



ArcMUN

Aristotelio College Model United Nations

Special Observer's Committee

**Ensuring media freedom and protection of
journalists**

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WELCOMING MESSAGE

Honourable delegates,

The Board of the Special Observers' Committee is pleased to welcome you to the 15th Edition of Aristoteleio College Model United Nations. We are willing to guide you and answer to every question you may have, so as to contribute in making this conference such an unforgettable experience for all. Based on the specific authorities of the Observer's Committee, let us present you through this study guide the topic area, which is going to be addressed during the upcoming sessions. Finally, we would like to inform you of our Facebook group, which can be found at the following link (<https://www.facebook.com/groups/192783501186491/>) , as well as our committee's email, which is observers.arcmun@gmail.com.

Best regards,

Your Chairpersons

INTRODUCTION TO THE TOPIC

This March, the delegates of the Member States of the Observer's committee will discuss about the ensuring of media freedom and the protection of journalists. In modern societies, flow of information is of vital importance and it constitutes the higher expression of a liberal society. Mass media and journalists hold the most important role in the circulation of information and for a democratic society to properly function they must be protected by external interference of any kind. A common fact though is that many journalists face

prosecution for their actions under non liberal regimes that force them to comply with their principal policies.

What is commonly realised is that: Reaffirming the right to free media expression means reaffirming our belief in democracy.

BASIC DEFINITIONS

- **Journalism:** Journalism is the activity of gathering, assessing, creating, and presenting news and information. It is also the product of these activities. Journalism can be distinguished from other activities and products by certain identifiable characteristics and practices. These elements not only separate journalism from other forms of communication, they are what make it indispensable to democratic societies.¹
- **Media Freedom:** the right to publish newspapers, magazines, and other printed matter without governmental restriction and subject only to the laws of libel, obscenity, sedition, etc.²
- **Liability of media:** A legal entities, mass media are protected under the scope of freedom of expression and thus even offensive material cannot be included in media publications without media holding responsibility for the content. However, specific forms of speech, such as hate and xenophobic speech that are not included in “freedom of speech”, can be restricted by national authorities and media responsible for publishing such content can be held responsible for their actions.

DESCRIPTION OF THE ISSUE

Freedom of press mostly refers to the absence of interference from an overreaching national or supranational authority. Safeguarding media freedom can be achieved through constitutional or other legislative initiatives that protect both mass media and journalists individually. Many countries ensure freedom of speech for their journalists who are subjects only to the laws of libel, obscenity and sedition, while these restrictions are very specific and can be rarely implemented.

¹<https://www.americanpressinstitute.org/journalism-essentials/what-is-journalism/>

²<http://www.dictionary.com/browse/freedom-of-the-press>

Freedom of speech, however, is not absolute, since this can result in the rights of other people or entities being offended. Since media freedom is considered a part of freedom of speech and taking into consideration the power they hold nowadays regarding their influence over the mass, freedom of speech sometimes and under very specific conditions can be restricted.

It is well known that there are many cases of journalists that were prosecuted by governmental authorities because of a research they have conducted or of their critic over the government. Furthermore, there are many countries which do not respect the freedom of speech and journalists often face hard penalties (jail, torture, even execution) for their actions.

One rather important aspect of the issue is the protection of journalists' sources. Under domestic and international law journalists should not be forced by anyone to disclose the source of their information prior or after the publication of their work. This aims to ensure that the circulation of information is not interrupted and that state actors do not interfere with the work of the journalists altering or restricting their publications.

INTERNATIONAL FRAMEWORK

The *Universal Declaration of Human Rights* in Article 19 provides that “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 without frontiers”. Moreover, freedom of speech and consequently media freedom is protected under Article 19 of the *International Covenant on Civil and Political Rights (ICCPR)* and Article 10 of the *European Convention on Human Rights (ECHR)*.

As far as the protection of journalists is concerned, according to the Article 4 A (A) of the *Third Geneva Convention* as well as Article 79 of the *Additional Protocol I*, they are entitled to all rights and protections granted to civilians in international armed conflicts.

Although the aforementioned treaties are signed by the majority of the U.N. Member States, the implementation, safeguard and promotion of these rights depends on each state's political discretion and domestic legislative initiative. Thus, domestic legislations seem to be highly divergent as far as freedom of press is concerned and most importantly journalists do not

enjoy the same amount of protection and independence in every countries, even the ones considered socially liberal.

POINTS TO CONSIDER DURING THE DEBATE

1. How can it be ensured that the right of journalists and media to collect and share information will not be threatened?
2. How do Member States of the Observers' committee should cooperate in order to protect journalists?
3. Can we make sure that the media work under the protection of law and the principles that ensure their rights?
4. How should propaganda y media and independent journalists be dealt with?
5. How can Member States cooperate in order to fight media corruption?

SUGGESTED BIBLIOGRAPHY

- “Universal Declaration of Human Rights”. United Nations, Office of the High Commissioner for Human Rights.
- “Convention for the Protection of Human Rights and Fundamental Freedoms.” Council of Europe.
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- <https://accountablejournalism.org/>
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