

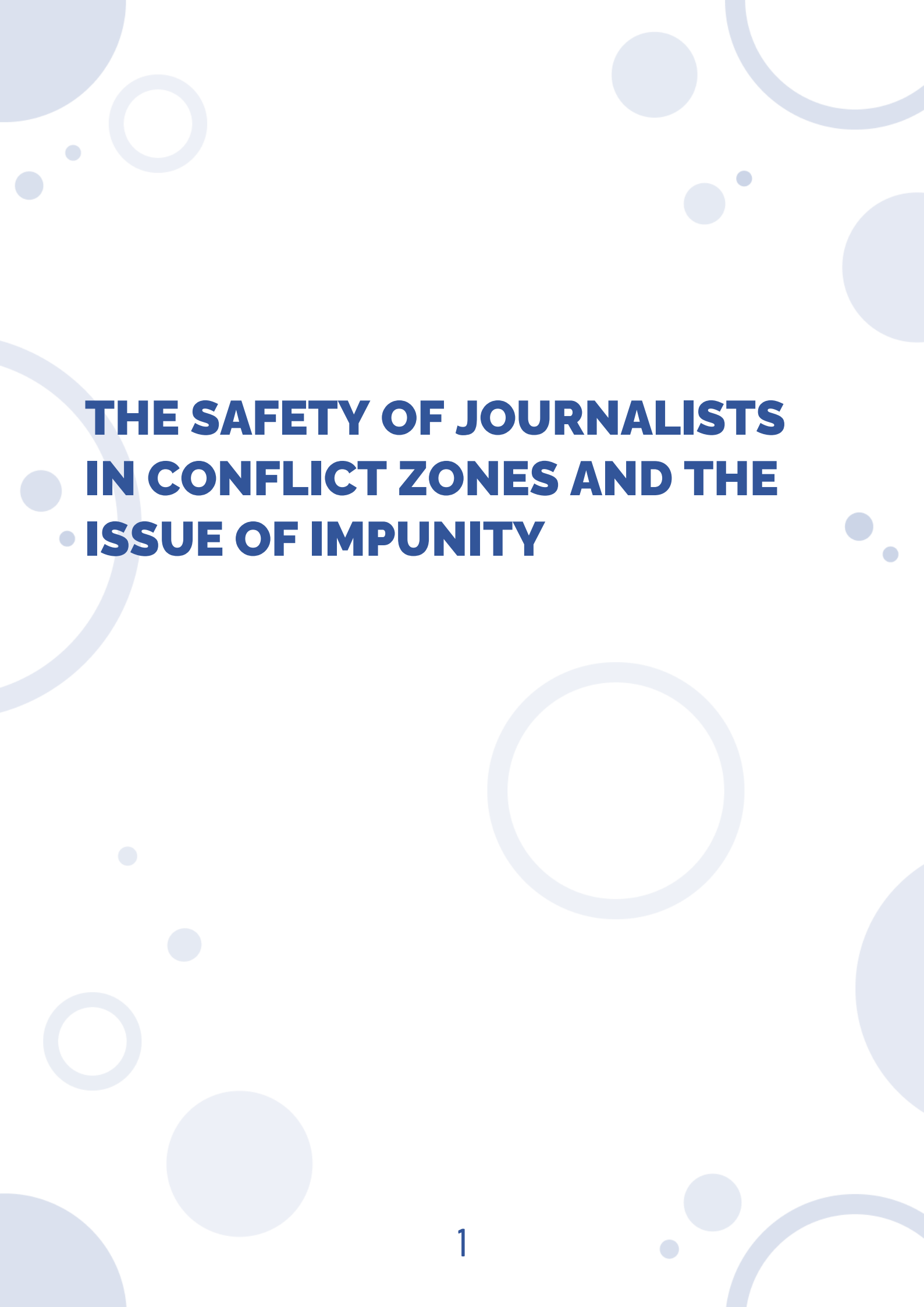


EXPERT'S REPORT

UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION

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INTERNATIONAL
MODEL UNITED NATIONS





THE SAFETY OF JOURNALISTS IN CONFLICT ZONES AND THE ISSUE OF IMPUNITY

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INTRODUCTION

Ensuring the safety of journalists in conflict zones is a critical issue that warrants attention due to the numerous dangers and threats that journalists face while reporting from these areas. Amid the chaos and dangers of war-torn regions, reporters navigate a complex web of hazards, including hostile combatants, unpredictable violence and limited access to reliable information. Despite the inherent dangers, they steadfastly pursue their mission to report the realities of conflicts, often putting their own safety at stake. Their tireless efforts play a critical role in bringing transparency, accountability and understanding amidst the darkness of war, shedding light on the human experience and consequences of armed conflicts around the world.

The Universal Declaration of Human Rights, Article 79 of Additional Protocol I of the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts and the Hague Regulations on the Laws and Customs of War on Land provide legal support for journalists and their activities in zones of military conflict. Additionally, the Geneva Convention relative to the Treatment of Prisoners of War 1929, and the Additional Protocols to the Geneva Conventions of 1949 further outline protections for victims of international and non-international armed conflicts. The Committee to Protect Journalists' database of attacks on the press highlights the risks faced by journalists worldwide.

This report aims to explore the international legal framework, the specifics of a journalists' work in conflict zones, the most problematic and dangerous areas for journalism activities, and the activities of UN bodies to address this issue.

Also, the report will explore various challenges faced by journalists working in conflict zones and provide recommendations for ensuring their safety. By examining the experiences of journalists in different conflict zones, as well as the legal frameworks and mechanisms in place to protect them, this report seeks to highlight the urgent need for action to safeguard the lives of journalists.

Finally, the report will delve into the specific risks encountered by journalists in conflict zones, including physical violence, kidnapping, censorship and intimidation. The report will assess the effectiveness of current safety protocols and support mechanisms in place for journalists and identify gaps in the system that need to be addressed.

CHAPTER 1. SPECIFICS OF A JOURNALIST'S WORK IN A MILITARY CONFLICT ZONE

Journalists venturing into war zones face a myriad of constant challenges and risks that require courage, resilience and unwavering dedication to their profession in order to report on the front lines.

According to the independent, neutral organisation providing humanitarian protection and assistance for victims of armed conflict and other situations of violence, the International Committee of the Red Cross (ICRC)¹, journalists working in conflict zones face a multitude of challenges, ranging from physical dangers to ethical dilemmas. In their report titled "Reporting from Conflict Zones: A Handbook for Journalists", the ICRC highlights the importance of ensuring the safety of journalists and protecting their rights as they carry out their work in volatile environments. This includes providing training on risk assessment, securing proper accreditation, and offering support services for journalists in the field.

According to the database of the Committee to Protect Journalists (CPJ)², journalists working in conflict zones are among the most vulnerable to violence and harassment. In its database of attacks on the press, CPJ records cases of journalists being killed, injured or detained while reporting on conflicts around the world.

¹The protection of journalists and news media personnel in armed conflict. Alexandre Balguy-Gallois. International Review of the Red Cross, Vol. 86, No. 853, March 2004, pp. 37-67. URL: https://www.icrc.org/en/doc/assets/files/other/irrc_853_gallois.pdf

²Committee to Protect Journalists. Database from 1992 to 2024. URL: <https://cpj.org/data/>

War reporters tend to face the following sets of problems³:

- Security issues. Military journalism is considered to be a dangerous profession. Over the past few years there has been a tendency to increase the number of victims and injured journalists, as evidenced by data from international journalistic organisations. These facts will be illustrated in detail in Chapter 2.
- Problems with access to information. In a number of conflicts in recent years, one of the parties has appeared to restrict access to the battlefield to all reporters, with the exception of a limited number of journalists, who were specifically accompanied and advised on the issues of objectivity and impartiality in reporting events. According to general moral and ethical journalistic standards, the reporter is required to present facts unbiasedly, which often conflicts with his desire to express sympathy for one of the sides
- The problem of independence. Journalists are periodically challenged to choose between agreeing to transmit disinformation in the interests of their country's military commanders or refusing to do so out of a sense of moral obligation to the profession.

The reasons for the serious security risks faced by journalists in times of war or armed conflict are multifaceted. Firstly, the presence of an armed conflict and political instability has created an environment in which journalists face direct threats from warring parties, ranging from targeted attacks, abductions and even assassinations.

³Tolstokorov A.V., Gikis S.N. Features of War Journalistics (Example of Military Conflicts of the XXI Century) // Economics and Socium. 2014. №3-4 (12). URL: <https://cyberleninka.ru/article/n/osobennosti-voennoy-zhurnalistiki-na-primere-vooruzhennyh-konfliktov-xxi-veka>

Secondly, the absence of effective law enforcement and judicial mechanisms exacerbates the impunity enjoyed by those who commit crimes against journalists, which further strengthens the position of the perpetrators.

Furthermore, restrictions on press freedom and freedom of expression imposed by authoritarian regimes aggravate the dangers faced by journalists, as they are often censored, harassed and intimidated for reporting on sensitive topics.

In addition, the proliferation of non-state actors, including terrorist organisations and criminal syndicates, adds another layer of complexity to the safety challenges faced by journalists. These groups often view journalists as legitimate targets and deliberately attack media personnel to stifle independent reporting and control the flow of information.

In conclusion, addressing the safety of journalists in conflict zones requires a comprehensive approach that aims to address the root causes of the problem, including impunity for crimes against journalists and restrictions on press freedom. International cooperation, the protection of press freedom and the implementation of effective legal frameworks are vital to ensure the safety and protection of journalists operating in these dangerous environments.

CHAPTER 2. THE MOST PROBLEMATIC AND DANGEROUS AREAS FOR JOURNALISTS' ACTIVITIES

2.1 General overview of the issue

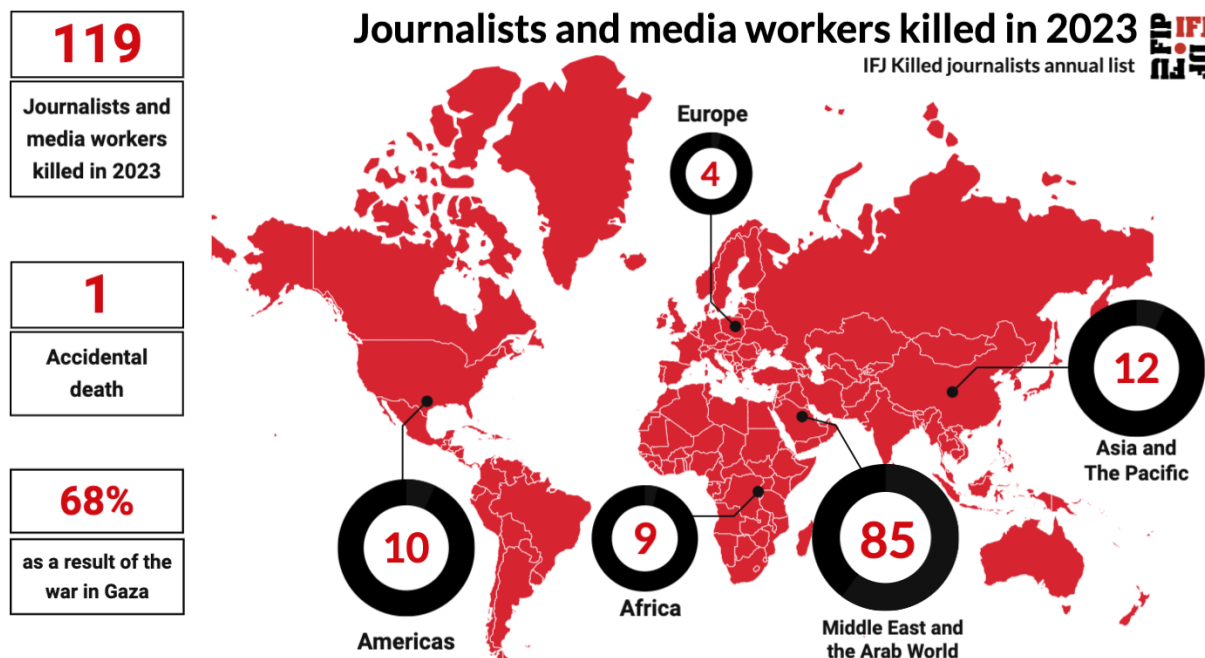
The problem of ensuring the safety of journalists' activities in conflict zones is most pressing in several regions of the world, primarily in the Middle East, Africa, Eastern Europe and some regions of Asia. These regions often experience constant armed conflict, political instability and social unrest, making them inherently dangerous places for journalists to work.

As of 19 December 2023, at least 38 journalists and media workers were killed in the line of work in countries in conflict in 2023, compared to 28 in 2022 and 20 in 2021, according to a UNESCO press release⁴. The ongoing hostilities in the Middle East were responsible for a large majority of conflict-related killings, with UNESCO having reported 19 killings in Palestine, 3 in Lebanon and 2 in Israel since 7 October 2023 so far. Afghanistan, Cameroon, Syria and Ukraine also each saw at least two killings.

The International Federation of Journalists (IFJ) known as the organisation that speaks for journalists within the United Nations system and within the international trade union movement, records that 94 journalists and media workers, including 9 women, have been killed in 2023. In 2023 68% of journalists and media workers worldwide were confirmed dead in the Gaza conflict, the Federation

⁴UNESCO. Press release 2023: Alarming increase in journalists killed in conflict zones. URL: <https://www.unesco.org/en/articles/2023-alarming-increase-journalists-killed-conflict-zones>

records. In Africa, the IFJ deplors 8 murders in Cameroon (2), Sudan (1), Lesotho (1), Mali (1), Somalia (1), Mozambique (1), Nigeria (1) which have failed to be fully investigated to date.



Source: International Federation of Journalists.
Date of reference: 26 February 2024.

2.2 The Syrian Arab Republic

The Syrian Arab Republic continues to be one of the world's most dangerous states for journalists. Syria remains the country with the most journalists held hostage, followed by Yemen and Iraq according to Reporters without borders organisation.

Several key factors contribute to Syria being one of the most unsafe regions for journalists to work in. Firstly, since 2011, the country has been engulfed in a complex and protracted civil war that has resulted in widespread violence, destruction and displacement⁵. The ongoing conflict has created a highly volatile and dangerous

⁵Council on Foreign Relations. Syria's Civil War: The Descent Into Horror. Zachary Laub. 14 February 2023. URL: <https://www.cfr.org/article/syrias-civil-war>

environment for journalists, who risk being caught in the crossfire of government forces, rebel groups and various other factions.

Secondly, Syria has seen deliberate attacks on journalists by all parties to the conflict. Journalists reporting from the field face the constant threat of abduction, torture and murder by armed groups seeking to control events or suppress independent reporting. The lack of respect for press freedom and the rule of law contributes to this dangerous situation, as perpetrators of crimes against journalists often act with impunity.

The Syrian Arab Republic has also become a hotspot for extremist and terrorist groups, including Islamic State of Iraq and Syria (ISIS) (organisation banned on the territory of the Russian Federation) and other jihadist organisations. These groups have systematically targeted journalists, both local and foreign, as part of their strategy to intimidate and suppress dissent. For example, the execution of the freelance journalist James Foley on 19 August 2014 in Syria by ISIS became a war crime⁶. United Nations Security Council Resolution 2139 (2014) strongly condemned the widespread violations of human rights and international humanitarian law by the Syrian authorities as well as the aforementioned armed groups and demanded the release of all arbitrarily detained people in Syria, including journalists⁷.

The Law No. 20 of 2022 (Counter-Cybercrime Law) allows the authorities of Syria to prosecute journalists on a charge of “spreading false news online that damages the prestige of the nation”. The government had already used the 2011 media law to tighten its grip on the news media. What with the risks of arrest, abduction, torture or

⁶OCHA. Journalist's Execution, if Confirmed, a War Crime. 20 Aug 2014. URL: <https://reliefweb.int/report/syrian-arab-republic/journalist-s-execution-if-confirmed-war-crime>

⁷Resolution 2139 (2014) Adopted by the Security Council at its 7116th meeting, on 22 February 2014.

murder, Syrian journalists are often forced to flee the to escape mistreatment or death⁸.

The international non-profit organisation Reporters Without Borders (RWB) states that in 2023, a total of 45 journalists were killed in connection with their work, 16 fewer than in 2022 (61)⁹. The independent, nonprofit organization The Committee to Protect Journalists (CPJ) estimates that approximately 20 journalists are currently missing in Syria, many held by the Islamic State (organisation banned on the territory of the Russian Federation). According to CPJ on 26 February 2024, 155 journalists and media workers were killed in the Syrian Arab Republic between 1992 and 2024.

155 Journalists and Media Workers Killed in Syria

between 1992 and 2024 / Motive Confirmed or Unconfirmed



Source: Committee to Protect Journalists.
Date of reference: 26 February 2024.

⁸Reporters without borders. Report on Syria. February 2023. URL: <https://rsf.org/en/country/syria>

⁹RSF. 2023 Round-Up: Journalists killed, detained, held hostage and missing. 14 Dec 2023. URL: <https://reliefweb.int/report/world/2023-round-journalists-killed-detained-held-hostage-and-missing-enptruuk#:~:text=In%202023%2C%20a%20total%20of,wars%20in%20Syria%20and%20Iraq.>

2.3 Palestinian Territories: West Bank and Gaza Strip

The West Bank and Gaza Strip, as parts of the State of Palestine, a United Nations observer state, remains one of the most unpredictable and potentially dangerous assignments for journalists due to several interrelated factors.

First and foremost, the region is characterised by long-standing political tensions and conflicts, especially the Israeli-Palestinian conflict and the current Israel-Hamas war, which began on 7 October 2023. Journalists working in this context often find themselves in complex and unstable situations, at risk from both sides of the conflict.

Secondly, journalists are often targeted by armed groups, militias and terrorist groups operating in the region. These groups may view journalists as a potential threat or attempt to control events by intimidating or silencing media workers. Military operations and clashes occur in the region, exposing journalists to the risk of violence. In the course of these events, journalists may face dangers such as shelling, explosions and other forms of physical violence.

The Israel-Hamas war has taken a severe toll on journalists since the terrorist organisation Hamas launched its unprecedented attack against Israel on 7 October 2023 and Israel declared war on it, striking the blockaded Gaza Strip¹⁰.

Since 7 October 2023, as of 26 February 2024, CPJ's preliminary investigations showed at least 88 journalists and media workers were among those killed, 16 journalists were reported injured, and 4 journalists were reported missing¹¹.

¹⁰UN News. War against Hamas in Gaza is act of self-defence, Israel tells world court. 12 January 2024. URL: <https://news.un.org/en/story/2024/01/1145452>

¹¹Committee to Protect Journalists. Journalist casualties in the Israel-Gaza war. 26 February 2024. URL: <https://cpj.org/2024/02/journalist-casualties-in-the-israel-gaza-conflict/>

According to the UN reports¹², four Israeli journalists were killed by Hamas in the 7 October attacks. Dozens of Palestinian journalists have been detained by Israeli forces in both Gaza and in the West Bank where intimidation on journalists has increased since the 7 October 2023 attacks.

Expressing deep concern, the Human Rights Council-appointed experts highlighted the alarming toll on journalists and media workers in the Occupied Palestinian Territory, particularly in Gaza. "We are alarmed at the extraordinarily high numbers of journalists and media workers who have been killed, attacked, injured and detained in the Occupied Palestinian Territory, particularly in Gaza, in recent months blatantly disregarding international law," the experts said¹³.

The Amended Basic Law of 2003 of Palestine provides for freedom of the press and opinion, but in practice these freedoms conflict with the real interests of the political authorities. Primarily, the Presidential Decree No. (16) for the year 2017 Regarding Cybercrime has been criticized by Human Rights Watch for granting authorities excessive and unchecked powers that undermine freedom of speech¹⁴. According to Human Rights Watch, the law allows Palestinian authorities to wield

¹²Office of the United Nations High Commissioner for Human Rights. Gaza: UN experts condemn killing and silencing of journalists. 1 February 2024. URL: <https://www.ohchr.org/en/press-releases/2024/02/gaza-un-experts-condemn-killing-and-silencing-journalists#:~:text=According%20to%20UN%20reports%2C%20since,near%20the%20border%20of%20Lebanon.>

¹³United Nations in Palestine. Gaza: UN rights experts condemn 'killing and silencing' of journalists. 2 February 2024. URL: <https://palestine.un.org/en/259498-gaza-un-rights-experts-condemn-'killing-and-silencing'-journalists#:~:text=Dozens%20of%20Palestinian%20journalists%20have,since%20the%20Hamas%20terror%20attacks.>

¹⁴Human Rights Watch. Palestine: Reform Restrictive Cybercrime Law. 20 December 2017. URL: <https://www.hrw.org/news/2017/12/20/palestine-reform-restrictive-cybercrime-law>

unrestrained authority in blocking websites, conducting surveillance, and collecting extensive data on individuals. The Legislative Council in the Gaza Strip has not drafted new laws since 2007¹⁵.

According to CPJ on 26 February 2024 110 journalists and media workers were killed in Israel and the Occupied Palestinian Territory between 1992 and 2024.

110 Journalists and Media Workers Killed in Israel and the Occupied Palestinian Territory

between 1992 and 2024 / Motive Confirmed or Unconfirmed



Source: Committee to Protect Journalists.
Date of reference: 26 February 2024.

¹⁵Humans Rights Watch. Palestine: Reform Restrictive Cybercrime Law. 20 December 2017. URL: <https://www.hrw.org/news/2017/12/20/palestine-reform-restrictive-cybercrime-law>

2.4 Ukraine

Ukraine is considered one of the most dangerous regions for the activities of journalists, especially against the backdrop of the ongoing armed conflict between the Russian Federation and Ukraine, due to several key factors.

The Russian-Ukrainian armed conflict, especially in the eastern parts of Ukraine, has created an unstable and dangerous environment for journalists. The presence of armed groups, military operations and frequent clashes increase the risk of violence and injury to media workers covering the conflict.

Furthermore, journalists are often targeted by various parties involved in the conflict. This applies to both government forces and non-state armed groups, which may view journalists as a threat or attempt to control the flow of information by intimidating or attacking media workers.

Lastly, there have been cases of attacks, harassment, abductions and even killings of journalists during the ongoing military actions, many of which have gone unpunished. The lack of accountability for perpetrators contributes to a climate of impunity in which attacks against journalists are not addressed or prosecuted.

As the armed conflict between the Russian Federation and Ukraine continues, local journalists in Ukraine have been forced to transform themselves into war correspondents, working through curfews and blackouts and relying on safety trainings and equipment to help them survive¹⁶.

According to RSF, more than a hundred journalists have been victims of violence in the past two years. Among them, 11 reporters have lost their lives during

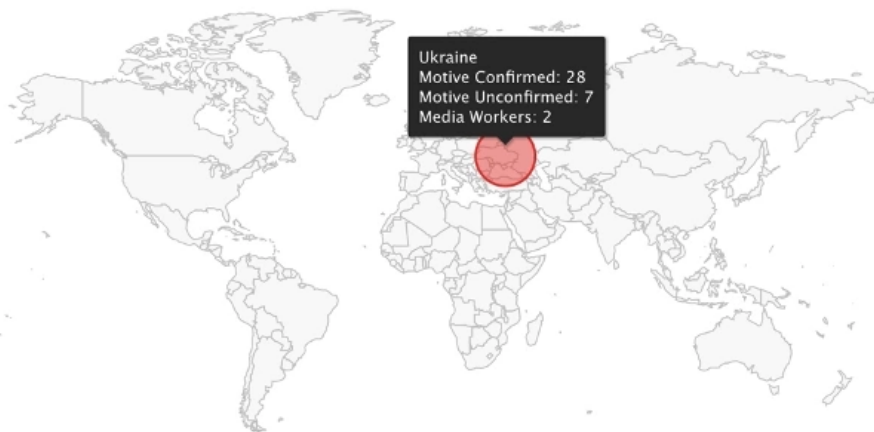
¹⁶Committee to Protect Journalists. Russia-Ukraine War. June 2022. URL: <https://cpj.org/invasion-of-ukraine/>

their work, at least 12 journalists have been detained and and 2 journalists are currently missing¹⁷.

According to CPJ on 26 February 2024, 37 journalists and media workers lost their lives¹⁸ in Ukraine between 1992 and 2024. For instance, UNESCO condemned the killing of a Russian journalist near Donetsk in 2014. "Journalists covering current events in Ukraine should be able to carry out their mission of providing information and nurturing informed debate, without fearing for their lives", concluded the head of UNESCO, Irina Bokova.

37 Journalists and Media Workers Killed in Ukraine

between 1992 and 2024 / Motive Confirmed or Unconfirmed



Source: Committee to Protect Journalists
Date of reference: 26 February 2024.

¹⁷More than 100 journalists victims of Russian crimes during two years of covering war in Ukraine URL <https://reliefweb.int/report/ukraine/more-100-journalists-victims-russian-crimes-during-two-years-covering-war-ukraine-enruuk>

¹⁸Ukraine: UNESCO condemns killing of Russian journalist near Donetsk, February 2014. URL <https://webarchive.archive.unhcr.org/20240228190455/https://www.refworld.org/docid/53ba58544.html>

CHAPTER 3. THE ACTIVITIES OF THE UN BODIES ON THE AGENDA

The safety of journalists in conflict zones is a pressing issue that poses a threat to freedom of expression and access to information. UN bodies have been actively working to address this issue through various initiatives and resolutions. This report will analyze the activities of UN bodies in ensuring the safety of journalists in conflict zones, based on a range of sources including reports, plans of action, and resolutions.

3.1 UN Plan of Action on the Safety of Journalists and the Issue of Impunity

The UN Plan of Action on the Safety of Journalists and the Issue of Impunity¹⁸ is a comprehensive framework that outlines specific measures to promote the safety of journalists, both offline and online. It is the result of a process that began in 2010 upon request of UNESCO's Intergovernmental Council of the International Programme for the Development of Communication (IPDC). It was endorsed by the UN Chief Executives Board on 12 April 2012, and has been welcomed in resolutions of the General Assembly, the Human Rights Council, and UNESCO.

The plan focuses on preventing attacks on journalists through a range of strategies, including legal frameworks, awareness-raising campaigns, and capacity building. It also emphasizes the need to combat impunity for crimes committed against journalists, by ensuring that perpetrators are brought to justice. This plan highlights the importance of a multi-stakeholder

¹⁹The UN Plan of Action on the Safety of Journalists and the Issue of Impunity. Text. URL: <https://www.ohchr.org/en/safety-of-journalists/un-plan-action-safety-journalists-and-issue-impunity>

approach involving governments, civil society, media organizations, and the private sector in safeguarding the safety of journalists in conflict zones.

3.2 UNESCO moving forward the 2030 Agenda for Sustainable Development

Highlighting the importance of freedom of expression is an indispensable element for flourishing democracies and for fostering citizen participation in the post-2015 development agenda. The rule of law is a prerequisite for, as well as an outcome of, governance and a sustainable and human rights-centered development agenda, and freedom of expression and the safety of journalists are prominent issues for the rule of law. UNESCO's work in this area contributes to the Sustainable Development Goal 16 promoting peaceful and inclusive societies, ensuring public access to information and protecting fundamental freedoms.

UNESCO's approach to media development is both knowledge-driven and context-sensitive, and it takes into account the challenges and opportunities created by the rapidly changing media environment. IPDC's Special Initiative on Knowledge-Driven Media Development highlights the importance of generating and sharing of knowledge to advance media development, and has special relevance to an inclusive approach to strengthening journalism education worldwide. This initiative contributes to Goal 16²⁰.

²⁰UNESCO. Sustainable Development Goals for Communication and Information. URL: <https://en.unesco.org/sustainabledevelopmentgoalsforcommunicationinformation>

3.3 “An Attack on One is an Attack on All”

The report “An Attack on One is an Attack on All” by the International Programme for the Development of Communication explores successful initiatives to protect journalists and combat impunity²¹. Its author Larry Kilman emphasizes the importance of collective action in protecting journalists. The report showcases successful initiatives from around the world that have effectively protected journalists and fought against impunity. These initiatives include legal reforms, safety training programs, and advocacy campaigns that have led to tangible improvements in the safety of journalists. The report underscores the role of civil society in amplifying the voices of journalists and holding governments accountable for ensuring their safety.

Such initiatives highlighted in the report include, for instance, RISC²² (Reported Instructed in Saving Colleagues) training, created by military journalists. It is provided at no cost to experienced, published freelance journalists, lasting four days and including classroom instruction and life-saving skills exercises.

Another example is The Circle NGO²³, a non-governmental organization, which brings together women journalists and other media workers from across the Middle East and North Africa to train them in the basics of combat journalism.

²¹An Attack on one is an attack on all: successful initiatives to protect journalists and combat impunity. Larry Kilman. Published by UNESCO in 2017. URL: <https://unesdoc.unesco.org/ark:/48223/pf0000250430>

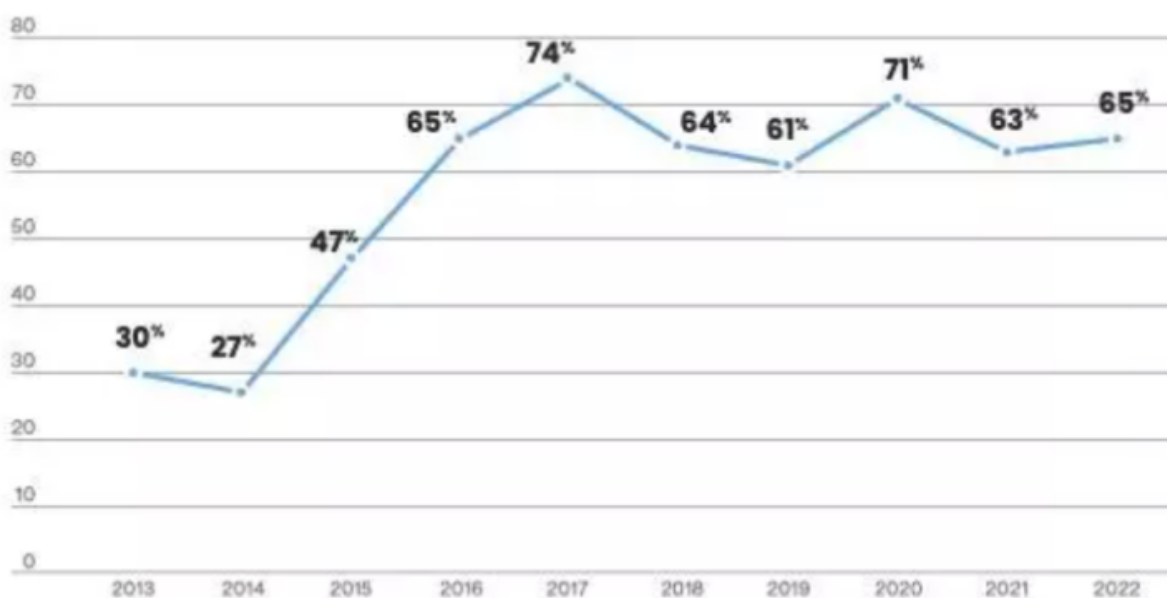
²²Reporters Instructed in Saving Colleagues (RISC). URL: <https://risctraining.org/>

²³The Circle NGO. URL: <https://www.thecircle.ngo/>

3.4 The Observatory of Killed Journalists

The Observatory of Killed Journalists provides updated information on the killing of journalists since 1993 and on the judicial status of condemned cases since 2006. It also provides public access to countries' responses to UNESCO's requests for information into the judicial status of ongoing and unresolved cases.

The following graph shows the rate of state reactions to the Director-General's requests for information on the judicial status of cases into journalist killings in % from 2013 to 2022. All concerned states are requested to authorize the publication of their responses.



Source: Observatory of Killed Journalists.
Date of reference: 26 February 2024

The Observatory makes UNESCO's work on monitoring and reporting on the safety of journalists, as well as on global impunity of such crimes publicly accessible. The data is largely collected through the Director-General's Report on the Safety of Journalists and the Danger of Impunity. It is an essential part of implementing the UN Action Plan on the Safety of Journalists and the Issue of Impunity.

The UNESCO Director-General's Report responds to a call from the 39 Member States in UNESCO's International Programme for the Development of Communication (IPDC) to provide an analytical report on the killing of journalists, media workers and social media producers engaged in journalistic activities.

CHAPTER 4. THE INTERNATIONAL LEGAL FRAMEWORK ON THE ISSUE

4.1 Protection of journalists and war correspondents in times of war or armed conflict

The illegality of attacks on journalists and news media derives from the protection granted to civilians and civilian objects under international humanitarian law, and from the fact that the media, even when used for propaganda purposes, cannot be considered as military objectives except in special cases²⁴.

Without providing a precise definition of them, humanitarian law distinguishes between two categories of journalists working in conflict zones: war correspondents accredited to the armed forces and journalists.

According to the public international law, the former category comprises all specialized journalists who, with the authorization and under the protection of a belligerent's armed forces, are present on the theatre of operations with a view to providing information on events related to the hostilities. According to the 1975 Draft United Nations International Convention on the Protection of Journalists Engaged in Dangerous Missions in Areas of Armed Conflict²⁵, the term "journalist" means "...any correspondent, reporter, photographer, and their technical film, radio and television assistants who are ordinarily engaged in any of these activities as their principal occupation..."

²⁴ICRC Law. Protection of Journalists. URL: <https://casebook.icrc.org/case-study/protection-journalists>

²⁵1975 Draft United Nations International Convention on the Protection of Journalists Engaged in Dangerous Missions in Areas of Armed Conflict. Text. URL: <https://digitallibrary.un.org/record/201886?ln=en>

Journalists engaged in professional missions in areas of armed conflict are considered civilians. As such, they may not be targeted. They are protected by their civilian status, on the condition that they refrain from any activity that might jeopardize their civilian status and character. Respect for the rules of professional ethics and independence of the press strengthen the protection of journalists' civilian status against potential accusation of participation in hostilities or providing military advantage to one side of the conflict.

According to the 1949 Geneva Convention relative to the Treatment of Prisoners of War²⁶ "war correspondents" fall into the ill-defined category of persons who accompany the armed forces without actually being members thereof. Since they are not part of the armed forces, they enjoy civilian status and the protection derived from that status. Moreover, since they are, in a manner of speaking, associated with the war effort, they are entitled to prisoner-of-war status when they fall into the hands of the enemy, provided they have been duly authorized to accompany the armed forces.

This puts them under the protection of the 1949 Third Geneva Convention Relative to the Treatment of Prisoners of War (GCIII Art. 4). In 1977, Additional Protocol I to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts, reiterated this.

²⁶Geneva Convention relative to the Treatment of Prisoners of War. Adopted: 12 August 1949. Entry into force: 21 October 1950. Text: URL: <https://www.refworld.org/legal/agreements/icrc/1949/en/35606>

4.2 Rights and obligations of journalists under the Munich Charter

Appendix III: Declaration of rights and obligations of journalists²⁷, known as the “Munich Charter”, was drawn up and approved in Munich on 24-25 November 1971.

By defining the duties of journalists and emphasising the importance of press freedom, the Munich Charter serves as a guiding document to ensure the safety and integrity of journalists even in hostile environments.

In addition, the Munich Charter promotes international cooperation and solidarity among journalists, which can help strengthen protection and support for journalists working in dangerous areas. It is accepted as authoritative within the profession and was later adopted by most journalists' unions in Europe. 1971 Appendix III declares the following obligations and rights of journalists:

Declarations of obligations:

1. To respect truth whatever be the consequences to oneself, because of the right of the public to know the truth.
2. To defend freedom of information, comment and criticism.
3. To report only on facts of which one knows the origin; not to suppress essential information nor alter texts and documents.
4. Not to use unfair methods to obtain news, photographs or documents.
5. To adhere oneself to the respect of privacy.
6. To rectify any published information which is found to

²⁷Appendix III: Declaration of rights and obligations of journalists. Approved in Munich on 24 and 25 November 1971. Text. URL: <https://safety.rsf.org/appendix-iii-declaration-of-rights-and-obligations-of-journalists/>

be inaccurate.

7. To observe professional secrecy and not to divulge the source of information obtained in confidence.

8. To regard as grave professional offences the following: plagiarism, calumny, slander, libel and unfounded accusations, the acceptance of bribes in any form in consideration of either publication or suppression of news.

9. Never to confuse the profession of a journalist with that of an advertisements salesman or a propagandist and to refuse any direct or indirect orders from advertisers.

10. To resist every pressure and to accept editorial orders only from the responsible persons of the editorial staff.

Declaration of rights:

1. Journalists claim free access to all information sources, and the right to freely enquire on all events conditioning public life. Therefore, revealing secret public or private affairs may be opposed to journalists only in exceptional cases and out of clearly expressed motives.

2. The journalist has the right to refuse subordination to anything that contradicts general policy of the information organ with which he collaborates such as it has been laid down in writing and incorporated in his contract of employment, as well as any subordination not clearly implicated by this general policy.

3. A journalist cannot be compelled to perform a professional act or to express an opinion contrary to his convictions or his conscience.

4. The editorial staff has to be informed obligatorily on all important decisions which may influence the life of the enterprise. It should at least be consulted before a definitive decision on all matters related to the composition of the editorial staff, e.g. recruitment, dismissals, mutations and promotion of journalists, is taken.

4.3 Provisions in international law to protect journalists in times of war or armed conflict

There are specific provisions in international law to protect journalists during armed conflicts. Under Article 79 of **1977 Additional Protocol I to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts**²⁸, which codifies a customary rule, journalists in war zones must be treated as civilians and protected as such, provided they play no part in the hostilities.

1977 Additional Protocol I contains the following key provisions (Article 79 – Measures of protection for journalists):

1. Journalists engaged in dangerous professional missions in areas of armed conflict shall be considered as civilians within the meaning of Article 50, paragraph 1.
2. They shall be protected as such under the Conventions and this Protocol, provided that they take no action adversely affecting their status as civilians, and without prejudice to the right of war correspondents accredited to the armed forces to the status provided for in Article 4 A (4) of the Third Convention.
3. They may obtain an identity card similar to the model in Annex II of this Protocol. This card, which shall be issued by the government of the State of which the journalist is a national or in whose territory he resides or in which the news medium employing him is located, shall attest to his status as a journalist.

²⁸Additional Protocol I to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts. Adopted on 8 June 1977. Text. URL: <https://ihl-databases.icrc.org/en/ihl-treaties/api-1977>

The Security Council Resolution 1738 (2006)²⁹

condemns the deliberate targeting of journalists, media workers and associated personnel during armed conflicts and calls on all parties to cease such acts. It emphasises the need to hold those who incite violence against civilians accountable and reaffirms the obligation to protect civilians, including journalists, in accordance with international law. The document calls on States and parties involved in conflicts to prevent violations of humanitarian law against journalists and emphasises the importance of respecting the independence and rights of media workers. Resolution 1738 includes the following key provisions:

The Security Council,
[...]

1. Condemns intentional attacks against journalists, media professionals and associated personnel, as such, in situations of armed conflict, and calls upon all parties to put an end to such practices;
2. Recalls in this regard that journalists, media professionals and associated personnel engaged in dangerous professional missions in areas of armed conflict shall be considered as civilians and shall be respected and protected as such, provided that they take no action adversely affecting their status as civilians. This is without prejudice to the right of war correspondents accredited to the armed forces to the status of prisoners of war provided for in article 4.A.4 of the Third Geneva Convention;

²⁹Resolution 1738 (2006) / adopted by the Security Council at its 5613th meeting, on 23 December 2006. Text. URL: <https://digitallibrary.un.org/record/589659?ln=en#:~:text=Condemns%20intentional%20attacks%20against%20journalists,situations%20of%20armed%20conflict%2C%20further>

5. Recalls its demand that all parties to an armed conflict comply fully with the obligations applicable to them under international law related to the protection of civilians in armed conflict, including journalists, media professionals and associated personnel;

6. Urges States and all other parties to an armed conflict to do their utmost to prevent violations of international humanitarian law against civilians, including journalists, media professionals and associated personnel;

The Security Council resolution 2222 (2015) on the protection of journalists and associated media personnel in armed conflict³⁰ is a landmark resolution that reaffirms the importance of protecting journalists in conflict zones. The resolution calls on all parties to ensure the safety of journalists, to respect their independence and impartiality, and to investigate and prosecute crimes committed against them. It also emphasizes the need for greater coordination and cooperation among UN bodies, governments, and civil society in safeguarding the safety of journalists.

Resolution 2222 states that, according to article 4.A.4 of the 3rd Geneva Convention (1949)³¹, military journalists are recognized as prisoners of war on an equal basis with civilians; and affirms that United Nations peacekeeping and special political missions, where appropriate, should include in their mandated reporting information on specific acts of violence against journalists, media professionals and associated personnel in situation of an armed conflict. Resolution in question incorporates the following key provisions:

³⁰ Resolution 2222 / adopted by the Security Council at its 7450th meeting, on 27 May 2015. Text. URL: <https://digitallibrary.un.org/record/793613?ln=en>

³¹ III Geneva Convention Relative to the Treatment of Prisoners of War of 12 August 1949. Text. URL: https://www.un.org/en/genocideprevention/documents/atrocities-crimes/Doc.32_GC-III-EN.pdf

The Security Council

[...]

... Deeply concerned at the frequency of acts of violence in many parts of the world against journalists, media professionals, and associated personnel in armed conflict, in particular deliberate attacks in violation of international humanitarian law

1. Condemns all violations and abuses committed against journalists, media professionals and associated personnel in situations of armed conflict, and calls upon all parties to armed conflict to bring an end to such practices;

9. Urges all parties involved in situations of armed conflict to respect the professional independence and rights of journalists, media professionals and associated personnel as civilians;

12. Affirms that United Nations peacekeeping and special political missions, where appropriate, should include in their mandated reporting information on specific acts of violence against journalists, media professionals and associated personnel in situation of armed conflict;

The UN General Assembly also took up the issue in its **Resolution 68/163**³², passed on 18 December 2013. Resolution 68/163 highlights the importance of preventing violence against journalists and calls on Member States to cooperate in these efforts. It emphasises the need to uphold freedom of expression and notes the role of journalists in promoting transparency and accountability. Resolution 68/163 recognised 2 November as the International Day to End Impunity for Crimes against Journalists (IDEI). Resolution in question includes the following key provisions:

³² Resolution 68/163 / adopted by the General Assembly on 18 December 2013. Text. URL: <https://digitallibrary.un.org/record/767864?ln=en>

The General Assembly,
[...]

2. Condemns unequivocally all attacks and violence against journalists and media workers, such as torture, extrajudicial killings, enforced disappearances and arbitrary detention, as well as intimidation and harassment in both conflict and non-conflict situations;
3. Decides to proclaim 2 November as the International Day to End Impunity for Crimes against Journalists;

Similarly, **Resolution 69/185 adopted by the United Nations General Assembly on 18 December 2014, on the safety of journalists and the issue of impunity**³³, reaffirms these principles and highlights the responsibility of States to ensure the safety and protection of journalists. Both resolutions call on Member States to take concrete measures to combat impunity for attacks against journalists and to create a safe environment for media workers to carry out their work without fear of reprisals. Resolution 69/185 incorporates the following key provisions:

The General Assembly
[...]

3. Urges the immediate release of journalists and media workers who have been taken as hostages or who have become victims of enforced disappearances;
8. Stresses 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, including with regional organizations;

³³ Resolution 69/185 / adopted by the General Assembly on 18 December 2014. Text. URL: <https://digitallibrary.un.org/record/788148?ln=en>

Conclusion

In conclusion, ensuring the safety of journalists in conflict zones is paramount in upholding the values of freedom of opinion and expression, and providing accurate and timely information to the public. It is essential for journalists to be able to report on events in these regions without fear of harm or reprisal, as their work plays a vital role primarily in highlighting human rights violations, exposing corruption, and holding those in power accountable.

Throughout this report, various challenges faced by journalists in times of war or armed conflict in the Syrian Arab Republic, Palestinian Territories and Ukraine were explored. It is clear that journalists are increasingly becoming targets in conflict-affected areas, facing threats from both state and non-state actors who seek to silence dissenting voices and control the narrative of the conflict. It is crucial for media organizations and governments to work together to create a safe and enabling environment for journalists to operate in conflict zones. This includes, inter alia, enacting and enforcing laws that protect the rights of journalists and punish those who commit acts of violence against them, as well as fostering a culture of respect for the media and the significant role they play in society.

Ensuring the safety of journalists in conflict zones is a complex and multifaceted challenge that requires a coordinated effort from all stakeholders, including journalists themselves, media organizations, governments, and international bodies. Ultimately, the safety of journalists is not just a matter of protecting individuals, but also safeguarding the public's right to know and promoting transparency and accountability in conflict-affected areas. By prioritizing the safety of journalists, we can help to ensure that the truth is heard, even in the most challenging circumstances.

