

Dear United Nations Human Rights Council delegates,

My name is Yingfan Bai and I am beyond honoured to serve as the Director of the United Nations Human Rights Council (UNHRC) at SMUSMUN 2023. I am currently a freshman at St. Michaels University School. Alongside the rest of my dias team, Chair Bianca Toaxen and Assistant Directors Nirvika Pillay and Deristhi Govender, we would like to extend a warm welcome to all of you.

I still remember my first conference three years ago, at which I was too nervous to contribute much to the committee. Now, two dozen conferences later, I have developed many key skills from MUN, and made many connections with people all around the world. My unexpected dive into this community has not only reinvigorated my love for public speaking but has shaped me into the person I am today.

This year, the UNHRC will be discussing a pressing issue in the world: Attacks on Journalists/Freedom of Speech. This topic was chosen because of its relevance and the massive impact that it plays on the future of society. With that said, to ensure success in this committee, we would recommend you to start researching the topic early or right after you get your committee and country assignment so that you have sufficient time to conduct thorough research and write an effective position paper on your country's stance and position. Additionally, we would encourage you to go beyond the background guide and conduct your own research on the various subtopics within the main topic of this committee. Finally, we would strongly encourage for you to reach out to us if you have any questions, comments, or concerns! Whether SMUSMUN marks your first venture into the realm of MUN or your last conference, I hope that this topic will challenge you to craft innovative solutions, negotiate with fellow delegates, and seek collaboration with opposing viewpoints.

On behalf of the dias team, we thank you for choosing this committee and wish you the best of luck in your preparation and research, and we look forward to conversing and creating memories with each and every one of you. Let SMUSMUN 2023 be yet another step in your learning journey, and may you all have a memorable weekend.

Best Regards,

Yingfan Bai

Director of the United Nations Human Rights Council - SMUSMUN 2023

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## **Committee Overview:**

The United Nations Human Rights committee is a unique committee that is very important to the world and keeping international peace. The main mission of the council is to protect human rights around the world and to address situations of human rights violations and make recommendations on how to approach and resolve them. For example, the council concerns itself with the Israel-Palestine conflict, human rights violations in the Democratic People's Republic of Korea and Syria, LGBTQIA+ rights, women's rights, and rights to sanitation, housing, and security.

# **Topic Introduction:**

Throughout history, those in charge have used the media to control and censor people. When governments have power over the press, they have power over the people. All around the world, freedom of speech has been infringed upon by governments that would rather harm their citizens than face their mistakes. Countries such as Russia and China, have long used journalism to push narratives that benefit those in power, not the people themselves who more often than not face the consequences for the actions of their government. Journalists who go against what they are ordered to write are met with strong opposition from their governments, as well as unjustly vilified and punished. Currently, the UNHRC has ratified the Windhoek +30 Declaration, a new resolution on the safety of journalists. Without freedom of speech people will only know what their government wants them to know, and everything else will be hidden away.

### **Timeline:**

18 December 1621 — The Protestation of 1621 is declared by the House of Commons of England reiterating the right to freedom of speech before the monarchy.

16 December 1689 — The English Bill of Rights receives approval from the monarchy, and Article 9 states freedom of speech in parliament.

2 December 1766 — Sweden passes the Freedom of the Press Act, the first law in the world that advocates for freedom of press and freedom of information.

26 August 1789 — France adopts the Declaration of the Rights of Man and of the Citizen during the French Revolution, and Article 11 includes freedom of speech and freedom of press.

15 December 1791 — The Constitution of the United States establishes the First Amendment, which protects freedom of speech and freedom of press.

21 March 1933 — The Malicious Practices Act is passed in Germany, making it illegal for anyone to criticize the Nazi party and its leaders.

12 February 1974 — Russian novelist Aleksandr Solzhenitsyn is exiled from the Soviet Union and deported to West Germany after publishing a record on Soviet prison and labour camps.

28 November 1994 — Iranian writer Ali-Akbar Sa'idi Sirjani dies in a government safe house under suspicious circumstances after being arrested for publicly criticizing the government.

7 October 2006 — Russian investigative journalist Anna Politkovskaya, whose reporting on Chechnya led to harassment from the government, is found dead after being shot twice.

19 August 2014 — American journalist James Foley is beheaded by ISIS after being held hostage in Syria for nearly two years in response to America's actions in the Middle East.

15 May 2017 — Mexican investigative reporter Javier Valdez Cárdenas is shot a dozen times and cartels are suspected to be responsible because of the articles he published on drug trafficking.

31 August 2017 — South Korean journalists, Son Hyo-rim and Yang Ji-ho, and their publishers are sentenced to death in absentia by North Korea for reporting on a book about North Korea.

2 October 2018 — Saudi Arabian journalist Jamal Khashoggi is assassinated in Istanbul's Saudi Arabian consulate by a team of Saudi Arabian agents for criticizing the government in articles.

28 December 2020 — Chinese journalist Zhang Zhan is sentenced to four years in jail for reporting on the COVID-19 outbreak in Wuhan and the government's response to it.

3 May 2022 — The annual World Press Freedom Index is published, it evaluates the conditions journalists face around the world and shows that freedom of press is still not present everywhere.

## **Historical Analysis:**

Over time, freedom of speech and freedom of press has become a protected right in some countries while others have yet to have this development. As these threats evolve more must be done to ensure the safety of those who are affected.

## Freedom of Speech

Freedom of speech is a human right that supports the ability of individuals or communities to express their own opinions and ideas without the fear of repercussions. Many countries have legislation in place that protects freedom of speech, but not all countries abide by their own laws and some exploit other laws in order to censor freedom of speech. By suppressing freedom of speech countries are able to control the narrative that they portray to the world, though this can lead to people living in fear and harbouring resentment towards their government. That being said, other countries have taken steps to protect freedom of speech and have preserved it as a human right in their laws. This has allowed for the voices of countless people to be heard when they otherwise would not have been, and allowed for further progress to be made in respect to human rights. However, freedom of speech does have its limitations to ensure that people cannot express whatever they want, such as hate speech, without consequences.

## Attacks on Journalists

Despite the fact that many countries have enshrined freedom of press as a human right, attacks on journalists have become more prevalent over the years. Journalism still remains a perilous occupation regardless of the measures taken by the global community to ensure the safety of journalists. In an age where everything is recorded, journalists are faced with increasing risks in their line of work as every day goes by. Journalists encounter threats from many different angles, from hostile governments to scorned individuals, anyone and anything that they have written about poses a threat to their safety. On a daily basis, journalists can be faced with censorship, harassment, violence, imprisonment and death for simply investigating and reporting their findings to the world. Journalism is meant to provide the public with information so that people know what is happening, without this countless individuals will be uninformed about what is truly going on in the world.

### **Past UN Actions:**

Throughout history the UN has worked to preserve the rights of expression for individuals as well as the press. Branches of the UN have taken actions to ensure that freedom of speech and freedom of press are respected and protected across the world regardless of who someone is.

## Universal Declaration of Human Rights (UDHR)

On 10 December 1948, the UDHR was adopted in Paris, France during the third session of the United Nations General Assembly (UNGA) as Resolution 217A. It was previously drafted by the Universal Declaration of Human Rights Drafting Committee, which was established by the United Nations Commission on Human Rights (UNCHR). The global document was created to protect the human rights of all people, regardless of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

The UDHR details 30 articles in connection to the basic rights and fundamental freedoms, or human rights of individuals, and declares that these human rights are to be universally protected. This human rights document was highly influential as it directly inspired the initiation of the international human rights law, and the International Bill of Human Rights. In addition, the universalist language of the text was significant as there was no mention of any particular culture, political system, or religion within the document.

Of the 30 articles in the UDHR, Article 19 states that all people have the right to freedom of expression and freedom of opinion, this includes the freedom to hold opinions without interference, and the freedom to seek, receive and impart information and ideas through any media and regardless of frontiers. This means that people can share any and all information they wish through means such as speech and press. However, the extent of freedom of expression is restricted by the International Covenant on Civil and Political Rights to ensure that ideals related to criminal activity and hate are not tolerated.

#### Windhoek Declarations

On 3 May 1991, the United Nations Educational, Scientific and Cultural Organization (UNESCO) ratified the Windhoek Declaration for the Development of a Free, Independent and Pluralistic Press, more commonly known as the Windhoek Declaration. The Windhoek Declaration is a statement of freedom of press principles created by journalists in Africa, who were concerned about the dangers that journalists faced, which included, but were not limited to intimidation, incarceration, and assassination.

These principles were drawn up during the course of a seminar held by UNESCO from 29 April 1991 to 3 May 1991 in Namibia's capital city of Windhoek titled Promoting an Independent and Pluralistic African Press. This document was the first of its kind that promoted freedom of the press around the world, it influenced other regions to establish their own declarations and was crucial in confirming the global community's commitment to freedom of the press. In 1993, the United Nations General Assembly observed a recommendation from the 26st Session of the UNESCO General Conference, and proclaimed that the anniversary of the Windhoek Declaration would be known as World Press Freedom Day.

30 years later, on the anniversary of the Windhoek Declaration UNESCO and Namibia hosted the 2021 World Press Freedom Day Global Conference where the Windhoek +30 Declaration was adopted. Later that year on 22 November 2021, the Windhoek +30 Declaration was adopted globally during the 41st Session of the UNESCO General Conference. The main objective of the Windhoek +30 Declaration is the promotion of information as a public good.

## **Current Situation:**

Despite measures such as the Universal Declaration of Human Rights and the Windhoek Declaration, journalists continue to face harm globally. Current statistics show that one journalist is killed every four days across the world. From 2006 to 2020, more than one thousand media professionals died in the line of duty. Unfortunately, in 90% of cases, the lack of investigation and prosecution of such crimes has meant that perpetrators have, and continue to go, unpunished. It is also important to note that female journalists remain particularly vulnerable. In a recent UNESCO survey, 73% of female journalists revealed that they faced online harassment in

connection with their careers. In some cases, these virtual threats have led to violence and even death. Apart from harm, many journalists continue to encounter censorship that threatens their freedom of expression. In 2012, the Intergovernmental Council of UNESCO's International Programme for the Development of Communication developed the UN Plan of Action on the Safety of Journalists and the Issue of Impunity. On October 6th, 2022, the UNHRC acknowledged UNESCO's work and the Windhoek +30 Declaration. On that same day, the UNHRC also adopted a new resolution to foster a free and safe environment for journalists. Focusing on prevention, protection, and prosecution, the new resolution aims to safeguard journalists, press freedom, and democracy worldwide.

### **Bloc Positions:**

Canada, The United States, The United Kingdom, The EU & Australia

Considered to be the golden standard in Freedoms and Human Rights, these countries believe in the protection of speech rights and journalism. Several laws exist in these countries such as; Canada's 'Charter of Rights and Freedoms', the EU parliament's resolution on strengthening media freedom and pluralism in the EU, Section 16 of the Human Rights Act of 2004 from Australian parliament as well as the United States' First Amendment. These countries all have these laws and bills in place and enforce them regularly to ensure media pluralism and freedom of speech for all citizens.

### Russia and China

Russia and China both are considered procedural, rather than true when it comes to freedom of speech. Both state in their constitutions and laws that citizens have the right to freedom of speech, but, despite this, both governments strictly control what its inhabitants say or do. In recent decades, this censorship has reached journalism. Those who choose to report on issues inside of their respective countries often disappear or are found dead. Those in China may be sent to 'work camps' where they become slaves for the government in harsh conditions.

Journalism and media is highly curated by the government to ensure that no outside information that could harm the image of the government reaches its citizens. Recently, during the Russia-Ukraine invasion, it was reported that due to Russian media, many believe that Ukraine

was a large threat to the federation, due to the harboring of many 'Nazis' in the country. This 'theory' was intentionally put out by their president, Vladmir Putin.

Northern Africa & Developing Democratic Countries

Many countries have a willingness to protect freedom of speech but simply do not have the resources to do so. Due to the high rate of anti-government militant groups and terrorism, many governments are struggling when it comes to the human rights of individuals. A plethora of these states 'ensure' this through their laws and constitutions but it is never fully enforced because of the low capacity to handle it within the governments.

# **Case Study – Christo Grovez:**

On the 26th of December 2022 Bulgarian investigative journalist Christo Grovez was placed on a wanted list by the Interior Ministry of Russia. Its reasoning for doing so is that Grovez is wanted under an article of the Criminal Code, and no further information has been given. It has been reported that Russia has opened a case against Grovez for publishing fake news about the Russian army.

At the beginning of the Russian invasion of Ukraine additional fake news laws were implemented in Russia. This allowed for Russia to criminalize what it considers to be false news about the Russian military and the Russian invasion of Ukraine. These laws have limited the presence of foreign media in Russia, as well as have exercised control over Russian media outlets. Penalties for violating the fake news laws include fines and/or prison sentences, with the more severe penalties being 1.5 million rubles in fines and 15 years in prison.

Grovez is the lead Russia reporter at the investigative journalism group Bellingcat focusing on security threats, extraterritorial clandestine operations, and the weaponization of information. His recent articles have been concerning the Russian invasion of Ukraine, specifically Russian war crimes in Ukraine. Grovez and his team had earned the European Press Prize for Investigative

Reporting for their investigations into the poisoning of Sergei and Yulia Skripal. He has also previously investigated Malaysia Airlines Flight 17, and the poisoning of Alexei Navalny.

Bulgaria is protesting against Russia's decision to place Grovez on a wanted list and is demanding access to all of the information regarding this case. Bulgaria has characterized Russia's actions as attacks on freedom of speech and intimidation of a Bulgarian citizen. Grovez has stated that Russia is scared of the work of journalists and that he is afraid for his life.

## **Guiding Questions:**

- 1. If the society had full freedom of speech, what would the positive and negative sides be of having that right?
- 2. Which countries would benefit most from more/less freedom of speech?
- 3. Should freedom of speech in social media be treated the same?
- 4. Should the government have the right to interfere with freedom of speech from citizens? If so, when and how much?
- 5. Is there a limit to freedom of speech?

### **Further Research:**

- UN Human Rights Council Resolution on Safety of Journalists welcomes the
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- 3. The Universal Declaration of Human Rights: https://humanrights.ca/story/universal-declaration-human-rights
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