;

**Call on UNESCO to:**

44. **Provide** leadership on the UN Plan of Action on the Safety of Journalists and the Issue of Impunity, and strengthen networks of focal points within the UN system and within Member States where appropriate;
45. **Continue** to support efforts to monitor and promote safety of journalists, including through capacity building of administration of justice actors and through assisting with the establishment and operation of national safety mechanisms;
46. **Strengthen** the Journalism Safety Research Network so that it reaches a wider range of relevant institutions and researchers;
47. **Continue** to monitor the implementation by States of indicators on the safety of journalists and access to information under SDG 16.10;
48. **Support**, where they do not already exist, official regional bodies and mechanisms that work to promote and protect the right to freedom of expression;
49. **Share** good practices on the media's role in elections, including by supporting the work of the Inter-Agency Coordination Mechanism for UN Electoral Assistance (ICMEA);
50. **Support** further training of judges, judicial officials, administration of justice actors and security forces on freedom of expression, including in different regions of the world;

51. **Promote** Internet Universality and related indicators for an Internet that is characterised by human Rights, Openness, Accessibility and Multi-stakeholder participation (the ROAM principles);
52. **Provide** training and capacity building to journalists in the area of digital safety and security, including the use of technologies enabling such benefits as anonymity, encryption and material (content) security with a view, among other things, to preventing digital surveillance of their work and digital attacks on their devices, and protecting their confidential sources of information;
53. **Foster** research and public debate about ways to counter the proliferation of falsified content and the phenomenon of “social media bubbles” and work with intermediaries to counter these problems and to promote debate and media literacy;
54. **Seek out** ways to engage and inspire children and young people to defend democracy, the rule of law and fundamental human rights, including freedom of expression;
55. **Further reinforce** its Media and Information Literacy programme initiatives;
56. **Support** the provision of capacity building for journalists in the area of legal awareness;

**Call on journalists, media outlets, social media practitioners and Internet intermediaries to:**

57. **Disseminate** verifiable information to the public with a view to monitoring and holding powerful public and social actors to account and to exposing illegality and other forms of wrongdoing;
58. **Make** a particular effort during elections to ensure that voters are provided with independently verifiable information about parties, candidates and issues, and about any efforts to manipulate or influence the election, so that they can make informed electoral choices;
59. **Be transparent** about their policies and business practices, especially where these lead to the dissemination or prioritisation of information which supports a particular political party or point of view on a matter of public debate, including by drafting policies in clear and understandable terms and by translating them into relevant languages;
60. **Put in place** systems for public redress or complaints, based on clear standards or codes of conduct, which ensure that complaints are dealt with fairly both procedurally (due process) and substantively (decisions are based objectively on the code);
61. **Provide** fair payment and working conditions for media workers;
62. **Support**, as appropriate, efforts to expose falsified or misleading information, including by reporting on it and by putting in place appropriate technical measures to help identify and expose it;

63. **Provide**, as needed, safety equipment and training to staff who are at risk of attack for the information they disseminate, including specialised training for women;
64. **Take** seriously their own responsibilities to respect human rights, including privacy and freedom of expression, especially insofar as they play a role in mediating the expressive activities of their users or potentially exposing private information;
65. **Adopt** policies and practices to address inequalities based on gender and vulnerable group status in both media content and media operations, including by ensuring equitable coverage and voice opportunities for these groups and avoiding reporting based on stereotypes or prejudice;

**Call on civil society, academia and the technical community to:**

66. **Advocate** for reform of the legal and policy framework, as needed, to bring it into line with international standards regarding freedom of expression, especially in relation to laws affecting the dissemination of information via digital communications tools;
67. **Support** monitoring efforts in the area of safety of journalists with a view to ensuring that rapid and accurate information about threats, risks and attacks is provided to the relevant authorities so that protection and impunity measures can be delivered quickly and effectively when needed, and that official actors are held to account for any failures in this regard;
68. **Collaborate** with other stakeholders to support media and information literacy programmes and research;
69. **Research** technical and other solutions to the problems regarding the free flow of information and ideas in society that have been created or exacerbated by digital communications technologies;
70. **Work with** online platforms and other intermediaries to improve their respect for human rights;
71. **Denounce** attacks on freedom of expression and media freedom in whatever form they take and whoever perpetrates them, whether public authorities, political actors, Internet intermediaries, or other actors.