

THE ROLE OF THE JUDICIARY AND INTERNATIONAL COOPERATION TO FOSTER SAFETY OF JOURNALISTS – WHAT WORKS?



Virtual Conference
1 March 2021 | 12p.m. – 4p.m. (CET)

Organized by UNESCO and members of the Group of Friends on the Safety of Journalists

 Federal Ministry
Republic of Austria
European and International
Affairs



Kingdom of the Netherlands



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THE GOVERNMENT
OF THE GRAND DUCHY OF LUXEMBOURG
Ministry of Foreign and European Affairs

Interpretation in French/English/Spanish/Arabic provided

Rationale and context

Impunity for crimes against journalists is rampant necessitating better responses by the criminal justice system to effectively address this phenomenon. More awareness-raising and more effective capacity-building of the judiciary and law enforcement, thus a deepened dialogue with the primary actors in the criminal justice system is thus needed.

UNESCO and members of the Group of Friends on the Safety of Journalists will therefore organize a virtual conference on 1 March 2021 to explore effective ways to strengthen the role of judiciary (judges, prosecutors and investigators) on the national and regional level as well as international mechanisms, such as UN Special Procedures, and other initiatives in combatting impunity for crimes against journalists. It aims at identifying challenges and good practices in investigating and prosecuting crimes against journalists from the first phase of lodging a complaint in order to institute criminal justice proceedings to the phase until a perpetrator is brought to justice and a case is taken up by a court. While looking at gender dimension in each panel, a special spotlight will be shed on gender-specific and gender-based crimes and the particular challenges faced by women in finding justice.

Building on the key recommendations of [the Forum of Legal Actors](#) launched on 9 December 2020 as part of the [World Press Freedom Conference](#) in the Hague, the discussion will continue this dialogue around three themes, namely: (1) reinforcing capacity building efforts for judicial actors including prosecutors; (2) strengthening political will and commitment; and (3), creating or reinforcing robust institutional mechanisms at regional and international

level for the safety of journalists and prosecution of crimes and attacks committed against them.

Format of the event: virtual 4 hours conference with three interactive panels composed of speakers from all regions sharing good practices, discussing challenges and thereby identifying concrete steps to effectively foster safety of journalists and combat impunity for crimes against journalists.

- I. **First session:** Responses by national justice systems
- II. **Second session:** International and regional mechanisms and responses in combatting impunity
- III. **Third session:** Spotlight on the safety of women journalists and the challenges of investigating and prosecuting gender-based violence faced by journalists

Description of the panels:

- The first and second panels will build upon the key recommendations of the first Forum of Legal Actors, which was organized on 9 December 2020 during the World Press Freedom Conference in the Hague, the Netherlands. The Forum brought together judges, public prosecutors, lawyers and representatives from judicial institutes from all over the world to strengthen the role of legal actors in promoting the right to freedom of expression. Organized in partnership with Asser Institute and the Ministry of Foreign Affairs of the Kingdom of the Netherlands, the Forum will meet periodically over the next 3 years. Based on the key recommendations of the Forum, the discussion of the panels will specifically focus on the following areas:
 - *Raise capacity-building efforts for judicial actors, including judges, prosecutors, lawyers and other actors;*
 - *Enhance political will, and reinforce political commitment at national and international levels; and*
 - *Strengthen and create institutional mechanisms to push for more effective enforcement of regional and international standards.*

For each area, the panels of experts will exchange experiences and good practices in fostering the safety of journalists and prosecuting crimes and attacks against them. In particular, the first panel will discuss capacity building initiatives for the judiciary at the national level. It will discuss the specific role of prosecutors, in ensuring accountability for crimes against journalists and will notably focus on the [guidelines for prosecutors on investigating and prosecuting crimes and attacks against journalists](#), recently launched by UNESCO and the International Association of Prosecutors. The second panel will look at international and regional mechanisms, responses and initiatives that contribute to fostering freedom of expression and safety of journalists, such as regional human rights courts, UN Special Procedures and the High-Level Panel of Legal Experts on Media Freedom.

These discussions will serve as a basis for the launch of UNESCO's new global Massive Open Online Course on legal standards on freedom of expression and safety of journalists, developed by the Bonavero Institute of Human Rights of Oxford University, and scheduled to run for five weeks in March and April 2021.

- In the third panel, UNESCO will present the preliminary findings of its new study on good practices in tackling online violence against women journalists, and the results of its global survey in this area, followed by a discussion on the specific challenges involved in investigating and prosecuting gender-based crimes against journalists, both online and offline.

Participants

First panel:

- Guilherme Canela, UNESCO Chief of the Freedom of Expression and Safety of Journalists' Section (*moderator*);
- Short video message from Kate O'Reagan (video message), Director of the Bonavero Institute of Human Rights at Oxford university and a former judge of the South African Constitutional Court;
- Jean-François Thony (TBC), Former General Prosecutor of the Court of Appeal of Rennes, and President of the Siracusa International Institute for Criminal Justice and Human Rights;
- Yetnayet Desalegn, Representative of the Judicial Training Institute of Ethiopia
- Ricardo Sánchez Pérez Del Pozo, Special Prosecutor's Office for Attention to Crimes committed against Freedom of Expression, Mexico;
- Roberta Solis, Crime Prevention and Criminal Justice Officer, UNODC.

Second panel:

- Guy Berger, UNESCO's Director for the Division for Communication and Information Strategy and Policy (*moderator*);
- Horace Adjolohoun, Principal Legal Officer of the African Court on Human and Peoples' Rights;
- Baroness Helena Kennedy (TBC), Director of the International Bar Association's Human Rights Institute (IBAHRI);
- Irene Khan, UN Special Rapporteur on the promotion and protection of freedom of opinion and expression.

Third panel:

- Julie Posetti, Global Director of Research, International Center for Journalists (*moderator + presentation of UNESCO study*);
- Shiori Ito, Journalist (Japan);
- Lawyer or prosecutor involved in a successful case regarding online harassment of a female journalist (*name to be provided shortly*);
- Pedro José Vaca Villarreal: Special Rapporteur for Freedom of Expression at the Inter-American Commission on Human Rights (IACHR).