

Draft Resolution on the Safety of Journalists – 17.09.2012

On behalf of Austria, Brazil, Morocco, Switzerland, Tunisia

Reaffirming the purposes and principles of the Charter of the United Nations, **and** 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, as well as the Geneva Conventions of 1949 and, **where applicable**, their Additional Protocols - *Based on PP1 A/HRC/RES/19/35*

Recalling all relevant resolutions of the Commission on Human Rights and the Human Rights Council on the right to freedom of opinion and expression, in particular Council resolutions 12/16 of 2 October 2009 **and 20/8 of 29 June 2012** – *PP2 A/HRC/RES/20/8*

Mindful that the right to freedom of opinion and expression is a human right guaranteed to all in accordance with the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, – New

Reaffirming that the right to freedom of opinion and expression, which includes the freedom to seek, receive and impart information and ideas of all kinds, constitutes one of the essential foundations of a democratic society and one of the basic conditions for its progress and development – *New*

Reaffirming that everyone has the right to life, liberty and security of person – *PP8 A/HRC/RES/19/35*

Recognizing the importance of all forms of the media, including the printed media, radio, television and the internet, in the exercise, promotion and protection of the right to freedom of opinion and expression - *PP7 A/HRC/RES/12/16*

Acknowledging the special **role** of journalists as providers of information on matters of public interest, **including by raising awareness for human rights, and welcoming existing voluntary professional standards and ethics developed by the media** – *Based on Cross regional statement HRC20*

Recognizing that their work often puts them **journalists** at specific risk of intimidation, legal and physical harassment, and violence – *Based on Cross regional statement HRC20*

Acknowledging the specific risks faced by women journalists in the exercise of their work and underlining the importance of taking a gender-sensitive approach when considering measures to address the safety of journalist

Underlining the importance for journalists to uphold the principles of neutrality, impartiality and humanity in their professional activities – *OP 6 UNESCO IPDC Decision on the Safety of Journalists and the Issue of Impunity, 28th IPDC Council session, 22-23 March 2012*

Underlining the important role of regional and sub-regional organizations in promoting freedom of opinion and expression, including **and** on the safety of journalists – *New*

Welcoming the important work of UNESCO on the safety of journalists – *New*

Taking note of the International Conference for the Protection of Journalists in Dangerous Situations that took place in January 22-23 2012 in Doha Qatar

OP 1 *Reaffirms* the rights contained in the International Covenant on Civil and Political Rights, in particular the right of everyone to hold opinions without interference, as well as the right to freedom of expression, including the freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art or through any other media of their choice – *Based on OP 1 A/HRC/RES/12/16*

OP 2 *Welcomes* **Notes with appreciation** the reports of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the Special Rapporteur on extrajudicial and summary executions, ~~as well as their presentations~~ **presented at the twentieth session of the Human Rights Council**, and the interactive dialogue thereon at its 20th session – *Based on OP 2 A/HRC/RES/12/16*

OP 3 *Expresses* its concern that violations of the right to freedom of opinion and expression continue to occur, including increased attacks against, and killings of, journalists and media workers, and stressing the need to ensure greater protection for all media professionals and for journalistic sources – *Based on PP4 A/HRC/RES/12/16*

OP 4 *Condemns* in the strongest ~~form~~ term all attacks **and violence** against journalists, **such as torture, extrajudicial killings, enforced disappearances and arbitrary detention, as well as** ~~including intimidation legal, psychological and physical harassment, and violence, such as torture and killings~~ – *Based on cross regional statement HRC20*

OP 5 *Also expresses* its concern that there is a growing threat to the safety of journalists posed by non-state actors, including terrorist groups and criminal organizations – *Based on cross regional statement HRC20*

OP 6 *Calls* on all parties to armed conflict to respect international humanitarian law and human rights law, including their obligations under the Geneva Conventions of 12 August 1949 and, where applicable, the Additional Protocols thereto of 8 June 1977, the provisions of which extend protection to journalists in situations of armed conflict, and to allow, within the framework of applicable rules and procedures, media access and coverage, as appropriate, in situations of international and non-international armed conflict – *Based on OP 7 A/HRC/RES/12/16*

OP 7 *Also expresses* its concern that attacks against journalists often occur with impunity, and calls upon States to **ensure accountability through the** ~~conduct~~ **independent of impartial,** speedy and effective investigations into ~~such acts~~ **falling within their jurisdiction**, and to bring to justice those responsible, as well as to

ensure that victims have access to appropriate remedies – *Based on cross regional statement HRC20*

*OP 8 Calls upon States to ensure **promote** a safe and enabling environment for journalists to perform their work independently and without interference including through (i) legislative measures, (ii) awareness-raising among the judiciary, law enforcement officers and military personnel as well as journalists and civil society for the relevant **regarding** international standards **obligations and commitments** relating to the safety of journalists, (iii) monitoring and reporting of attacks against journalists, as well as, (iv) publicly condemning such attacks, as well as, (v) **dedicating necessary resources to investigate and prosecute such attacks**–
*Based on cross regional statement HRC20**

*OP 9 Encourages States to put in place specific voluntary protection programs **for journalists**, based on local needs and challenges, including protection measures tailored to the **taking into account** individual circumstances of the persons at risk, and welcomes in this respect **best good** practices from different countries, including those aiming at the protection of **journalists and** human rights defenders - *New**

*OP 10 Invites relevant special procedures of the Council, as appropriate, in the framework of their mandates, to continue to address the relevant aspects of the safety of journalists in their work – *Based on OP23 A/HRC/RES/12/15**

*OP 11 Stresses the need to ensure better cooperation and coordination at the international level **on the safety of journalists**, including with regional organizations, and invites UN agencies, funds and programs, other international and regional organizations, Member States and all relevant stakeholders, when applicable and in the scope of their mandates, to further cooperate in the implementation of the UN Plan of Action on the Safety of Journalists and the Issue of Impunity elaborated by UNESCO and endorsed by the UN Chief Executives Board - *New**

*OP 12 **Requests/Invites** the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, pursuant to his mandate, **and in collaboration with the OHCHR** to prepare, working in consultation with States and other relevant stakeholders, a compilation of good practices regarding the protection of journalists, the prevention of attacks, and the fight against impunity for attacks committed against journalists and to present the compilation in a report to the Council at its 24th session – *Based on OP12 A/HRC/RES/10/15**