

# GDMUN'23

## UNHRC

### BACKGROUND GUIDE



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# LETTER FROM EXECUTIVE BOARD

Letter from the Executive Board

We welcome you to the GD Goenka Model United Nations, 2023. This background guide shall give you a glimpse of what we as the EB members expect from the committee. The content of this guide can be considered as an authorized source of information in due course of the committee, though you all are required to do extensive research and present with some breathtaking deliberations.

## **About The Chairperson - Amber Bhat**

I'm an 18 year old Humanitarian currently pursuing B.A. Political Science (Honors) from Lady Shree Ram College, Delhi University. I was the Head-girl of my school explaining me being a versatile and analytic individual with a practical hand on approach. My MUN journey began in 9th grade and currently I've participated in over 30+ conferences. As an EB member I have a strong passion for well grounded discussions and valid arguments. Subtle in nature but fierce in debates, I hold upright respect for, and expect delegates to indulge in tactful negotiations, structured speeches and logical reasons.

Have a fun time debating and learning!

See y'all very soon!

Signing in,

Amber Bhat (@\_just.amby.\_)

### **About The Vice Chairperson - Armaan Ali**

An 11th grader currently studying humanities. An around the block pristine declaimer who isn't for the optics, recipient of numerous accolades pertaining to MUNs, formal debate competitions. Been around the circuit for quite a while establishing himself as quite the juggernaut. Sort of an ironclad when it comes to stance in geo politics and diplomacy. I would just leave you with a fallacy "after this, therefore because of this."

Looking forward to see y'all

Signing in,

Armaan Ali ( @armaann\_alii)

### **About The Rapporteur - Sarnish Kour**

Sarnish Kour : A 17 year old Humanitarian , pursuing B.Tech. at Jammu University . Being a proud ex-Conventie she brings a pragmatic and logical approach. Her Model United Nations Journey began in 2019 with an experience of 25+ conferences . As an Executive Board Member she is passionate about valid debates and Compelling Arguments. Committed to Diplomacy, she is respectful to Delegates and anticipates logical and thoughtfully composed Oration's.

Signing in,

Sarnish Kour ( @sarnish\_k)

Please feel free to contact us via Instagram.

The Execute Board is honored to be a part of GD Goenka Model United Nations, 2023. We look forward to see you guys on the other side with ferocious debates and great research work!

## **INTRODUCTION TO COMMITTEE**

The United Nations Human Rights Council (UNHRC) represents and protects the Human Rights of all persons in the world. The Council was founded in 2006 and have 47 seats, where the members are elected every three year.<sup>1</sup> The Council is mandated to promote and protect the enjoyment and full realization, by all people, of all rights established in the Charter of the United Nations and in international laws and treaties.<sup>2</sup> UNHRC is guided in its work by the UN Resolutions, Declarations and Treaties.

The mandate includes: preventing human rights violations, securing respect for all human rights, promoting international cooperation to protect human rights, coordinating related activities throughout the United Nations, and strengthening and streamlining the United Nations system in the field of human rights.<sup>3</sup>

UNHRC works closely with the Office of the High Commissioner for Human Rights and acts as the principal Human Rights Official in the United Nations. The Council promotes the right to development, coordinates United Nations human rights education and public information activities.<sup>5</sup> Its main priority is to strengthen Human Rights across the United Nations system and in the world. UNHRC works with determination to ensure the enforcement of universally recognized Human Rights norms, including through promoting both the universal ratification and implementation of the major human rights treaties and respect for the rule of law.

## **MANDATE OF THE COMMITTEE**

UN Human Rights was created by the General Assembly in 1993 through its resolution 48/141 which also details its mandate. UN Human Rights is mandated. Promote and protect all human rights for all and recommend that bodies of the UN system improve the promotion and protection of all human rights.

# **HISTORY OF COMMITTEE**

The United Nations Human Rights Council (UNHRC) was founded in 2006, succeeding the Commission on Human Rights. It was created to address global human rights issues in a more efficient and unbiased manner. The UNHRC comprises 47 member states elected by the UN General Assembly, and it conducts regular sessions to examine and respond to human rights violations worldwide. Its history is marked by efforts to promote international cooperation and protect human rights, although it has faced criticisms and challenges related to its effectiveness and membership composition.

## **INTRODUCTION TO AGENDA**

The United Nations General Assembly proclaimed 2 November as the 'International Day to End Impunity for Crimes against Journalists' in General Assembly Resolution A/RES/68/163. Impunity means the exemption or immunity from punishment or unpleasant consequences.

Journalism plays a remarkable role around the world, and in the past few decades, it has become vital in our day-to-day lives. The sole reason for the information we get about the political situation in our neighboring countries, that we know about famines and diseases that plague the population on another continent, that we are even remotely aware of what is happening half a world away is Journalism. Reporters around the world shape the international agenda by recording events and bringing them to global attention.

Unfortunately, even in the present day and with numerous laws in place to protect the work of journalists and the right to freedom of expression, there are still a dismaying number of countries where neither freedom of expression nor freedom of press are tolerated. Every day we see new forms of censorship and repression, self-censorship, surveillance, monitoring and control, gatekeeping, propaganda – disinformation, acts of terror, anti-terror laws, criminalization of encryption and/or anonymity, hate speech and

harassment, and organized crime. These are critical issues in many countries, but especially in zones facing social, ethnic and political stress, armed conflicts or disaster situations. Women journalists are particularly impacted by threats and attacks, notably by those made online. According to UNESCO's discussion paper, *The Chilling: Global trends in online violence against women journalists*, 73 percent of the women journalists surveyed said they had been threatened, intimidated and insulted online in connection with their work.

Silencing these actors by violence and threats constitutes a serious threat to freedom of expression and as such, it is the ultimate act of censorship. Equally worrying is the fact that for eight in ten cases of journalist killings, the crimes remain unsolved. The end result is a vicious cycle of impunity, in addition to a very likely chilling effect on society in a climate of fear and self-censorship. There is a need to highlight the flagrant number of unresolved journalists' murders and the lack of punishment for their perpetrators around the world. According to CPJ's 2022 Global Impunity Index. In nearly 80% of the 263 cases of journalists murdered in retaliation for their work globally over the past decade, the perpetrators have faced no punishment.

Over the past decade, global press freedom organizations have emphasized the cyclical effect of impunity, whereby impunity in journalist murders provokes repetition. The silver lining of the so-called 'cycle of impunity' is that combating impunity may prevent journalist murders by raising the political costs for perpetrators. As a result, the primary focus of actors in our field has been on measures to address impunity. While combating impunity is an important effort in its own right, this approach risks overlooking the main structural factors that lead to repeated murders of journalists, separate from the presumed causal relationship between impunity and murders. As a nuance to this approach, we believe that understanding the structural factors that augment lethal risks for journalists is of equal importance. Ultimately, preventing journalist murders also prevents impunity. The upcoming sections deal with the global trends in journalist murders and the factors that enhance lethal risks for journalists..

The main objective of this committee during the conference will be to try to find effective solutions for the challenges ahead of us. By adding this issue to the agenda, the UNHRC committee hopes that the UN member states present will successfully tackle the issue by cooperating. The main objective during this conference is trying to find effective solutions for the challenges present and ahead of us, and to improve and ensure the safety, impunity and freedom of journalism.

## **BACKGROUND**

Article 19 of Universal Declaration of Human Rights states the following:

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

In Article 19 of the International Covenant on Civil and Political Rights (ICCPR) the following is stated:

- "1. Everyone shall have the right to hold opinions without interference.
2. Everyone shall have the right to freedom of expression; this right shall include  
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 his choice.
3. The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be for example provided by law and are necessary: (a) For respect of the rights or reputations of others; (b) For the protection of national security or of public order (order public), or of public health or morals."

Freedom of expression is the freedom for us all to express ourselves. It is the right to speak, to be heard, and to participate in political, artistic and social



life. It also includes the “right to know”; the right to seek, receive and share information through any media.”

On May 3rd, the international community celebrates journalism and the freedom that we, citizens of the world, hope to bestow not only upon journalists but on all individuals. This date is set to remind the world of the importance of what is written in Article 19 of the Universal Declaration of Human Rights, specifically emphasizing the significance of protecting the fundamental human right of freedom of expression. It is a right, but it implies responsibility and respect for the rights of others. Limits on freedom of expression are not constant, but marked by the cultural and social context. Yet there must be no doubt as to where the responsibility lies. Freedom of expression has legal, ethical and moral dimensions. It is about a universal good.

Political opposition, diversified cultural expression, creativity, and invention, as well as the development of one's individuality via self-expression, all require freedom of speech. Freedom of expression promotes conversation, understanding, and public awareness. Our knowledge develops when we can freely communicate ideas and information, which enriches our communities and society. Freedom of expression also allows us to challenge our governments, which aids in holding them responsible. Questioning and discussion are beneficial because they result in better policies and more stable societies.

In other words, freedom of expression is the lifeblood of democracy. However, many previous incidents have made the international community painfully aware of how this right is often neglected and violated.

Globally, there are distressing signals of repression and violations of media freedom. Control and coercion over the diversity and substance of media undermine their independence and pluralism. Cases of journalists being detained because of their job continue to emerge. There have been reported cases of harassment, intimidation, assault, and even murder. Committee to protect journalists reports that 2205 Journalists and Media Workers Killed between 1992 and 2023. No one has been held to account in nearly 80% of journalist murders during the last 10 years, CPJ's 2022 Global Impunity Index found, and governments show little interest in tackling the issue.

# WHY IS IT IMPORTANT TO ADDRESS THE ISSUE OF GLOBAL IMPUNITY?

Despite a tiny but encouraging drop, it is difficult to overestimate the global problem of targeted journalist killings. Since 1992, the Committee to Protect Journalists has recorded 2205 similar murders. These killings are an attack on an individual, and they impair the functioning of our society, not least by limiting people's access to knowledge and the space for open public discussion. To add insult to injury, it is now widely accepted among the press freedom community that 8 out of 10 such killings result in impunity. These percentages become much more bleak when one considers that in less than 5% of incidents worldwide, both the material offender and the mastermind are apprehended. According to CPJ's 2022 Global Impunity Index study, "the vast majority of journalists' killers continue to get away with murder." According to the research, "no one has been held to account for nearly 80% of 263 journalist murders worldwide over the past ten years."

Similarly, according to UNESCO's 2022 report on journalist safety and the perils of impunity, while total homicides are down in 2020 and 2021, "the percentage of journalist killings in countries not experiencing armed conflict has been increasing since 2016

."Journalists put their lives in peril to report on events throughout the world for the benefit of the global community, whether they are covering terrorism, conventional wars, or political disputes. When it comes to incidents involving anti-press crimes like limiting, censoring, and restricting journalists' work, some nations are infamous for their lack of prosecution.

The limitations imposed on journalists by the various authorities of different states offer another issue. The majority of governments around the world acknowledge and value free speech and the press as essential components of an educated and functioning society. However, not all nations experience

this. There are still certain states where the public only has access to news and media that the administration favors. For development, it is crucial to have regulations that guarantee journalists' safety and the right to publish whatever. People must have access to information from a variety of reliable sources, and it is crucial that those who acquire, publish, or display this information can do so without suffering unfavorable repercussions or having their work prohibited. The freedom of the press is a cornerstone upon which our contemporary societies are built, and in order for journalists to conduct their jobs, their safety and impunity must be ensured. Article 19 of the Universal Declaration of Human Rights is violated by countries that forbid media organizations from printing and disseminating what they want, depriving their citizens of information and news. Silencing a journalist should not only be a concern for one individual or journalistic union, it is an issue that affects society as a whole, its present and its future.

## **CAUSES AND EFFECTS OF IMPUNITY**

### **CAUSES:**

Even while impunity is the norm in situations of journalist killings, it can manifest itself in a variety of ways. However, there are several worldwide characteristics that influence the overall likelihood of obtaining justice following a journalist murder. Understanding such elements can assist to advance the justice viewpoint in future incidents of journalist killings.

Impunity, or the lack of accountability for wrongdoing, can have several causes:

- **Regimes:** The levels of impunity strongly vary across the types of political regimes. Unsurprisingly, the chances of justice in autocracies and fragile states are lowest, with an impunity rate of 90 percent. While journalists are not often murdered in autocracies, the chances of achieving justice when they are, are extremely slim. Fragile states account for more journalist murders - apart from the higher number of crossfire and dangerous assignment killings - and have an equal level of impunity. In democracies, where only a fraction of the total number

of journalist murders takes place, impunity is also low. However, in hybrid regimes, where the vast majority of murders have been committed over the past decade, impunity is rife but not as extreme as in autocracies. Whereas the unclear boundaries of the rule of law in hybrid regimes make them dangerous environments for journalists, the fact that the rule of law is crippled instead of absent provides some opportunity of justice. As set out above however, this still mostly concerns partial justice whereby the masterminds escape.

- Weak Judicial System: A poorly functioning or corrupt judicial system can lead to impunity as perpetrators may escape prosecution.
- Corruption: Widespread corruption within law enforcement or government institutions can protect wrongdoers from consequences.
- Lack of Resources: Limited resources for law enforcement and the judiciary can hinder their ability to investigate and prosecute crimes effectively.
- Political Interference: Politically motivated interference in legal processes can shield individuals from accountability.
- Fear and Intimidation: Perpetrators may use threats or violence to deter witnesses, investigators, or judges from pursuing justice.

#### Effects:

- Continued Crime: Impunity can encourage further criminal activity, as perpetrators believe they can act without consequences.
- Erosion of Trust: It erodes public trust in institutions when people see that those in power can act with impunity.
- Injustice: Victims and their families often suffer without closure or compensation, leading to a sense of injustice.
- Human Rights Violations: Impunity for human rights abuses can perpetuate cycles of violence and oppression.
- Social Instability: Widespread impunity can contribute to social unrest and instability as grievances go unaddressed.
- Addressing impunity often requires strengthening the rule of law, promoting transparency, and holding individuals and institutions accountable for their actions.
- Police Brutality: Cases where law enforcement officers use excessive force or engage in misconduct without facing legal consequences are

examples of impunity. For instance, the lack of convictions or penalties for officers involved in some high-profile cases of police brutality.

- **Corruption:** When politicians or public officials engage in corrupt practices such as embezzlement, bribery, or kickbacks and are not held accountable, it demonstrates impunity. This can undermine public trust in government institutions.
- **War Crimes:** Instances where individuals, including military personnel or government officials, commit war crimes during conflicts and avoid prosecution. The International Criminal Court (ICC) investigates and prosecutes some of these cases.
- **Corporate Wrongdoing:** When companies engage in illegal activities such as environmental pollution, product safety violations, or financial fraud, and escape significant legal consequences or fines, it reflects corporate impunity.
- **Genocide and Ethnic Cleansing:** Historical examples like the Rwandan Genocide, where many perpetrators were not brought to justice for their roles in mass killings and ethnic cleansing.
- **Journalist and Activist Killings:** When journalists, human rights activists, or political dissidents are murdered, and their killers go unpunished. This can create a climate of fear and suppress free speech.
- **Sexual Assault and Harassment:** Cases where individuals accused of sexual assault or harassment avoid prosecution or face minimal consequences, leading to concerns about impunity in these matters.
- **Organized Crime:** In regions with a strong presence of organized crime, members may commit crimes like drug trafficking, extortion, or kidnapping with little fear of prosecution due to the power and reach of

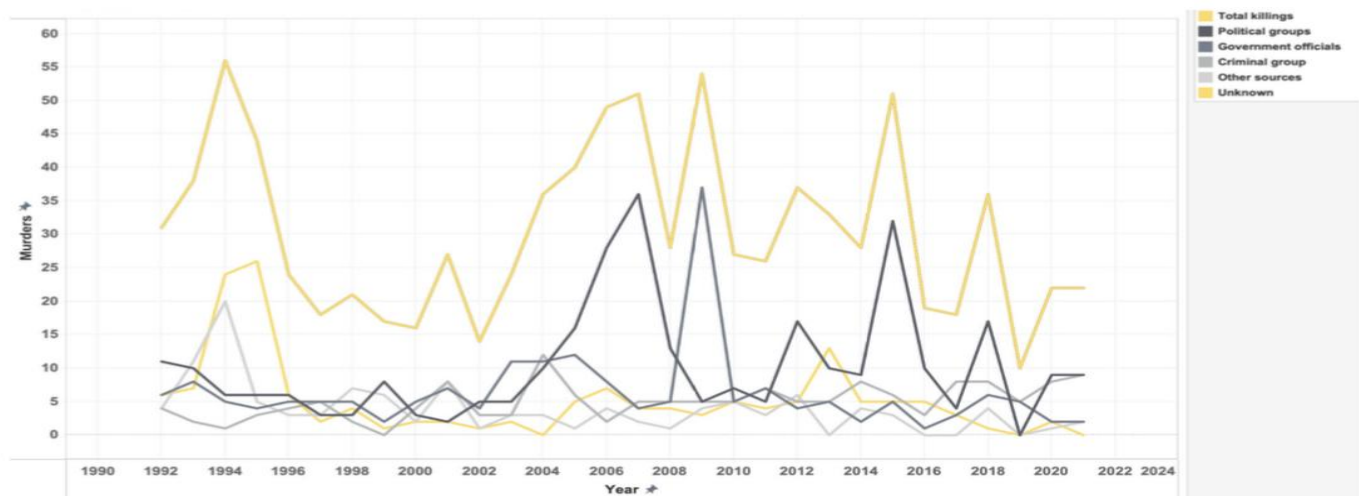
## **LATEST GLOBAL TRENDS**

### **MURDER STATISTICS**

The CPJ-dataset that was used for this analysis identifies three main groups of perpetrators, which are responsible for 90 percent of journalist murders. In 42 percent of murders the perpetrators are part of political groups, in 30

percent of the cases the perpetrators are government officials (including military personnel) and in 18 percent of murders the perpetrators are part of criminal groups.

**Murders by Source**



We draw four major points after analyzing journalist killings between 1992 and 2021. For starters, there are significant year-to-year changes, with lows of 10 killings in 2019 and 14 in 2002, contrasted to highs of 56 killings in 1994, 54 killings in 2009, and 51 killings in 2015. Second, according to an examination of three 10-year periods (1992-2001, 2002-2011, and 2012-2021), journalist killings climbed from 2002 to 2011 and then fell marginally. Third, this general decline is mostly due to a reduction in killings perpetrated by government personnel. As the graph shows, there were 'only' 47 homicides with government personnel as the suspected source of fire between 2012 and 2021, compared to 101 incidents in the preceding decade..

This is in contrast with the number of murders by political groups and criminal groups, which has remained relatively stable. Partly, this decrease can be explained by the fact that in the previous decade - in 2009 - the Magindanao massacre took place, which accounts for 30 murders committed by public officials. A positive - although only partially valid - explanation of this trend would be to point towards the potential effect of the increased attention to the issue on the international level with the first UN resolution

on the Safety of Journalists adopted by the Human Rights Council in 2012, implying that this norm setting trickled down to government officials in the countries concerned. Another plausible explanation based on the data gathered by UNESCO is that we see a peak in imprisonments from 2016 onwards. This peak may be the effect of a trend of increasing autocratization which has enabled governments to use imprisonment to silence journalists instead of having to kill them for this purpose.

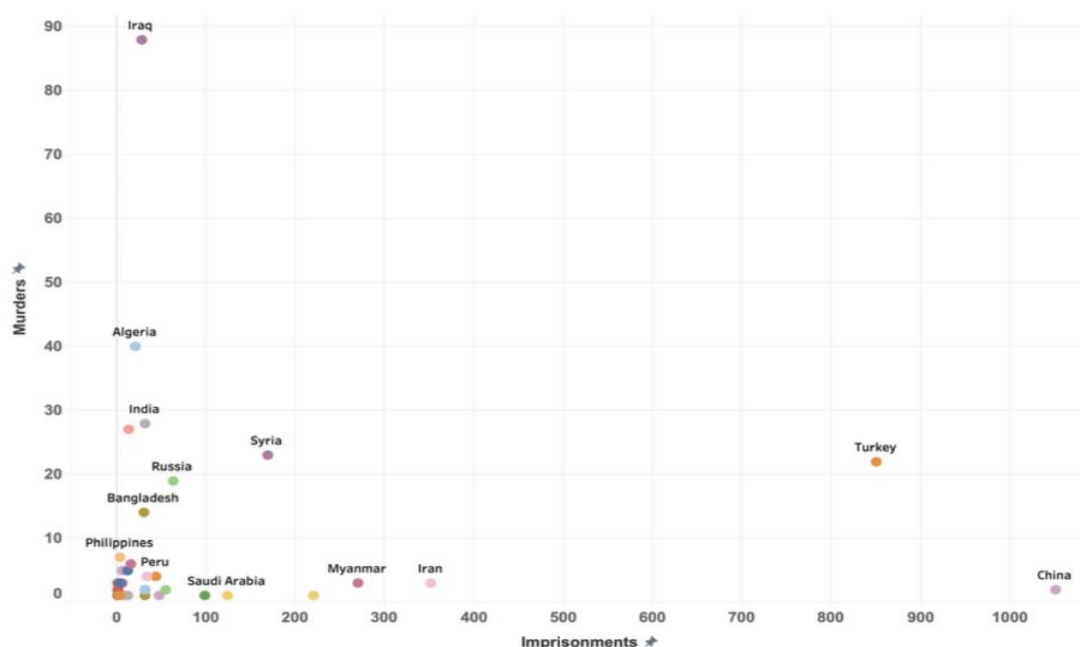
Our fourth observation is that peaks of journalist murders have partly shifted. According to the 10-year trends, the most murderous countries between 1992 and 2001 were Algeria (58 murders) and Colombia (28 murders), followed by Russia, Turkey and Rwanda (all 16 murders). Between 2002 and 2011, Iraq was the frontrunner (93 murders), followed by the Philippines (61 murders), Pakistan (20), Mexico and Russia (17). In the last decade from 2012 and 2021, the countries with the most journalists murdered were Mexico (32 murders), Somalia (29 murders), Syria (23), Brazil (20), Iraq (18), Afghanistan (17), and the Philippines (16).

In the first two decades the frontrunners were primarily countries in conflict, with the civil war in Algeria (1991- 2002) taking the lives of many journalists, among which 58 have been recorded as targeted murders by CPJ.<sup>12</sup> Algerian journalists were caught between Islamist militants and government forces, who were both determined to control the narrative, which led some to say: “journalists have no allies in Algeria.”

In the second decade Iraq was the country with the most murdered journalists, with a staggering amount of 93 murdered journalists in 10 years alone. The total number of journalists killed in Iraq from the US-led invasion in 2003 to the end of the war in 2011 is at least 150, of which - disturbingly - the majority were targeted killings instead of deaths resulting from dangerous assignments or crossfire. A significant majority of these murders were committed by Iraqi political groups. In addition, on 8 April 2003, the United States bombed the Al Jazeera headquarters in Baghdad, killing journalist Tareq Ayoub. On that same day the Palestine Hotel was targeted - which was home to more than 100 unembedded international journalists that were covering the war from Baghdad at the time.<sup>14,15</sup> Reporters Without Borders’ (RSF) head of the MENA desk, Soazig Dollet, said at the

time: “The media were not welcome by the US military, [t]hat is really obvious.”<sup>16</sup>

In the previous decade (2012-2021), conflict situations have not constituted the most murderous context for journalist murders.<sup>17</sup> Instead, Mexico was the country with the highest number of journalist murders of the last decade. There, journalists have been in the firing line of both corrupt local officials and organized crime groups. Similar dynamics can be identified in the Philippines and Brazil during the same period. The next paragraphs zoom in on the context that has accounted for so many journalist murders in the past decade.



In autocracies, the need to silence journalists by murdering them is low. This should serve as a caution to applauding declining figures of journalist murders in the current global context of democratic backsliding. In such instances, murder might be replaced with other practices of silencing critical voices.

## IMPUNITY STATISTICS

The vast majority of killers of journalists continue to get away with murder, according to CPJ's 2022 Global Impunity Index. In nearly 80% of the 263 cases



of journalists murdered in retaliation for their work globally over the past decade, the perpetrators have faced no punishment.

### Global Impunity Index

Index rank	Country	Population*	Unsolved murders
1	Somalia	15.9	25
2	Syria	17.5	21
3	Iraq	40.2	18
4	South Sudan	11.2	5
5	Afghanistan	38.9	17
6	Mexico	128.9	27
7	Philippines	109.6	13
8	Brazil	212.6	14
9	Pakistan	220.9	12
10	Russia	144.1	6
11	Bangladesh	164.7	6
12	India	1,380.0	20

● \*In millions. Source: World Bank's 2020 World Development Indicators

Somalia remains the worst offender on the index for the eighth straight year. Syria, South Sudan, Afghanistan, and Iraq, respectively, round out the top five countries on the index, which covers the period September 1, 2012, to

August 31, 2022. Each of these countries has featured on CPJ's index multiple times, with their history of conflict, political instability, and weak rule of law underscoring the entrenched nature of impunity and making it unlikely that authorities will ever devote resources to seeking justice for the journalists.

Myanmar makes its first appearance on the index in 2022, its number eight ranking marking another grim milestone after joining the ranks of the world's worst jail-ers of journalists in CPJ's December 1, 2021, prison cen- sus. In the wake of the democracy-suspending coup in February 2021, Myanmar's military junta has jailed doz- ens of journalists and used sweeping anti-state and false news laws to suppress independent reporting. It also has murdered at least three journalists, including two—Aye Kyaw and Soe Naing—who photographed protests against the regime and later were arrested and killed in custody.

But even in less volatile countries with democratically elected governments, authorities show little political will for prosecuting journalists' killers or

curbing violence against the press. Rather, leaders, such as Mexican President Andrés Manuel López Obrador and Brazilian President Jair Bolsonaro, regularly launch verbal attacks on the media even as reporters face constant threats for their vital reporting on crime, corruption, and environmental issues.

Mexico is one of the most egregious cases. CPJ has documented 28 unsolved journalist murders there in the past 10 years—the most of any country on the index and the Western Hemisphere’s most dangerous for journalists. It ranks sixth on CPJ’s index, in part because the ratings are calculated based on the country’s population size. Further, the complex web of generalized violence in Mexico often makes it difficult to say with certainty whether a journalist’s murder is work-related, meaning deaths with an undetermined motive are not factored into calculations for a country’s placement on CPJ’s index.

At least 13 journalists were killed in Mexico in the first nine months of 2022, the highest number CPJ has ever documented in that country in a single year. At least three of those journalists were murdered in direct retaliation for their reporting on crime and political corruption, and had received threats prior to their deaths. CPJ is investigating the motive in the 10 other killings to determine if they were work-related.

Mexican authorities earlier this year flaunted the high number of suspects arrested in killings of journalists, with presidential spokesperson Jesús Ramírez Cuevas noting in March that 16 people had been detained in connection with the killings of six journalists thus far in 2022. Following recent key convictions in the high-profile 2017 murder of Javier Valdez Cárdenas, authorities also have intensified their efforts to extradite from U.S. custody the alleged mastermind, Dámaso López Serrano, a former high-ranking member of an organized crime group in the northern Mexican state of Sinaloa. Overall, however, the higher arrest rate has not yet led to convictions. In addition, some of those arrested—such as suspects in the 2021 murder of journalist Jacinto Romero Flores—have since been released due to lack of evidence.

In Brazil—which ranked ninth on the index—several events in 2022 drove home the persistent risks for reporters in the country. In June, British journalist Dom Phillips and Indigenous issues expert Bruno Pereira were murdered in the Amazon by people whom police suspect have ties to illegal fishing in the region. Their high-profile murders spotlighted the dangers faced by journalists covering the Amazon and the environmental beat in general. Earlier, in February, the murder of community journalist Givanildo Oliveira by alleged members of the criminal organization known as the Red Command raised concerns about the increasing risks faced by reporters in Brazil's favelas and marginalized communities. Meanwhile, the family of Brazilian sports journalist Valério Luiz de Oliveira, who was murdered in 2012 in retaliation for his reporting on a prominent football club, faced another setback in their pursuit of justice as the scheduled 2022 trial dates for his alleged killers were delayed repeatedly. His son, lawyer Valério Luiz de Oliveira Filho, spoke to CPJ about his decade-long fight to ensure that his father's killers faced justice, which he described as "a never-ending nightmare."

## **FEW CASES**

### **GERRY ORTEGA**

Gerry Ortega, a Filipino radio broadcaster, was shot and died in Puerto Princesa City on January 24, 2011, leaving behind his wife and two kids. It was an occurrence that sent shockwaves across the country's already disturbed community of critical journalists. In the weeks following Ortega's death, all members of the hit squad were captured and confessed to the crime. However, the suspected architect of the murder, former Palawan governor Joel T. Reyes, escaped prosecution for more than a decade. Despite the fact that Reyes had clear objectives for murdering Gerry Ortega and that the intermediary in the murder revealed him as the mastermind, Reyes was able to stall the judicial processes for nearly a decade due to the authority he continued to exert over local authorities.

The conviction of the hit team that executed Ortega's murder gave the legal process the status of relatively successful. Given the fact that the material authors were convicted but the alleged mastermind was not, the Committee

to Protect Journalists (CPJ) classifies the case as a case of 'partial impunity'. Partially successful or not, the consequences of the alleged mastermind escaping justice have been dire. Reyes continued to wield influence over public officials in Palawan, by not being arrested in spite of a standing arrest warrant. He even ran for governor in May 2022. Before that, Edrad, the middleman and state witness in the Ortega murder, survived an attack by unidentified gunmen at his house in August 2021. An 'A Safer World For The Truth' (ASWFTT) investigator spoke to the middleman about the incident in that same month. The middleman elaborated on

The conviction of the hit team that executed Ortega's murder gave the legal process the status of relatively successful. Given the fact that the material authors were convicted but the alleged mastermind was not, the Committee to Protect Journalists (CPJ) classifies the case as a case of 'partial impunity'. Partially successful or not, the consequences of the alleged mastermind escaping justice have been dire. Reyes continued to wield influence over public officials in Palawan, by not being arrested in spite of a standing arrest warrant. He even ran for governor in May 2022. Before that, Edrad, the middleman and state witness in the Ortega murder, survived an attack by unidentified gunmen at his house in August 2021. An 'A Safer World For The Truth' (ASWFTT) investigator spoke to the middleman about the incident in that same month. The middleman elaborated on

a visit from a police official - who claimed he was sent by Joel T. Reyes - who pressured him to retract the testimony in which Edrad implicated Joel T. Reyes. This happened a few weeks before the attack against Edrad.<sup>1</sup> Continuing his abuse of power, Reyes did exactly what Gerry Ortega criticized him for before his murder. For the family of Gerry Ortega, partial impunity has been equivalent to the denial of justice. They continue their campaign for justice, which makes them vulnerable to repercussions by those who try to prevent this.

The case of Gerry Ortega is an emblematic case in many respects. While crossfire killings or killings that result from a priori dangerous assignments are still common too, the majority of journalist killings (932 out of 1448 reported by CPJ) are murders. Most of these murders - just like the case of Gerry Ortega - are premeditated and conducted by an opaque conspiracy of

intellectual authors (masterminds) and material authors (gunmen, middlemen, lookouts, suppliers). The case of Gerry Ortega illustrates that while the prosecution of the mastermind can be extremely challenging in such conditions, it is the only way to achieve justice. Improving records of prosecuting the masterminds of journalist murders is thereby an essential task. When this fails, justice remains fictive for relatives, and masterminds remain free to silence journalists, witnesses, and families. Furthermore, others in similar positions of power are emboldened to do the same.

The investigation by A Safer World for the Truth into the murder of Zubair Mujahid shows on a granular level how murder and impunity are rooted in the same soil and that the agents of murder and impunity can directly overlap. In this specific case, the suspected mastermind and the source of impunity are part of the same institution.

## **Zubair Mujahid**

Zubair Mujahid was a journalist from the province of Sindh (Pakistan), who did not shy away from covering politically sensitive topics. He wrote about local crime and corruption in his column 'Crime and Punishment' (Jurm o Saza) for the Daily Jang. He exposed corruption and human rights abuses, such as torture, committed by the local police station of Mirpurkhas. On 23 November 2007, Zubair was shot while he was sitting on the back of his colleague's motorcycle, driving home after a long work day.

The investigation into the murder of Zubair Mujahid was conducted by the same Mirpurkhas police station, and bore no results. Our investigation, which included an analysis of the official case files, concluded that grave errors were made during the official investigation, preventing any possibility of justice. As a result of our investigation, the son of Zubair Mujahid, together with his lawyers, filed a Constitutional Petition at the High Court of Sindh in which he requested the Court to reopen the investigation.

More than anything else, the case of Zubair Mujahid epitomizes how murder and impunity are often rooted in the same soil. Both the murder of journalists and impunity thrive by a crippled rule of law, which allows for local officials to abuse their power. In the case of Zubair Mujahid, the investigation into the murder was conducted by the police department of

which high level police officers had threatened to silence Zubair prior to his murder. In this light, it is hardly surprising that the A Safer World for the Truth investigation found that the official police investigation into the murder was actively sabotaged.<sup>42</sup>

## **UN INVOLVEMENT, RELEVANT RESOLUTIONS, TREATIES AND EVENTS**

The UN has been actively involved in the finding of solutions to the problems at hand. Here you will find a list of some UN treaties and resolutions as well as other documents that are relevant to the issue and may help you prepare for the conference:

- UN General Assembly Resolution A/RES/68/163 (2013): In 2013, the UN General Assembly adopted this resolution on the safety of journalists. It condemned all attacks and violence against journalists and media workers, urging member states to do more to prevent violence against them and to bring perpetrators to justice.
- UN Security Council Resolution 1738 (2006): This resolution, adopted in 2006, specifically addresses the safety of journalists in armed conflicts. It calls for an end to the targeting of journalists in conflict zones and emphasizes the importance of the media's role in providing information during armed conflicts.
- UN Plan of Action on the Safety of Journalists and the Issue of Impunity: This plan, launched in 2012 by UNESCO, provides a framework for UN agencies, member states, and civil society to work together to promote the safety of journalists and combat impunity for those who attack them. It includes a range of measures to protect journalists, both in conflict and non-conflict situations.

- UNESCO's 2030 Agenda for Sustainable Development: While not a resolution or treaty in and of itself, the United Nations Educational, Scientific, and Cultural Organization (UNESCO) plays an important role in promoting journalist safety through its commitment to SDG 16, which includes targets to ensure public access to information and protect fundamental freedoms. This has an indirect influence on journalist safety.
- International Day to End Impunity for Crimes against Journalists: Designated on November 2nd each year, this UN-recognized day serves to raise awareness about the need to combat impunity for crimes against journalists. It highlights the importance of holding perpetrators accountable for their actions.
- Treaties and Conventions: While there isn't a specific treaty solely focused on the safety of journalists, various international human rights treaties, such as the International Covenant on Civil and Political Rights (ICCPR) and the Universal Declaration of Human Rights, contain provisions that protect the freedom of expression, which includes the safety and protection of journalists.
- Joint Declaration on Freedom of Expression and "Fake News," Disinformation and Propaganda: In March 2017, a group of UN and regional human rights experts issued a declaration reaffirming the importance of freedom of expression and the role of journalists in countering disinformation and propaganda while also emphasizing the need to protect journalists.
- High-Level Panel of Legal Experts on Media Freedom: In 2019, the UK and Canada convened an international panel of legal experts to provide recommendations on how to strengthen the legal protection of journalists and media freedom globally. This initiative aimed to identify and address legal barriers to the protection of journalists.

## SOLUTIONS

Ending impunity for crimes against journalists is a key step toward protecting their safety and maintaining press freedom. Here are some possible remedies and methods to remedy this issue:

1. Strengthen Legal Frameworks: Enact and implement legislation specifically protecting journalists and media workers against threats, assaults, and harassment.

- Ensure that individuals who perpetrate crimes against journalists face harsh punishments under the law.

2. Establish Specialized Judicial Mechanisms: - Create specialist courts or prosecution divisions to handle instances involving crimes against journalists. These can help to speed up trials and provide a more concentrated approach to justice.

3. Protect Whistleblowers and Sources: Enact comprehensive whistleblower protection legislation to encourage people to come forward with information without fear of reprisal.

- Establish legal measures to preserve journalists' sources' confidentiality.

4. International Standards and Treaties: ratify and execute international accords and conventions that protect journalists, including as the United Nations Security Council Resolution 1738 and applicable articles of the International Covenant on Civil and Political Rights (ICCPR).

5. Establish safety tools for journalists, such as early warning systems and emergency response protocols, to give quick aid when threatened or attacked.

6. International Monitoring and Reporting: - Encourage international organizations, non-governmental organizations, and media watchdogs to monitor and report on incidents of violence against journalists, which will provide essential information for advocacy and accountability initiatives.

7. Investigative Journalism Support: Encourage and finance investigative journalism initiatives that expose corruption, human rights violations, and other concerns. Investigative journalists frequently confront increased hazards and require greater safeguards.



8. Political Will and Leadership: - National and international leaders must show strong political will to defend journalists and resist impunity. This includes criticizing journalist attacks and calling for justice.

9. Advocacy for Civil Society and the Media: - Support and collaborate with civil society organizations, media associations, and advocacy groups that strive to protect journalists and enhance press freedom.

10. Victim and Witness Protection: - Create witness protection programs to safeguard persons who may offer evidence in situations involving crimes against journalists.

11. International Solidarity: Encourage international cooperation and solidarity among states in order to put pressure on countries with bad records on journalist safety to act.

To end impunity for crimes against journalists, a comprehensive, multi-pronged effort involving legal, educational, and cultural changes is required. It necessitates a collaborative effort on the part of governments, civil society, media organizations, and the international community to guarantee that those who perpetrate crimes against journalists are held responsible.

## **QUESTIONS TO BE ANSWERED**

- What is the current state of impunity for crimes against journalists worldwide, and how has it evolved over time?
- What are the main factors contributing to impunity for crimes against journalists, both in terms of physical attacks and legal harassment?

- How can international organizations, such as the United Nations, play a role in addressing global impunity towards journalism?
- How can countries strengthen their legal protections for journalists and ensure that these protections are effectively enforced
- How can digital threats and online harassment against journalists be effectively countered to create a safer environment for journalism?
- How do access to information laws and transparency initiatives contribute to reducing impunity towards journalism?

## **CREDIBLE SOURCES OF PROOF**

### **1. News Sources**

All the news sources shall have equally debatable credibility, where acceptance may vary from state to state.

### **2. Government Reports**

These reports can be used in a similar way as the State Operated News Agencies reports and can, in all circumstances, be denied by another country. However, a nuance is that the Executive Board can still accept a report, as credible information, that is being denied by a certain country.

### **3. UN Reports**

All UN Reports are considered as credible information or evidence. They may be from:-

- UN Bodies like the UNSC (<http://www.un.org/Docs/sc/> ) or UNGA (<http://www.un.org/en/ga/>)

- UN Affiliated bodies like the International Atomic Energy Agency (<http://www.iaea.org/>), World Bank (<http://www.worldbank.org/>), International Monetary Fund (<http://www.imf.org/external/index.htm>), International Committee of the Red Cross (<http://www.icrc.org/eng/index.jsp>), etc
- Treaty Based Bodies like the Antarctic Treaty System (<http://www.ats.aq/e/ats.htm>), International Criminal Court (<http://www.icc-cpi.int/Menus/ICC>)

**NOTE:** Under no circumstances will sources like Wikipedia (<http://www.wikipedia.org/>), Amnesty International (<http://www.amnesty.org/>), Human Rights Watch (<http://www.hrw.org/>) or newspapers like the Guardian (<http://www.guardian.co.uk/>) etc. be accepted as PROOF/ EVIDENCE. But they can be used for better understanding of any issue or even be brought up in debate if the information given in such sources is in line with the beliefs of a Government.

## DIRECTIVES

The information provided above is there to help you with your research and by no means the delegates should limit their research to the above mentioned issues, as earlier mentioned that the agenda covers a wide range of spectrum, some of which are not mentioned here but the delegates should research well so as to take the committee to all the areas which need our focus and need to be worked upon. During the flow of debate, if any motion is raised about any topic which is not covered here but the committee feels is a necessity, the executive board will gladly take it up as learning works both ways. All the delegates are advised to keep a check on their country's internal as well as foreign policies as these play a very important role in the conference. In case of any dispute or issue, the EB can take a decision at any point of time.

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