



General Assembly

Distr.: General
11 June 2012

English only

Human Rights Council

Twentieth session

Agenda item 4

Human rights situations that require the Council's attention

Written statement* submitted by the Press Emblem Campaign, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[4 June 2012]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

The threat on journalists' lives: How to combat impunity?

Introduction

As of 31 May 2012, according to Press Emblem Campaign records, 65 journalists have been killed in 2012. This figure is to be compared with the 44 registered for the same period in 2011: an increase of almost 50%.

In fact the phenomenon has attracted the attention of several observers and regional and international organizations and, more recently, UN mechanisms have been led to address the issue of the safety of journalists.

The Press Emblem Campaign (PEC) commends the Special Rapporteur on extrajudicial, summary or arbitrary executions, Mr. Christof Heyns, for the overview he offers in his well-documented report (A/HRC/20/22), which fundamentally leaves to everyone the choice to see the glass half full or half empty.

Knowing that less than 10% of the cases of murder of journalists in the world have been investigated during the last fifteen years and that only in very few cases the perpetrators have been brought to justice and condemned, the logical inference that can be drawn is that impunity is one of the main reasons of the high and growing number of journalists killed every year.

Impunity can effectively be fought only when and if the rule of law prevails.

While a number of principles and norms, either at the national or international level, impose on each State the obligation to ensure an effective prevention and accountability, the facts show that these obligations are far from being fulfilled.

In reality, everybody considers that journalists deserve special concern because of the very important role they play, and a large number of dignitaries and international bodies have publicly condemned the threat on and the killings of journalists but it must be admitted that, at the moment, there is a lack of political will to acquire the instruments needed to fill the existing gap in order to prevent such crimes and combat the impunity that prevails.

Existing mechanisms

Considering that less than 5% of the cases of murder of journalists in the world have been solved and the responsible convicted, one cannot assert that the domestic legal systems grant security to journalists and can efficiently combat impunity.

National Human Rights Institutions could play a significant role in the prevention component if they are given the necessary means, but they don't have the capacity to effectively combat impunity.

Some regional institutions have adopted a number of resolutions and decisions; some have even developed a particular human rights justice system that has already issued valuable judgments. However, those mechanisms are not, by definition, universal and therefore cannot be seen as satisfactory, but they certainly should be considered as good practice.

International Humanitarian Law provides protection to journalists, as a civilian, but offers a very little space for combating impunity, considering that it only covers internal or international conflicts and one has to access to the International Criminal Court in order to obtain an investigation into the case.

UNESCO plays a vital role with respect of freedom of expression, which implicitly reinforces the journalists' safety, nevertheless a mechanism based on the voluntary basis of the State cannot be considered as an efficient instrument in combating impunity.

The fact that UN Treaty bodies, notably the Human Rights Committee, have addressed the issue of the security of journalists is a very valuable step; unfortunately, they do not have the necessary means to effectively combat impunity.

The involvement of several special procedures of the UN Human Rights Council in the issue is also a very valuable step, at the same time it is obvious that, by nature, the area covered by every single thematic mandate is far too great to be able to focus constantly on the protection aspect, security and the killings of journalists.

The Universal Periodic Review could also play a very significant role in the prevention area when the members of the Working Group put forward specific recommendations in the field of safety of journalists and protection of their right to life, unfortunately it has no means in combating impunity.

Conclusion and recommendations

While a wide range of national and international obligations and bodies can play, solely or in conjunction, a very important role in the prevention of the threat journalists have to face, there is no international specific mechanism ensuring that impunity will not prevail.

The Press Emblem Campaign (PEC) is firmly convinced that there is a fundamental need for an international binding instrument for the protection of journalists.

The Press Emblem Campaign recommends to the Human Right Council to consider the establishment of a specific thematic special procedure for the protection of journalists.
