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Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Safety of journalists

Report of the United Nations High Commissioner for Human Rights*

Summary

The present report is submitted in accordance with Human Rights Council resolution 45/18. In it, the High Commissioner explores the impact of the coronavirus disease (COVID-19) pandemic and the measures taken in response by States regarding the safety and work of journalists and media workers, and describes trends and good practices, including from a gender perspective. The report also presents the work of the Office of the United Nations High Commissioner for Human Rights in assisting in the development and strengthening of national approaches to protect journalists, including what it has done in partnership with other relevant United Nations entities. Finally, it sets out recommendations on protecting media freedom and the safety of journalists in the light of the findings and conclusions in the report.

* The present report was submitted after the deadline in order to reflect recent developments.



I. Introduction

1. In its resolution 45/18 on the safety of journalists, the Human Rights Council requested the United Nations High Commissioner for Human Rights to present to the Council at its forty-eighth session a report on the impact and repercussions of measures taken by States in response to the coronavirus disease (COVID-19) pandemic on the safety and work of journalists and media workers, integrating a gender perspective. It also requested that the report identify trends and set out good practices, in particular on how the Office of the United Nations High Commissioner for Human Rights (OHCHR), within its mandate and working with other relevant United Nations entities, could assist, when requested, in the development of national approaches to protect journalists.¹

2. In preparing the report, OHCHR sought contributions from Member States, national human rights institutions, international and regional organizations, including United Nations entities, and non-governmental organizations. Thirty-nine such contributions were received.² The report also draws on a range of public sources, including the practice of United Nations and regional human rights mechanisms and reports of civil society organizations, scholars and practitioners.

II. Current situation

3. The media has played a critical role in informing the public during the COVID-19 pandemic. Free information flow and the ability for people to access information from a variety of reliable sources, express themselves, criticize and debate is essential to maximizing the participation of all individuals in the elaboration and implementation of health or health-related policies. Fact-based reporting has enabled people to access timely and reliable information concerning the pandemic, so they can be involved in the decisions affecting them and make informed decisions in relation to the measures taken by the authorities to address the different challenges and risks posed by the pandemic. During public health emergencies, the media continue to be essential for fostering transparency and accountability, including as regards the responses of the authorities.³

4. The applicable international legal framework for the protection of journalists and media workers has been described in previous reports on the safety of journalists.⁴ In accordance with international human rights law, States must respect, and ensure respect for, the human rights of journalists and media workers. While States may consider that certain measures affecting different actors of societies, including journalists and media workers, are necessary to respond to the exceptional challenges posed by the COVID-19 pandemic, all such measures must be compatible with applicable international human rights law.

5. The rights to freedom of opinion and of expression are indispensable conditions for the full development of the person and the foundation stone for every free and democratic society. Freedom of expression is a necessary condition for the realization of the principles of transparency and accountability, which are, in turn, essential for the promotion and protection of human rights.⁵ The right to access information held by public bodies requires that States proactively put in the public domain government information of public interest and ensure easy, prompt, effective and practical access to such information.⁶ Article 19 (1) of the International Covenant on Civil and Political Rights sets forth the right to hold opinions without interference. That right cannot be subject to exception or restriction, except those imposed at a time of public emergency, as provided for in article 4 of the Covenant, or in the case of the specific restrictions set down in article 19, such as for the protection of public

¹ Pursuant to A/HRC/48/35 regarding constraints faced by the Organization, the present report is being submitted to the forty-ninth session.

² See <https://www.ohchr.org/EN/Issues/SafetyOfJournalists/Pages/reports.aspx>.

³ United Nations, "COVID-19 and human rights. We are all in this together" (April 2020), p. 13.

⁴ See A/HRC/39/23. See also A/HRC/24/23, paras. 11–13; A/69/268, paras. 10–12; A/70/290, para. 17; and A/72/290, paras. 13–16.

⁵ Human Rights Committee, general comment No. 34 (2011), paras. 1–3.

⁶ *Ibid.*, para. 19.

health. However, when a State party imposes restrictions on the exercise of freedom of expression, the areas of limitative restriction may not put in jeopardy the right itself.⁷ Restrictions must be provided by law and be necessary and proportional. Measures to address the public health challenge created by the pandemic should never be used as a basis to quash dissent, silence the work of journalists, deny other human rights or take any other steps that are not strictly necessary to address the health situation.⁸

6. States are also required to ensure that journalists, media workers and any other individuals are protected from any acts by private persons or entities that would impair their enjoyment of the freedoms of opinion and expression.⁹ States should put in place effective measures to protect against attacks aimed at silencing those who are exercising their right to freedom of expression.¹⁰ Such obligations do not cease during a public health crisis, regardless of its magnitude.

A. Undue restrictions on freedom of expression and access to information

7. In his “Call to action for human rights”, launched in February 2020, the Secretary-General noted the worrying general trend of shrinking civic space and its negative impact on journalists, especially women.¹¹ The subsequent course of the COVID-19 pandemic has exacerbated that trend. Journalists have faced new threats, including being charged with, arrested, detained or prosecuted for allegedly spreading “fake news”.¹² As a result of measures restricting the right to freedom of expression, journalists in many States have been prevented from freely accessing information relating to the pandemic, whether held by public authorities or obtained through investigation in the field.¹³

1. Freedom of expression

8. During the COVID-19 pandemic, a number of States have imposed restrictions on freedom of expression, purportedly to address the proliferation of misinformation and disinformation and the associated risks to public health.¹⁴ Regrettably, these measures have also been used to silence voices expressing criticism of the responses of States to the pandemic, or in some cases simply to prevent the sharing of information.¹⁵

9. In June 2021, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression reported that 17 States had passed laws to address “pandemic-related problematic information”.¹⁶ She also noted that several States had already adopted laws specifically targeting fake news or cybersecurity prior to the pandemic.¹⁷ Moreover, as highlighted by the non-governmental organization Article 19 in its contribution, some States were using existing laws to restrict freedom of expression of critical comments and reporting on COVID-19, including defamation or cybercrime laws.

10. A survey conducted by the International Federation of Journalists in April 2020, based on a sample of 1,308 front line journalists from 77 countries, found that three in four journalists had faced restrictions, obstruction or intimidation by public authorities while trying to report on the COVID-19 pandemic. According to the Federation, some States used information take-down orders to remove website articles and posts on social media platforms relating to the pandemic, often those including criticism of government responses or

⁷ Ibid., para. 21.

⁸ See <https://www.ohchr.org/EN/NewsEvents/Pages/COVID19Guidance.aspx>.

⁹ Human Rights Committee, general comment No. 34 (2011), para. 7.

¹⁰ Ibid., para. 21.

¹¹ “The highest aspiration: a call to action for human rights”, p. 8.

¹² United Nations, “COVID-19 and human rights. We are all in this together”, pp. 13–14.

¹³ A/HRC/44/49, paras. 18–23.

¹⁴ See the contribution of the United Nations Educational, Scientific and Cultural Organization (UNESCO).

¹⁵ See <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25823>.

¹⁶ A/HRC/47/25, para. 53.

¹⁷ A/HRC/44/49, para. 50.

information on the pandemic.¹⁸ In order to ensure compliance with take-down orders, authorities in some States have reportedly used technology-based measures, such as content filtering and “distributed denial of service” attacks, to block access to websites and platforms.¹⁹ Some States have delegated decision-making on take-downs to social media companies and Internet service providers, raising concerns over opaque and unaccountable decision-making processes and undue restrictions on the sharing of content.²⁰

11. The Special Rapporteur on freedom of expression expressed concern about an increase in disinformation and misinformation during the COVID-19 pandemic, particularly online.²¹ The overabundance of information in general, including false information, has been termed an “infodemic”.²² Laws aimed at sanctioning disinformation in the context of the pandemic in a number of countries have been overly broad and vague. Some provide for censorship, criminal sanctions and even custodial sentences, raising concerns that restrictions may not meet the requirements of legality, necessity and proportionality.²³ For example, some laws fail to provide clearly defined and objective criteria for establishing the fake or false character of information,²⁴ while in other cases legislation targets information which “could cause confusion” or “create panic”. Some States have reportedly banned the publication of any pandemic-related information, other than officially released information, or have required approval prior to publication.²⁵

12. In some States, media outlets that have reported on the pandemic have allegedly faced harassment, disproportionate administrative restrictions and even criminal investigations in relation to their legitimate media work. Some have had their operating licences suspended or been forced to close.²⁶ In a number of cases, journalists have had their press cards or accreditation withdrawn and faced intimidation, arrest, prosecution and detention.²⁷ The International Press Institute COVID-19 press freedom tracker indicates that among the 215 journalists reportedly arrested for their COVID-19 coverage, 18 have been arrested on charges related to fake news.²⁸

2. Access to information

13. In its resolution 74/306 on a comprehensive and coordinated response to the COVID-19 pandemic, the General Assembly recognized the importance of the free flow of information and knowledge, including through the dissemination of accurate, clear and evidence- and science-based information.²⁹ However, journalists cannot effectively fulfil their role of informing the public and contributing to holding the authorities accountable without being able to freely access information. In some countries, journalists face difficulties in this regard. A survey of 1,406 journalists and media workers from 125 countries conducted in 2020 for the “Journalism and the pandemic project”, a collaborative research initiative by the International Center for Journalists and the Tow Center for Digital Journalism at

¹⁸ See contribution of the International Federation of Journalists and Council of Europe, “The impact of the sanitary crisis on freedom of expression and media freedom” (July 2020), p. 10.

¹⁹ A/HRC/44/49, para. 24.

²⁰ A/76/285, paras. 17–19.

²¹ A/HRC/47/25, paras. 25 and 49, and A/HRC/44/49, paras. 41 and 45–47. See also WHO, “Fighting misinformation in the time of COVID-19, one click at a time”, 27 April 2021, and UN News, “During this coronavirus pandemic, ‘fake news’ is putting lives at risk: UNESCO”, 13 April 2020.

²² See World Health Organization, “An overview of infodemic management during COVID-19. January 2020 to May 2021”.

²³ A/HRC/44/49, para. 48. See also contribution of UNESCO. In its general comment No. 34 (2011), the Human Rights Committee noted that restrictions must not be overbroad. See also Special Rapporteur on freedom of opinion and expression and others, “Joint declaration on freedom of expression and ‘fake news’, disinformation and propaganda”, 3 March 2017.

²⁴ A/HRC/47/25, para. 54.

²⁵ See contributions of Free Press Unlimited and Article 19.

²⁶ See contributions of Article 19 and the Cambodian Center for Human Rights.

²⁷ See contributions of UNESCO and the International Federation of Journalists. See also Council of Europe and Safety of Journalists Platform, *Wanted! Real Action for Media Freedom in Europe* (2021).

²⁸ See https://ipi.media/covid19/?alert_type=0&language=0&years=0&country=0.

²⁹ See also A/HRC/49/38, para. 46.

Columbia University, found that 28 per cent of respondents had been denied access to government representatives or other official sources; 23 per cent had been unable to report due to a lack of accreditation or permit; 20 per cent had been excluded from government press conferences; 20 per cent had had formal freedom of information requests rejected; 13 per cent had seen government advertising withdrawn from their publications; 3 per cent had had their press licences revoked; and 2 per cent had been expelled from a foreign country.³⁰

14. In some States, journalists have alleged that their access to health facilities has been restricted and health professionals prevented from talking to the media about COVID-19.³¹ In others, authorities are alleged to have limited the freedom of movement of journalists seeking to cover pandemic-related events and protests or to confirm reported information.³² In a number of States, only State-run media are reported to have access to “sensitive” regions.³³ In some cases, journalists have reportedly been detained, arrested and fined for covering protests related to COVID-19.³⁴

15. In its contribution, UNESCO highlighted the impact of restrictive accreditation regimes negatively affecting the ability of journalists to access information and hold States to account.³⁵ In addition, the selective use of accreditation regimes to exclude journalists or outlets in a number of countries was highlighted.³⁶ The Special Rapporteur on freedom of expression recommended that States avoid imposing obstacles, such as accreditation procedures, that undermine independent media.³⁷ In some States, there are allegations that public health databases have been removed and information on the numbers of deaths caused by COVID-19 amended.³⁸

B. Attacks on journalists reporting on the COVID-19 pandemic

16. Journalists performing their legitimate work reporting on the COVID-19 pandemic have faced physical, verbal and online attacks in all global regions. The International Press Institute COVID-19 press freedom tracker has reported that State authorities have been responsible for approximately half of the physical attacks against journalists in relation to the pandemic and 21 per cent of the combined figure for verbal and physical attacks.³⁹ Journalists have reportedly been physically attacked while covering protests against pandemic-related restrictions and in the course of their investigative work, including by the police and the security forces, while some have allegedly been forcibly disappeared.⁴⁰ In his report to the Human Rights Council in April 2020, the Special Rapporteur on freedom of expression addressed attacks on journalists by political figures and senior officials, and police intimidation of journalists during the COVID-19 pandemic.⁴¹ The Special Rapporteur also addressed attacks on journalists reporting on the pandemic in his public statements⁴² and

³⁰ See Julie Posetti, Emily Bell and Pete Brown, “Journalism and the pandemic: a global snapshot of impacts” (2020).

³¹ See contributions of Free Press Unlimited and Media Freedom Rapid Response. See also AccessNow, “Fighting misinformation and defending free expression during COVID-19: recommendations for states” (April 2020), p. 7.

³² See contributions of Free Press Unlimited and Media Freedom Rapid Response.

³³ See International Press Institute, COVID-19 press freedom tracker.

³⁴ See contribution of Media Freedom Rapid Response.

³⁵ See also contribution of Reporters Without Borders.

³⁶ See Council of Europe and Safety of Journalists Platform, *Wanted! Real Action for Media Freedom in Europe* (2021).

³⁷ [A/71/373](#).

³⁸ See contribution of the Associação Brasileira de Jornalismo Investigativo (ABRAJI).

³⁹ As of 6 January 2022, the tracker had recorded 473 media freedom violations, including physical and verbal attacks. See <https://ipi.media/covid19-media-freedom-monitoring/>.

⁴⁰ See contributions of ABRAJI, Article 19, Free Press Unlimited, UNESCO and Reporters Without Borders. See also Council of Europe and Safety of Journalists Platform, *Wanted! Real Action for Media Freedom in Europe*.

⁴¹ [A/HRC/44/49](#).

⁴² See, for example, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25856>.

individual communications to States he sent in conjunction with other special procedure mandate holders.⁴³

17. The risks to the safety of journalists posed by State surveillance are widely recognized and were addressed in previous reports.⁴⁴ The Human Rights Council has called on States to refrain from employing unlawful or arbitrary surveillance techniques, including through hacking, and ensure that targeted surveillance technologies are only used in accordance with the human rights principles of lawfulness, legitimacy, necessity and proportionality.⁴⁵ However, reports on the surveillance of journalists continue to emerge: in 2021, a civil society and media investigative collaboration exposed the widespread use of malware tools targeting the mobile devices of at least 180 journalists in multiple countries (along with human rights defenders and political leaders).⁴⁶ The High Commissioner for Human Rights and human rights experts have deplored the abusive use of malware to intimidate journalists and civil society⁴⁷ and have called on States to implement a moratorium on the sale and transfer of such tools until compliance with human rights standards can be guaranteed.⁴⁸ According to UNESCO, during the pandemic online surveillance has been used to undermine journalists' protection of whistle-blowers.⁴⁹ Some contributions report on the arbitrary detention of journalists and on an increase in the number of journalists jailed globally in 2020, as States sought to crack down on coverage of COVID-19 issues or suppress reporting on political unrest.⁵⁰

C. Impacts on the rights to life and health of journalists during the COVID-19 pandemic

18. The Press Emblem Campaign documented the impact of the pandemic on the health of journalists globally. In December 2021, the campaign reported that so far, at least 1,932 journalists had died from COVID-19 in 94 countries and that tens of thousands of journalists were reportedly infected by the virus.⁵¹

19. According to the International Federation of Journalists, the lives of journalists and media workers across the world have been put in danger because of employers breaching health and safety legislation, with States failing to hold them to those standards. The Federation survey of 1,308 frontline journalists also revealed that one in four respondents lacked any protective equipment for work in the field. An online survey conducted by the South Asia Center for Media in Development showed that 32 per cent of media professionals were doing their job with no personal protective equipment and 76 per cent of journalists had no health insurance or risk allowance from their employers.⁵²

20. In its contribution, UNESCO highlighted the significant psychological and mental toll taken on journalists covering the pandemic, which is linked to various factors, including the traumatic context of their work, often accompanied by long hours and increased job

⁴³ See, for example, communications sent to China on 7 May 2020, to Ethiopia on 12 May 2020 and to the Bolivarian Republic of Venezuela on 28 April 2020.

⁴⁴ See [A/HRC/27/37](#), [A/HRC/28/39](#) and [A/HRC/41/35](#).

⁴⁵ Resolution 45/18, para. 10 (k) and (l).

⁴⁶ See <https://forbiddenstories.org/pegasus-journalists-under-surveillance/>.

⁴⁷ See statement by the High Commissioner, "Use of spyware to surveil journalists and human rights defenders", 19 July 2021; and United Nations, "COVID-19 and human rights: we are all in this together". See also [A/HRC/41/35](#), paras. 7–14; [A/HRC/41/CRP.1](#); [A/HRC/44/49](#), para. 10; [A/76/285](#) paras. 10–12 and 17; and Freedom House, "Freedom on the Net 2020. The pandemic's digital shadow".

⁴⁸ See, for example, statement by the High Commissioner on the implications of Pegasus spyware <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=27455&LangID=E>. See also <https://www.oas.org/en/iachr/expression/showarticle.asp?artID=1207&IID=1>, <https://www.oas.org/en/iachr/expression/showarticle.asp?artID=1218&IID=1>.

⁴⁹ UNESCO, "Journalism, press freedom and COVID-19" (2020), p. 14.

⁵⁰ See contribution of the Press Emblem Campaign. See also Committee to Protect Journalists, "Record number of journalists jailed worldwide", 15 December 2020.

⁵¹ See <https://www.presseemble.ch/-1.shtml>.

⁵² See contribution of Free Press Unlimited.

insecurity. According to the Committee to Protect Journalists, at least two journalists died in 2020 after contracting COVID-19 in custody, at least one of whom was reportedly detained on charges of joining a terrorist group, spreading false news and misusing social media.

D. Economic impacts

21. The COVID-19 pandemic further exacerbated the economic pressure on traditional media outlets such as radio, television and printed newspapers. UNESCO has reported that global newspaper revenues have halved over the past five years.⁵³ Some contributions noted that the pandemic had resulted in a drastic decrease in news media sector revenues reported in many countries, leading to job insecurity, redundancies and in some cases even liquidation.⁵⁴ This is largely due to a huge drop in revenue from advertising, a key revenue stream for most media outlets. Revenue from sales was also affected, particularly as regards printed media sold in physical outlets.⁵⁵ Additional economic challenges, stemming from disinformation, forced traditional media to divert resources from reporting to dispelling and debunking disinformation.⁵⁶

22. The International Federation of Journalists survey found that two thirds of respondents, including both staff and freelance journalists, had suffered pay cuts and delays, cancelled commissions or worsening working conditions and lost revenues and jobs as a result of the pandemic. Women journalists appear to be particularly affected.⁵⁷ The Federation also raised concerns about arbitrary and abusive employment practices, relating to pay, conditions, dismissal and the coercive imposition of unpaid leave, among others. Some journalists who tested positive for COVID-19 reportedly continued to work for fear of being laid off.

III. Trends and good practices

23. Good practices addressing some of the challenges highlighted above were identified as outlined below.

A. Facilitating the access of journalists to information in the context of the pandemic

24. Acknowledging the need for up-to-date information in a context of rapidly evolving health emergency, several States have introduced the practice of holding regular press conferences dedicated to the response to COVID-19. As infection risks have gone up, a number of States have shifted press conferences from requiring physical presence to online modes. The European Federation of Journalists has stressed the importance of ensuring that journalists could continue to ask questions live in online formats and praised initiatives to that effect in Denmark and Spain, as well as at the headquarters of the European Commission in Brussels.⁵⁸ In its contribution, Switzerland highlighted measures to allow accredited journalists to pose questions live during online press conferences.

25. A number of States reported having taken measures designed to facilitate access to information for journalists. In its contribution, Austria reported having put in place special arrangements to ensure safe access for journalists reporting on peaceful assemblies, including dedicated press zones and the assignment of officers as dedicated media focal points. In its contribution, Mauritius described how the Government shared information with all

⁵³ See UNESCO, “World trends in freedom of expression and media development. Global report 2021/2022” (2021), p. 9.

⁵⁴ Peter Noorlander, “COVID and free speech. The impact of COVID-19 and ensuing measures on freedom of expression in Council of Europe member states” (2020).

⁵⁵ See contributions of Free Press Unlimited, IFEX-ALC and the International Federation of Journalists.

⁵⁶ A/HRC/47/25, para. 23.

⁵⁷ See contribution of Free Press Unlimited.

⁵⁸ “Good practices for press conferences during COVID-19 pandemic”, 15 April 2020.

newsrooms via the Facebook page of its Information Service and a WhatsApp group created for the purpose and for receiving enquiries. According to a Council of Europe report, the Netherlands and the United Kingdom of Great Britain and Northern Ireland granted “key worker” status to journalists, while in their contributions, Jordan and Iraq reported having exempted them from movement restrictions.

26. In its contribution, Chile reported having put in place similar arrangements for foreign media, while El Salvador issued a decree guaranteeing media workers the free exercise of their profession, recognizing the important role played by the media and journalism in the control of COVID-19 and the protection of the right to health and life. Honduras reported implementing an exemption to free movement restrictions for telecommunications companies, Internet providers and the media, including radio, television and newspapers. The Netherlands reported implementing a travel ban exemption for holders of international press cards issued by the International Federation of Journalists following negotiations with the Dutch journalists association. It applies to journalists engaged in topical news reporting that requires their immediate, physical presence.⁵⁹

27. In its contribution, Honduras further highlighted the repeal of an executive order, introduced under the state of health emergency, which temporarily restricted freedom of expression. That development followed technical assistance provided by the Honduran Secretariat of Human Rights and OHCHR. In the Plurinational State of Bolivia, provisions to limit freedom of expression in the context of COVID-19 were repealed from its emergency decrees.⁶⁰ In some cases, States included time limit (sunset clauses) or review clauses in laws designed to tackle pandemic-related false information.⁶¹ Including such clauses is all the more important in view of the fact that much of this legislation was introduced rapidly and with limited scrutiny by legislatures.⁶²

28. International and regional organizations and human rights mechanisms have issued a number of recommendations and tools to help different actors tackle the challenges posed by the pandemic. In September 2020, the United Nations issued a system-wide guidance note on promoting and protecting civic space, highlighting, inter alia, the importance of free expression and media freedom in the framework of responses to the COVID-19 pandemic.⁶³ OHCHR monitored restrictions on freedom of expression and the work of journalists on numerous occasions throughout the pandemic and issued a range of relevant guidelines and recommendations.⁶⁴ The High Commissioner also addressed the issue in a number of statements.

29. In response to the legal challenges brought about by the exceptional measures and legislation implemented by States, UNESCO issued guidelines on the role of judicial operators in the protection and promotion of the rights to freedom of expression, access to information and privacy in relation to the COVID-19 pandemic.⁶⁵ On 3 May 2020, UNESCO launched an awareness-raising campaign entitled “FACTS”, which gave prominence to the role of fact-based journalism in combating the COVID-19 pandemic and was shared by over 100 media outlets. UNESCO also created a dedicated resource centre for responses to COVID-19 to support the media, enhance access to information and leverage digital technologies to combat the pandemic, which includes references and examples of promising practices to ensure the safety of journalists in this context.⁶⁶

30. The Special Rapporteur on freedom of expression, together with the Special Rapporteur on freedom of expression of the Inter-American Commission on Human Rights

⁵⁹ See contribution of the International Federation of Journalists.

⁶⁰ OHCHR, *United Nations Human Rights Report 2020*, p. 18.

⁶¹ See, for example, Fergal Davies and Graeme Cowie, “Coronavirus bill: what is the sunset clause provision?”, 20 March 2020.

⁶² See contribution of Article 19.

⁶³ https://www.ohchr.org/Documents/Issues/CivicSpace/UN_Guidance_Note.pdf.

⁶⁴ See <https://www.ohchr.org/EN/NewsEvents/Pages/COVID19Guidance.aspx>. See also OHCHR, *United Nations Human Rights Report 2020*.

⁶⁵ “Protecting freedom of expression during the COVID-19 crisis: UNESCO issues guidelines for judicial operators”, 15 September 2020.

⁶⁶ See <https://en.unesco.org/covid19/communicationinformationresponse/mediasupport>.

and the Representative on freedom of the media of the Organization for Security and Cooperation in Europe jointly issued a public statement in March 2020 containing a number of recommendations on protecting access to information and the free flow of information during the pandemic.⁶⁷ The recommendations included that governments should refrain from blocking Internet access and instead promote, along with Internet companies, reliable information through robust public messaging, support for public service announcements and emergency support for public broadcasting and local journalism. Moreover, the surveillance technology needed to track the spread of COVID-19 must be limited in use, both in terms of purpose and time. The Special Rapporteur on freedom of expression submitted a report on disease pandemics and the freedom of opinion and expression to the Human Rights Council in April 2020⁶⁸ and issued a number of public statements, including joint statements, relating to freedom of expression in the responses of States to the pandemic, highlighting risks and setting out promising practices.⁶⁹

31. The Commissioner for Human Rights of the Council of Europe issued a statement in April 2020 emphasizing that freedom must not be undermined by measures to counter disinformation about COVID-19. The Secretary-General of the Council of Europe issued two toolkits with detailed guidance on freedom of expression and media freedom in the context of pandemics for its member States, recalling the applicable European standards, in particular as regards emergencies and the fight against disinformation.⁷⁰ The organization is also supporting the implementation of its standards through assistance and cooperation projects. In its resolution 1/2020 on the pandemic and human rights in the Americas, the Inter-American Commission on Human Rights included several recommendations to Member States of the Organization of American States with regard to freedom of expression and media freedom.

32. Some States and organizations have provided training courses and guidelines to journalists and the media on reporting on COVID-19. In its contribution, Georgia reported that the Georgian Charter of Journalistic Ethics, a self-regulatory body, had elaborated a range of guidelines for its members to advise them on how to cover vaccination matters, tackle misinformation and deal with mental health issues, digital support and security, remote working and the economic challenges faced by the media.

33. In November 2020, OHCHR organized a three-day virtual training event on the theme of “The role of media in promoting and protecting human rights in the light of the COVID-19 pandemic” for young journalists from Member States of the Arab region, with participants attending from Jordan, Morocco, Oman, Qatar, the Syrian Arab Republic, Tunisia and Yemen, as well as the State of Palestine.

34. UNESCO has implemented a wide range of training activities to support the work and safety of journalists in the context of the pandemic. In May 2020, UNESCO and the World Health Organization (WHO) launched a free massive open online course on the theme of “Journalism in a pandemic: covering COVID-19 now and in the future”. The course was aimed at building the capacity of journalists to report on the pandemic safely and professionally. It was followed by approximately 9,000 journalists, media workers and students from 162 countries. In March 2021, a second course was launched on the theme of “Covering the COVID-19 vaccine: what journalists need to know”.

B. Addressing attacks on journalists

35. There has been increasing support for cross-regional collaboration to address the safety of journalists and media workers and to hold to account those who harm them and restrict their work. At an international conference in December 2020, representatives of 53 States adopted the Hague Commitment to Increase the Safety of Journalists. While focusing on the safety of journalists in general and the prevailing high rate of impunity for attacks on

⁶⁷ <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25729>.

⁶⁸ A/HRC/44/49.

⁶⁹ See, for example, <https://ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26075>.

⁷⁰ See “Respecting democracy, rule of law and human rights in the framework of the COVID-19 sanitary crisis. A toolkit for member States” (April 2020).

journalists, States specifically acknowledged the impact of their responses to COVID-19 regarding freedom of expression and “the very existence of independent media and journalism online and offline”.

36. Within the framework of the universal periodic review of the Human Rights Council, States recommended putting an end to the growing hostility and criminalization of journalists and human rights defenders, and punishing recent attacks on journalists for reporting on the COVID-19 emergency.⁷¹

37. Regional organizations have also addressed the attacks perpetrated on journalists while reporting on the COVID-19 pandemic. The African Commission on Human and Peoples’ Rights adopted resolution 468 on the safety of journalists and media practitioners in Africa, at its virtual sixty-seventh ordinary session in December 2020. The resolution referenced, *inter alia*, the deteriorating situation linked to the pandemic, including the increasing reports of attacks on journalists and restrictions on their work, including the closing-down of media houses and outlets, since the start of the pandemic. It also set out a number of recommendations for member States to promote and protect freedom of expression.

38. The Council of Europe, for its part, has contributed to the monitoring and reporting of attacks on journalists through its platform to promote the protection of journalism and safety of journalists.⁷² On that basis, the Commissioner for Human Rights of the Council has condemned attacks on journalists reporting on the pandemic, including in the context of peaceful assemblies.

39. Civil society organizations, including journalists’ associations, have made concerted efforts to monitor attacks on journalists specifically in relation to their reporting on the COVID-19 pandemic. Examples of monitoring include the International Press Institute COVID-19 press freedom tracker and the project on journalism and the pandemic implemented by the International Center for Journalists and the Tow Center for Digital Journalism at Columbia University.

C. Specific health measures for journalists

40. The Working Group on the issue of human rights and transnational corporations and other business enterprises has emphasized the need for business enterprises to respect human rights during the COVID-19 crisis and beyond. The Working Group has noted that human rights due diligence has been key to ensuring that any risks to people be identified and mitigated. That includes taking adequate preventive measures to ensure the health and safety of workers. For companies, it also means protecting their own workers from risk when asking them to continue working; ensuring fundamental guarantees, such as paid sick leave; and providing them with safety gear and equipment.⁷³

41. Several contributions emphasized that journalists had been included in priority groups for vaccination, recognizing their high levels of exposure to the virus in the course of their work. This was reported by a number of countries. In some countries, journalists were designated as “key”, “essential” or “frontline” workers and given prioritized access to vaccinations.⁷⁴

42. A number of States and employers in the media sector have implemented measures that have reduced journalists’ physical exposure to the virus. In most cases, such measures were centred on adaptation of working methods. In the case of press conferences, this often

⁷¹ See, for example. [A/HRC/46/5](#), para. 138.175; [A/HRC/46/10](#), para. 133.156; [A/HRC/46/12](#), para. 104.105; [A/HRC/46/13](#), para. 134.89; [A/HRC/46/16](#), para. 137.96; [A/HRC/46/17](#), para. 148.89; [A/HRC/47/5](#), para. 150.163; [A/HRC/47/14](#), para. 134.50; [A/HRC/48/9](#), paras. 118.86 and 118.98; and [A/HRC/48/11](#), para. 132.139.

⁷² <https://fom.coe.int/accueil>.

⁷³ See also OHCHR, “Business and human rights in times of COVID-19” (October 2020), p.3, and statement by the Working Group, available from <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25837>.

⁷⁴ See contribution of the Press Emblem Campaign.

meant moving them online. Despite numerous logistical and methodological challenges, the European Federation of Journalists documented a number of promising practices for online press conferences in Europe.⁷⁵ Through collaboration with its local partners around the globe, Free Press Unlimited has distributed personal protective equipment, such as antibacterial gel, gloves and disposable face masks, to 4,200 media workers.⁷⁶

43. Attention has also been given to reducing exposure to COVID-19 in the context of the monitoring and investigation of human rights issues. For example, in collaboration with UN Women Sudan OHCHR organized a training workshop in Khartoum for civil society organizations, including journalists, which focused on remote monitoring techniques that help to reduce the risk of exposure.

44. In their contributions, Georgia, Greece and Slovenia reported the distribution of tailored health guidance to journalists and media institutions. Togo reported that it had put in place a solidarity fund accessible to journalists. WHO and civil society organizations have also issued guidance in this area.⁷⁷ UNESCO supported the dissemination of sanitary guidance for journalists through projects in the field. For example, in South Sudan it partnered with the Association for Media Development and the Ministry of Health in order to equip local journalists with the skills to continue reporting, without compromising their health, through the development of safety guidelines and toolkits.⁷⁸ Despite this guidance, however, civil society contributions indicate that in many countries employers in the media sector have disregarded protective sanitary measures for their staff.⁷⁹

45. A coalition of Brazilian civil society organizations recommended a series of practical measures that could be implemented for reducing the exposure of media professionals to infection, such as favouring remote work for older journalists, journalists with chronic diseases, pregnant women and media workers who only perform internal functions; using additional microphones during interviews; suspending recordings and live editions of entertainment content; and reducing the number of journalists in the newsroom studio.

46. In its contribution, Slovenia emphasized that its targeted economic support to freelance journalists included payment of social security contributions (including health insurance) to ensure continued coverage.

D. Specific support for journalists and media outlets

47. In resolution 45/18, the Human Rights Council called on States to cooperate with journalists, the media and civil society organizations to assess the damage that the COVID-19 pandemic was inflicting on the provision of vital information to the public and the sustainability of media environments. It asked States to consider, wherever possible, devising appropriate mechanisms to provide financial support to the media, including local journalism and investigative reporting, and to ensure that support was given without compromising editorial independence. Five States reported having introduced targeted fiscal, financial and economic support for the media sector.⁸⁰ Civil society contributions also referred to State-sponsored support in a range of countries and stated that journalists' associations or unions have often played a key role in negotiating support measures.⁸¹ The measures introduced range from direct assistance (lost revenue replacement and stimulus packages) to indirect measures, such as tax deductions on advertising expenditure to encourage continued spending by companies on this vital revenue stream. The European Audiovisual Observatory

⁷⁵ "Good practices for press conferences during COVID-19 pandemic", 15 April 2020.

⁷⁶ See contribution of the Press Emblem Campaign.

⁷⁷ WHO, "COVID-19, an informative guide. Advice for journalists" (January 2021). See also International Federation of Journalists, "IFJ coronavirus (COVID-19) safety advisory for media professionals".

⁷⁸ See UNESCO, "Supporting journalism around the world in times of COVID-19", 27 May 2021.

⁷⁹ See contribution of the International Federation of Journalists.

⁸⁰ See contributions of Brazil, Greece, the Netherlands, the Russian Federation and Switzerland.

⁸¹ See, for example, contributions of Free Press Unlimited, the International Federation of Journalists and the Press Emblem Campaign.

has been tracking COVID-19 support measures for the audiovisual sector implemented by European countries.⁸²

48. Targeted measures for community radio stations have also been reported in Brazil, where these small and financially precarious outlets often play a vital role in disseminating news in remote areas, a role of heightened importance for public health messaging during the pandemic.⁸³ In its contribution, the Netherlands reported the creation of a €35 million fund to support local media outlets, most of which are totally reliant on advertising for their income.

49. Responding to a sharp increase in applications to its emergency funds during the pandemic, Free Press Unlimited assisted 3,435 journalists in 2020 with emergency assistance through its “Reporters respond” programme, over 10 times more than in the previous year. In 2020, almost 90 per cent of the support was for journalists affected by and under threat from the COVID-19 pandemic. The Government of India has reportedly granted compensation to the families of journalists who have died from the virus.⁸⁴

IV. OHCHR assistance on national approaches to protect journalists, including in cooperation with other United Nations entities

50. During the COVID-19 pandemic, OHCHR has continued its work to address the safety of journalists and the issue of impunity, including through monitoring and reporting, engagement, advocacy, awareness-raising and capacity-building. It has regularly raised related issues in the Human Rights Council, including through its country-specific and thematic reports. It has also organized a number of awareness-raising events on the safety of journalists at the national level, in collaboration with local and international partners.⁸⁵

51. Additionally, based on the outcome of the 2017 multi-stakeholder consultation held by OHCHR and UNESCO on ways to strengthen the implementation of the United Nations Plan of Action on the safety of journalists, OHCHR undertook a range of initiatives.⁸⁶ It further integrated the safety of journalists into its work at country level, including by supporting national approaches on safety, taking an approach inclusive of women, youth, minorities and other communities. In 2021, OHCHR also launched jointly with UNESCO and with the support of the Netherlands, a programme entitled “Global drive for media freedom and safety of journalists” aimed at fostering independent and free media and on prevention of, protection from and accountability for violations against journalists. Twenty OHCHR field presences supported the development and strengthening of national approaches, protecting media freedom and journalists and involving all relevant stakeholders.⁸⁷

52. OHCHR efforts at the national level include efforts to repeal legislation and measures limiting media freedom, as well as activities to support public entities, through strengthening lawmakers’ awareness of relevant human rights, with attention paid to the specific risks faced by women journalists. In that context, OHCHR regularly provides technical support to States on legislation and policies protecting media freedom and journalists, and on access to information, audiovisual laws and laws relating to online regulation. It also supports national human rights institutions, professional associations and other civil society actors in their advocacy on relevant national legislation.

⁸² <https://www.obs.coe.int/en/web/observatoire/covid-tracker-2021>.

⁸³ See contribution of Centro de Imprensa, Assessoria e Rádio, Brazil.

⁸⁴ See contribution of the Press Emblem Campaign.

⁸⁵ A/76/285, paras. 41–42, and A/76/36, para. 109.

⁸⁶ See “Strengthening the implementation of the UN Plan of Action on the safety of journalists and the issue of impunity” (16 August 2017), available from <https://www.ohchr.org/Documents/Issues/Journalists/OutcomeDocument.pdf>.

⁸⁷ See UNESCO, “UNESCO and OHCHR launch global drive for media freedom and safety of journalists”, 5 May 2021.

53. OHCHR also cooperates with judicial actors on enhancing the national response to attacks on journalists, including gender-based and online attacks, notably regarding investigation and prosecution. It provides policy advice and technical support to prevention, protection, prosecution and accountability mechanisms at the national level, including specialized prosecution units. In that context, in 2019 OHCHR conducted an assessment of the mechanism for the protection of human rights defenders and journalists in Mexico. Following the assessment, with the support of Ireland the mechanism initiated a process to strengthen its capacity to counter digital attacks.⁸⁸

54. In order to exercise their work independently and freely, journalists, media workers and human rights defenders working on media freedom must be able to operate without fear of attack or prosecution and obtain justice in case of violations. For that reason, OHCHR engages with them on strengthening their capacity with regard to their own safety. In addition, OHCHR works with journalists, professional associations and relevant civil society actors to enhance their capacity to engage with human rights mechanisms for purposes of protection. That includes continuing to work on providing access to updated global, regional and country data under indicator 16.10.1 of the Sustainable Development Goals for civil society, journalists and the public, and providing technical assistance and support to strengthen national data collection under indicator 16.10.1.

55. In August 2021, for example, the OHCHR presence in the Sudan organized a regional online round table, at which experience was shared by representatives of the National Syndicate of Tunisian Journalists with Sudanese journalists representing key media bodies and platforms, including bloggers, unionists, academics and key journalists' bodies and networks. As a direct outcome of the round table and an important step towards the protection of journalists in the country, three of the key press bodies that participated established a unified Sudanese Journalists Union, pending the adoption of a trade union law. In October 2021, OHCHR also started new capacity-building activities for journalists in West Africa, including on human rights-based reporting by journalists and their protection. On 10 December 2021, on the occasion of International Human Rights Day, the OHCHR Regional Office for Europe hosted a multi-stakeholder policy dialogue on how better to protect journalists from threats and attacks, strengthen media freedom and pluralism, and address challenges facing traditional media in the digital information ecosystem in the European Union.⁸⁹

56. OHCHR also monitored emblematic cases related to the safety of journalists in several countries.⁹⁰ For instance, in February 2021, the United Nations Assistance Mission in Afghanistan (UNAMA) issued a special report on the killing of human rights defenders, journalists and media workers in the period from 1 January 2018 to 31 January 2021. The report noted a shift towards intentional, premeditated and deliberate targeting of individuals, especially following the start of the Afghanistan peace negotiations on 12 September 2020, after which 11 human rights defenders and media workers were killed in targeted attacks.⁹¹

57. National human rights institutions and civil society play an indispensable role in addressing impunity. OHCHR activities aim to enhance their capacity at the national level to monitor and report on attacks on journalists, with particular attention paid to attacks on women journalists. In that context, OHCHR and UNESCO have continued to provide support to the monitoring unit of the National Syndicate of Tunisian Journalists and to developing a national database on cases of violations of the safety of journalists, based on quantitative and qualitative indicators.⁹²

58. National approaches to protecting journalists should involve human rights education of the wider public. OHCHR engages with States, civil society and journalists to enhance public knowledge of the value of access to verified information and the safety of journalists. For instance, in September 2021, in partnership with the African Union through the Youth

⁸⁸ A/76/285, para. 40.

⁸⁹ See <https://europe.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=2607&LangID=E>.

⁹⁰ See A/HRC/46/20, A/HRC/46/76, A/HRC/48/19, A/HRC/47/22.

⁹¹ See UNAMA, "Special report: killing of human rights defenders, journalists and media workers in Afghanistan 2018–2021", (February 2021).

⁹² A/76/285, para. 41.

for Peace (Y4P) Africa Programme, the OHCHR East Africa regional office launched a youth-focused online campaign in Zanzibar aimed at strengthening the capacity of young social media influencers to promote human rights on their social media platforms and in their communities and counter hate speech. OHCHR also engages with journalists to strengthen their understanding of reporting on freedom of expression, media freedom, the safety of journalists and other human rights issues, including from a gender perspective and in specific situations and contexts, such as elections, protests and armed conflict. In July 2020, for example, the technical cooperation programme organized between OHCHR and the Saudi Human Rights Commission held a two-day workshop for Saudi journalists on the theme of “The human rights-based approach and journalism”.

A gender perspective to protect female journalists

59. In the implementation of the United Nations Plan of Action on the safety of journalists and the issue of impunity, OHCHR and UNESCO have specifically focused on activities promoting the safety of female journalists. The Plan of Action recognizes that female journalists face increasing dangers, highlighting the need for a gender-sensitive approach. In carrying out their professional duties, they often risk sexual assault, in the form of targeted sexual violations, often in reprisal for their work; mob-related sexual violence aimed at journalists covering public events; or the sexual abuse of journalists in detention or captivity.⁹³

60. The COVID-19 pandemic has changed the working conditions of journalists, making them more dependent on digital communications services and social media channels. Consequently, women journalists have become more exposed to online attacks, including misogynistic abuse, intimidation and defamation campaigns, threats of sexual assault and exposure of personal data.⁹⁴ There are worrying reports of a link between online and offline attacks on women journalists. A global survey released in 2021 by UNESCO and the International Centre for Journalists found that 73 per cent of female journalists had experienced online gender-based violence, with black and indigenous women targeted most often.⁹⁵

61. OHCHR capacity development activities include strengthening the capacity of women journalists to improve their security. From December 2020 to September 2021, OHCHR, the United Nations Entity for Gender Equality and the Empowerment of Women and UNESCO organized a 12-session training series entitled “Enhance protection of women journalists and advance women’s human rights in the context of shrinking democratic space in Asia”. In 2021, UNESCO and a number of civil society organizations jointly launched two practical sets of guidelines aimed at informing both newsrooms and female journalists about techniques and tools to prevent and respond to violence.⁹⁶

V. Conclusions and recommendations

62. **The COVID-19 pandemic has presented States with unprecedented challenges in many areas. Imposing undue restrictions on the right to freedom of expression as a response not only violates international human rights law, but also risks increasing distrust among the public and is counterproductive in practice and outcomes. In some instances, journalists have been targeted for expressing critical views and disseminating information that contributes to holding governments to account. Further, smear campaigns and public attacks on journalists and media outlets, sometimes accompanied by denigration of the media in general, have been recurrent and have jeopardized the**

⁹³ See https://www.ohchr.org/Documents/Issues/Journalists/UN_plan_on_Safety_Journalists_EN.pdf, para.1.17.

⁹⁴ See [A/76/285](#) and [A/HRC/49/66](#). See also contribution of ABRAJI.

⁹⁵ See Julie Posetti and others, “Online violence against women journalists: a global snapshot of incidence and impacts” (2020).

⁹⁶ See, for example, UNESCO and others, “Practical guide for women journalists on how to respond to online harassment” (2021).

safety of journalists. This pattern is not new, rather it has been exacerbated during the pandemic.

63. The working conditions of journalists have also been severely impacted by a number of factors. Some journalists are highly exposed to the virus itself, owing to the frontline nature of their work, and often lack basic protective equipment and access to adequate health care. Too many journalists have paid the ultimate price for their essential reporting. The pandemic has also exacerbated economic stress on journalists and the media.

64. The present report highlights a number of good practices, which States and other relevant actors can draw upon in future health emergencies. In particular, it recommends that States and other stakeholders where relevant:

(a) Create an enabling environment to facilitate the vital work carried out by journalists in the context of public health emergencies, as this work is critically important to overcoming the emergency. As a priority, this means bringing laws, policies and practices fully into compliance with international human rights law. Such measures should include reviewing and, where necessary, repealing or amending laws and policies, in particular emergency legislation, and promoting measures to ensure that journalists and media workers not only can, but are encouraged to, perform their work independently and without undue interference during the present pandemic and beyond;

(b) Disseminate and ensure access to reliable and up-to-date public health information, offline and online, in order to best equip people with the tools to contribute to combating the pandemic. Publishing information in formats that permit reuse by third parties, including journalists, and on channels that reach different communities is critical and demonstrates the political commitment of States to openness and transparency in the public interest;

(c) Develop and adopt integrated and gender responsive prevention, protection, monitoring and response mechanisms for the online and offline safety of women journalists, in consultation with media organizations and women journalists;

(d) Take measures to protect journalists from attack, both offline and online, and ensure accountability through impartial, prompt, thorough, independent and effective investigations into all alleged incidents of violence, threats to and attacks on journalists, and ensure that victims and, where applicable, their families have access to effective remedies, including reparations;

(e) Take immediate steps to ensure that surveillance technology is only used in full compliance with international human rights law and legal frameworks guaranteeing privacy, along with the tools needed to ensure implementation. All cases of allegations of surveillance constituting unlawful and arbitrary interference in private life should be investigated;

(f) Take measures towards ensuring that journalists enjoy safe, healthy and favourable conditions of work, including in relation to the challenges posed by the pandemic. The nature of journalistic work in the context of pandemics places some journalists on the front line, exposing them to a high risk of infection. In line with the Guiding Principles on Business and Human Rights, employers in the media sector have a responsibility to respect human rights and to seek to prevent or mitigate any adverse impact on human rights directly linked to their operations, products or services. In addition to providing basic personal protective equipment, employers in the media sector must implement tailored sanitary protocols to reduce exposure to the greatest extent possible;

(g) Take measures to ensure an environment in which plural and diverse media can operate, despite the financial and economic impacts of COVID-19. Distribute targeted fiscal, financial and economic support for the media sector in an equitable and transparent fashion, without discrimination, based on viewpoints protected by international human rights law. Guarantees of editorial independence and media plurality must be part of any support measures;

(h) Consider deeper cooperation, including with OHCHR and other relevant actors, on how to strengthen national approaches to protecting journalists and extend full cooperation in the implementation of the United Nations Plan of Action on the safety of journalists.

65. Access to, and free flow of, information and inclusive and vibrant debates based on solid media reporting are cornerstones of effective strategies, not only to combat the COVID-19 pandemic, but also to build back better. Investing in preserving media independence, freedom of expression and privacy of communications is key for building trust and, ultimately, for giving full effect to the new social contract advanced by the Secretary-General in “Our Common Agenda”.
