

Final report

of the Regional Seminar on **“Strengthening regional cooperation to end impunity for crimes and attacks against journalists in the Arab world”**

on the occasion of the International Day to End Impunity for Crimes against Journalists

(2 November, Beirut, Lebanon)

Under the patronage of H.E. Lebanese Prime Minister, Mr. Saad Hariri, and in partnership with the Ministry of Information, UNESCO organized a regional conference on **“Strengthening regional cooperation to end impunity for crimes and attacks against journalists in the Arab world”** on the occasion of the International Day to End Impunity for Crimes against Journalists, on Friday, 2 November, 2018, at the Coral Beach Hotel in Beirut, Lebanon.

The event brought together more than 150 participants, including journalists, human rights activists, as well as representatives of the judiciary, non-governmental organizations, journalists’ organizations and unions, national human rights commissions, the media and civil society organizations from all over the Arab region – which includes member states which have seen a large number of murders of journalists in recent years. The aim of this regional conference was to promote cooperation between all actors to end impunity, by deepening and sharing experience in this area, enhancing mutual understanding between them and identifying concrete ways, steps, and measures to be taken in order to strengthen the fight against impunity related to crimes and attacks against journalists in the Arab world.

The conference included an opening session in which the Director of the Beirut UNESCO Office, Dr. Hamad Al Hammami, the Assistant Director General for Communication and Information at UNESCO, Mr. Moez Chakchouk, and H.E. the Minister of Information, Melhem Riachi, representing the patron of the ceremony, H.E. Prime Minister Saad Hariri, respectively delivered their speeches.

Dr. Al Hammami welcomed the audience, saying that this gather came “at a time when [the] Arab region is suffering from crises and ensuing destruction, ruins and loss of lives, including those of journalists who were playing their role in transmitting the facts to the world” and that “unfortunately, perpetrators escape punishment.” “The safety of journalists is a priority for

UNESCO in general, and the Communications and Information Sector in particular. Hence, the UN Executive Board adopted the plan of action on the safety of journalists and the issue of impunity in 2012. Since then, work is underway with all partners to put this plan into effect, and at all international, regional and local levels. These results began to emerge through increased awareness, capacity-building and work with competent authorities such as the judiciary and the security forces. And of course, one of the results of such efforts was the announcement of an International Day to End Impunity for Crimes and Attacks Against Journalists in 2013, in order to give support and momentum from all stakeholders promoting and protecting freedom of expression and the safety of journalists”, he added.

In his opening remarks, Mr. Moez Chakchouk said, “We meet all here today in Lebanon, a country that was not immune to the violence and wars that struck the region, to pay tribute to the journalists who were killed in the course of their duty and to grow momentum on justice for them. We all agree that journalists should be able to perform their duties safely and without any fear. However, the level of impunity for crimes against them remains extremely high, with less than one case brought to justice out of nine.” “The ability to access and share information freely is the cornerstone of democracy. Impunity for crimes and attacks against journalists destroys entire societies because it masks grave violations of human rights, corruption and crimes,” he added.

Mr. Chakchouk also discussed UNESCO's initiatives to reduce impunity for crimes against journalists in the Arab world and to change the situation on the ground for journalists, “In the Arab region, UNESCO has been working in Jordan with lawyers and journalists since 2015 to strengthen professional legal skills in support of issues related to the media. The organization also supported a mechanism within the Syndicate of Tunisian Journalists to monitor attacks against journalists. In Lebanon, UNESCO and the International Federation of Journalists (IFJ), in collaboration with the Directorate of Higher Education, launched, last year, a pilot course on the safety of journalists aimed at journalism students and adapted to the Arab region. This new curriculum has been adopted by many universities in Lebanon, Palestine and the Syrian Arab Republic, and will be extended to include other universities teaching journalism. Since 2017, UNESCO and its partners have worked with law enforcement agencies in Palestine to provide training courses that highlight the importance of establishing professional relationships with journalists and ensuring their safety.”

He then noted the importance of this regional conference, “this commemoration of the International Day to End Impunity via a regional conference in the Arab region marks the continuation of a series of regional seminars on this topic. Through this event, which brings together media professionals, public authorities, civil society and other stakeholders to pursue justice, we aim to ensure the safety of journalists and combat impunity.”

Afterwards, H.E. the Minister of Information, Melhem Riachi delivered a speech on behalf of the patron of the ceremony H.E. Prime Minister Saad Hariri, stating that “this Arab world, which has large, multiple and very rich resources, is not progressing because it lacks freedom and free speech.” “In my name and on behalf of the Prime Minister, I ask to raise the level of confrontation when defending the media and the journalists in this world, to the level of confrontation towards the use of any chemical weapon. When a chemical weapon hits somewhere, all countries of the

world mobilize to defend themselves and confront those who use it. The use of violence against journalists is like using chemical weapons against people. This fact must be addressed and the issue of journalists must be transferred from UNESCO, the United Nations organization, to the United Nations Security Council in order to defend journalists and prevent the impunity of those who commit violence against or kill them.” He also stated that “the media is the court of public opinion and it seems that many state systems and many countries fear this court and try to nip it in the bud.”

He concluded by saluting the seminar and its participants: “I pay a great tribute to your conference, may it come out with useful recommendations for all of us, for Lebanon, the Arab region and the whole world, and show different testimonies on the importance of freedom of opinion and defending it to build a better society. In conclusion, I would like, on behalf of H.E Prime Minister Saad Hariri, to salute all of you and the martyrs of the press in the Arab world and particularly in Lebanon, especially Gebran Tueini, Samir Kassir and the living martyr May Chidiac.”

The conference was divided into four sessions addressing all aspects of impunity for crimes against journalists.

The first session, entitled “**Journalists, from witnesses to victims in times of conflict**” provided an overview of the situation in the Arab world with regard to crimes and attacks against journalists, as well as the issue of impunity. The session, which was moderated by Mr. Rabih El-Chaer, Head of the Public International Law Group Alem & Associates, included introductory remarks by Ms. Albana Shala, Chairperson of UNESCO’s International Programme for the Development of Communication (IPDC). Mr. Sultan Bin Hassan Al-Jamali, Executive Director of the Arab Network for National Human Rights Institutions (ANNHRI), Ms. Abeer Saady, Vice President of the International Association of Women in Radio and Television (IAWRT)/ Dortmund University, Ms. Hala Kodmani, French-Syrian journalist at Libération, and Mr. Kamal Labidi, Journalist, President of the Tunisian Vigilance Association for Democracy and a Civil State were also panelists in this session. Many recommendations followed the panel discussion, including the following:

1. In the Arab world, it is easier to assassinate a journalist in a battlefield than in a peaceful arena, and circumstances facilitate killings. Therefore, the motives and reasons that facilitate the liquidation of journalists should be considered.
2. There is no deterrent for the perpetrators of these crimes and we demand an international treaty to protect journalists be activated. We call on organizations to hold conferences in view of protecting journalists and to follow up on the recommendations emanating from these conferences.
3. We are talking about a serious violation - that is, murder - while we overlook other violations that call for the withdrawal of journalists, in addition to the abuse that a large number of local and international women correspondents are subjected to. Journalists are targeted in general, and women journalists in particular. Local training contributes to safety, as women journalists are subjected to gender-based attacks. Sometimes harassment

begins in the news room, in the absence of deterrent legislation. Many men and women journalists are also subjected to electronic harassment, so these situations should be codified and these attacks brought to justice.

4. Journalists must be protected inside their homes. Accusing fingers have pointed towards some media networks that do not protect their correspondents and do not provide them with life insurance. With regard to cyber-attacks, journalists should not be left alone. Moral assassination leads to the reluctance of many journalists, as is the case of electronic harassment of women journalists in the editorial rooms, so appropriate policies must be applied within media outlets.
5. Attention should be paid to independent journalists who are not adequately protected by press organizations. The eagerness of some young journalists pushes them to cover dangerous zones while their institutions do not protect them. In conflict zones, journalists cannot be covered if they do not accompany militias and military forces, and challenge their patriotism and objectivity. Sometimes these militias only want media institutions that support them directly.

The second session, entitled **“Fighting impunity in Lebanon: review of challenges and achievements”** addressed the achievements and challenges in combating impunity in Lebanon .It further discussed national protection measures and existing or potential monitoring mechanisms for combating impunity. The session was moderated by Gisele Houry, President of the Samir Kassir Foundation. The panelists were Colonel Joseph Mousallem, of the Internal Security Forces, Mr. Ghassan Mekheiber, lawyer and former Member of Parliament, and Mr. George Ghali, Executive Director of ALEF. Of its recommendations:

1. The press can be killed either through the body or through the voice, and in Lebanon both methods are applied. Journalists are not just those who are members of the journalists’ union. There is a need to expand the discussion scope and include those who have event documenting blogs. There is a fear for the safety of each dissenting opinion and the protection of opposing voices must be ensured.
2. The law in Lebanon and all the Arab countries sets limits on freedom of opinion, and in Lebanon there are criminal provisions relating to prejudice against the President of the Republic. The law in Lebanon pertaining to the temporary detention of journalists was amended in the 1990s. The scope of this item was expanded by the Act to include all who express their opinions. Consequently, there must be controls for impunity for anyone, including State institutions who abuse the right of arrest.
3. The authorities must play their role in protecting the journalists. Those who attacked demonstrators were not prosecuted or held accountable, in addition to journalists being attacked daily by civilians. Furthermore, preventing the press from addressing a specific topic is an infringement of press freedom.
4. The legal environment in Lebanon must be prepared to allow the existence of investigative journalism because it is almost non-existent due to many obstacles, namely the legal ones.

5. Journalists can be protected through the exemplary application of the law of procedure; moreover, temporary arrest of journalists should be banned.
6. Disciplinary action is not a deterrent. It is private, confidential and not declared in public. As long as it remains so, it will not be deterrent. Criminal prosecution is slow and trials need to be accelerated. Slow justice is not justice and allows impunity.
7. Some judges and law enforcement officials need to be courageous and reject arbitrary arrests, as it is not sufficient to amend laws. There is also a need for unions.
8. There is also a problem regarding accountability. There are no laws that encourage investigative journalism.

The third session, entitled “**Enabling justice in conflict zones, now and tomorrow**” addressed the applied means aiming at achieving justice in relation to the current and future killings of journalists, including cases of attacks against journalists in conflict zones, where an immediate and legal intervention is limited. The session, moderated by Ms. Leila Molana-Allen, France Media Monde regional correspondent, included interventions by: Major General Saad Maan, spokesperson of the Ministry of Interior and member of the Committee for Ending Impunity against Journalists in Iraq; Ms. Lama Fakih, Deputy Director of Human Rights Watch MENA division and director of the Beirut office; Mr. Mazen Shaqoura, Deputy Director Regional office of the OHCHR Beirut; and Mr. Anthony Bellanger, General Secretary of the International Federation of Journalists (IFJ). They recommended the following:

1. It is difficult to talk about protecting journalists during conflict because of the absence of the rule of law, and it is necessary to consider protecting journalists after the conflict as well.
2. The security doctrine is contrary to the principle of freedom of opinion and expression. There is therefore a need to include in the codes of conduct the right of the law enforcement officers to refuse the execution of orders that violate the law and grant them immunity when they refuse to do so.
3. Urging member states to put in place specialized prosecution offices to investigate cases of assaults and protect journalists.
4. All protective and preemptive measures should be taken for journalists when covering conflict zones.
5. Revising defamation laws that can be used against journalists and in prosecuting them, which limits the freedom and expression space.
6. Journalists who are threatened should be protected, because in most cases, journalists who receive threats get killed.
7. The international community must act to protect Palestinian journalists because any violation of journalists' freedom and lives is a crime.
8. It is the duty of organizations and the international community to start working on the legislation. It is important for this symposium to be followed by a workshop, in order to focus on the implementation of the recommendations that are issued.
9. Activating the UN plan for the safety of journalists.

10. The United Nations should establish a special envoy specialized in the protection and safety of journalists.
11. Addressing the divisive discourse against journalists that translates into measures that are not conducive to the safety and protection of journalists.

The last session examined **“the way forward, including prevention, raising awareness and reinforcing capacities”**. Writer and journalist Diana Moukalled facilitated the session. The panelists were: Ms. Sylvie Coudray, Chief of Section for Freedom of Expression, UNESCO; Mr. Khalid Khlaifat, lawyer, manager of the Rights Group for Law and Studies, Jordan; Mr. Toby Mendel, Executive Director, Centre for Law and Democracy; Mr. Ziad Dabbar, Head of the monitoring unit on protection of journalists, Tunisian Journalists Union (SNJT); Mr. Khalid Ibrahim, Executive Director, Gulf Centre for Human Rights (GCHR); Mr. Hadi Al Khatib, Founder and Director, The Syrian Archive; and Mr. Nasser Abu Bakr, President of the Palestinian Journalists Union. This panel also issued some recommendations:

1. Establishing a link between human rights organizations and press organizations, on one side, and Twitter, Facebook and Google on the other, due to the risk journalists face when they publish their stories through social media platforms, in order to provide them with the necessary digital protection.
2. Drawing lessons from the Khashoggi case, but it should not be considered as representative of the entire Arab world.
3. Every journalist is responsible for their security and the protection of their sources of information, but there are determinants that increase the risks because of impunity.
4. Creating an international mechanism under the supervision of the United Nations to consider violations against journalists, as well as prevent and reduce the phenomenon of impunity.

At the end of the conference, which lasted a full day, Dr. Hamad Al Hammami concluded the four sessions with recommendations that should be implemented in order to reach the desired goals:

- Adopting deterrent legislation for criminal acts against journalists.
- Calling upon international organizations to hold a greater number of conferences for the protection of journalists and follow-up on the recommendations emanating from these conferences.
- Developing policies within media organizations for the protection of journalists.
- Paying attention to independent journalists who are not adequately protected by press organizations.
- Creating a legal environment in Lebanon that allows for investigative journalism and ensures the safety of journalists.
- Urging member states to put in place specialized prosecution offices to investigate cases of assaults against journalists and to protect them.

- Taking all protective and preemptive measures for journalists when covering conflict zones.
- Revising defamation laws that can be used against journalists and for prosecuting them, which limits the freedom and expression space.
- Pushing the international community to act for the protection of Palestinian journalists because any violation of journalists' freedom and lives is a crime.
- Activating the UN Plan of Action on the Safety of Journalists and the Issue of Impunity.