Introduction

October 2nd 2018 was the last time CCTV cameras captured Jamal Khashoggi, a journalist and an outspoken critic of the Saudi regime and its crown prince Mohammed bin Salman, alive as he entered the Saudi Consulate in Istanbul. Blinded by the warm welcome he had been given there just 4 days ago, Khashoggi had no way of knowing that he would become one of many in history who were killed because of their mainstream opinions against the ones in power.

Saudi Arabia’s story of Jamal Khashoggi’s “disappearance” evolved in a timespan of a month, resulting in its admittance that Khashoggi was intentionally (October 25th) murdered (October 19th). The kingdom was condemned by many Member States, but the condemnation was not accompanied by a tangible response. Following a question on the possibility of a suspension on arms trade with Saudi Arabia, if the kingdom was implicated in the murder, U.S. President Donald J. Trump responded: “We do not like it even a little bit. But whether or not we should stop $110bn from being spent in this country… That would not be acceptable to me.”

The Office of the United Nations High Commissioner for Human Rights (OHCHR) has since published its final report of its investigation on the “unlawful death of Mr. Khashoggi”, in which the primary conclusion was that “Mr. Khashoggi’s killing constituted an extrajudicial killing for which the State of the Kingdom of Saudi Arabia is responsible” (4). Member States that maintained a low profile relationship with the kingdom failed to display a rigid stance against this human rights violation.
A year after the killing, foreign businesses are now slowly transitioning their relation with the kingdom into a mainstream one. Members of the assassination squad were indicted, but, despite piling evidence and speculation, the crown prince remains untouched.

The murder of Jamal Khashoggi has sent shockwaves around the globe: It manifested both how the ones in power can comfortably violate basic human rights and how countries can tolerate it for substantial gains. It was also a message undermining one of the foundations of democracy: freedom of speech.

A free press serves as a medium for the exchange of information and opinions in utter liberty within democratic societies. Its significance is acknowledged in Article 19 of the Universal Declaration of Human Rights, which states: “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”.

History has witnessed numerous examples of the press revered and oppressed, all due to the vast amount of power it holds. In 1933, when the Nazi Party rose to power, it strategically diminished the multi-party political system and outlawed many newspapers. Printing plants and equipment of communist and socialist democratic parties were seized immediately, and the Nazi Party steered its supporters to break into opposition political parties’ offices, a move that resulted in the destruction of the printing press and newspapers. The Nazi Party single-handedly undermined any source carrying the potential of kindling an opposition against its regime and mainly focused on the press. Subsequently, The Nazis easily rooted their ideology in Germany by strengthening their control over all press via its Propaganda Ministry.

The globalization of the world and the development of communication have contributed to the prevention of such actions carrying the intent of undermining the free press. This instigated a new approach within governments, in which the credibility of the press is weakened. The effect of the weakening credibility is gradual and poses a threat to the press, a threat that may have even greater ramifications than that of the actions of dictatorial regimes in the 1900s.

Article 1 in Chapter 1 of the Charter of the UN (United Nations) states that it is the responsibility of the UN to promote and encourage respect for human rights and for fundamental freedoms [...]. For this reason, the UN and its Member States should establish necessary regulations to prevent the oppression of the press and promote the free press as one of the pillars of democracy.

Definition of Key Terms
Freedom of Expression

As mentioned in the introduction, freedom of expression is protected under Article 19 of the Universal Declaration of Human Rights, stating:

“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”. Today, this freedom is known as the “freedom of information” and is the embodiment of the freedom that enables the press to carry out their duties freely.

Neutrality (Journalistic Objectivity)

Although not enforced, ethical journalism has core principles, which are expected from journalists to follow in order to maintain the trust-based relationship between them and their audience. One of these principles is objectivity, interchangeably used with the word neutrality. Objectivity in journalism, according to Krista Kapralos’ column piece “The Case Against Neutrality”, is defined as the solemn assessment of information and the determination of facts without the imbuement of the personal opinions of journalists. Many agree that total objectivity, considering the involvement of human beings, is impossible to achieve. It is, on the other hand, one of the main objectives of journalists to maximize it by maintaining the balance between the two sides of a story.

Some governments, such as that of the Republic of Turkey, have taken this principle a step further and have made it into law. After the 2016 coup attempt, the Turkish Grand National Assembly passed anti-terrorism laws which also included additional regulations on media coverage. Constitutional guarantees on freedom of expression have been left up to the interpretations of courts, raising questions on the reliability of the overall procedure. Media providers in Turkey are now under the intense supervision of the Radio and Television Supreme Council and are evaluated for the neutrality of their coverage.

Censorship

One of the most controversial topics of our century, “censorship involves the intentional suppression of communication in order to prevent dissemination of information that may be valuable or harmful to the censor, the individual or group censored, or the intended recipient of the communication” (Evans). It is important to note that this is one of many definitions used to describe censorship and that in particular benefits certain oppressive regimes. Political censorship and moral censorship are two of the many types of censorship that can easily be encountered around the world. An environment yielding indirect censorship may also be established, where publishers limit their expression in the fear of facing
consequences. Many governments, some directly and some indirectly, use censorship as a tool to suppress expressions that they do not favor.

**Background Information**

Press freedom is an ongoing issue of debate for decades. Although the issue seems region-specific only, 2019 proved that the deterioration of the free press has no borders. The 2019 World Press Freedom Index prepared by the NGO (non-governmental organization) called Reporters Without Borders deemed the year as “a cycle of fear” for journalists.

Authoritarian regimes around the world have rooted their existence and have weakened democratic institutions in the process. This required them to tighten their grip on media outlets, which they have achieved through the use of fear, targeted oppression, and constant supervision. Many journalists and press members are raising an alarm over the trend of the increasing oppression of the press, but are unable to get the attention the issue requires, on platforms of discussion such as those of the international stage. Press freedom is not a preferred topic of discussion for many Member States, which is why it has been avoided with trifle actions by intergovernmental organizations, as well as by the United Nations.

There is no one prominent way in which the press is oppressed. It is, therefore, reasonable to do evaluations of recent, significant cases concerning the free press from different regions around the world, and ask the questions of why and how. Answering these questions will help in establishing a more broad and critical understanding of the issue. Please note that these cases will not be in chronological order and that they are evaluated distinctively.

**Muslim camps in China**

Xinjiang officially named the Xinjiang Uygur Autonomous Region, is a region located in the northwest of the People’s Republic of China. The region is home to the populations of ethnic minorities, mainly that of the Turkic Uighurs. China has systematically installed “a vast network of detention camps and systematic surveillance” (Perlez) in the region in a period of two years. The aim, to convert Uighur Muslims into loyal supporters of the Communist Party and assimilate them into Chinese society by forcefully erasing their Muslim identity.

The Chinese government denies the existence of such detention camps, instead referring to them as re-educational facilities. Wang Yi, the foreign minister of China, justified the existence of these facilities: “The education and training centers are schools that help the people free themselves from terrorism and extremism and acquire useful skills".
China has been able to protect itself from international condemnation and has provided subsidies to countries who have been critical of the regime’s actions in Xinjiang, preventing the attention of Member States to be driven to the region. China's economic power also silenced many member states whose economies rely on China’s. The United States, although raising the alarm on the issue, has not taken a leading role against China’s human rights violation, and has therefore discouraged a possible opposition against and condemnation of China.

In order to have a hold of the public opinion on these camps both domestically and internationally, the Chinese government gave access to journalists and diplomats from friendly countries. Along with the coverage of the China Global Television Network, China has tried to communicate its actions in the region. It has also censored the coverage of the camps by the western media in its country, cutting the broadcast of western news channels when found necessary. A CNN (Cable News Network) piece also revealed how the Chinese government obstructed them from recording footage near these camps. CNN reporters were harassed by the police and were followed everywhere they go. They were also requested to delete the footage they have of the camps, an effort to conceal what is taking place in these camps.

Press suppression in Iran

In November 2019, the Iranian government announced plans to cut fuel subsidies. This sparked outrage around the nation. People all over Iran protested the announcement. Footage from the protests circulated on social media, showing the extent of the protests.

In response to the protests, the government cut off the internet connection around the country. The circulation of footage from the protests almost halted, and the protests were averted from spreading. The effect and result of the protests also remain unknown to the international community. Amnesty International reports that an estimated 106 people were killed by Iran’s security forces during the protests.

The Islamic Republic of Iran is known to protect its image on the international stage via actions that are suppressive and often in violation of the Universal Declaration of Human Rights. Media is extensively controlled by the government, and media outlets that resist the campaign of fear led the government to lack the resources to continue reporting objectively and independently.

Iran’s willingness to present a unified image to the international community has led to its crackdown of the international and domestic media outlets active in its country. In August 2019, Iran reverted the credentials of some members of the foreign press. Iran’s strategy is “to intimidate and encourage self-censorship among foreign correspondents” (Rezaian). Domestic media outlets have also
been targeted by the government and some outlets that could not endure the pressure applied by the government closed.

The arrest of two Reuters journalists in Myanmar

Rohingya is an ethnic minority that used to live in Myanmar’s Rakhine state, with an estimated population of one million people. The government of Myanmar, however, does not recognize them and denies them citizenship.

In 2017, the Tatmadaw military started a military operation in Rakhine state. More than 70,000 people fled the country and sought refuge in the neighboring Member States. Amnesty International reported that civilians were killed in “indiscriminate attacks”. Myanmar is now accused of “widespread and systematic clearance operations”, and the UN has also encouraged the investigation of the Burmese military for genocide against Rohingya Muslims in Rakhine. The accusations are now put on trial in the ICJ (International Court of Justice).

Wa Lone and Kyaw Soe are two Reuters journalists who were investigating the killing of 10 Rohingya Muslim men and boys by the military in 2017. They were arrested and convicted for violating the Official Secrets Act and were sentenced to 7 years in prison. Their arrest had the intent to silence journalists and prevent news of the operation in Rakhine from spreading. The journalists were released in May 2019, 500 days after their arrest.

The significance of press freedom in democracies

These examples of countries around the world, undermining the legitimacy and foundation of the free press indicates the tremendous significance the press upholds. There is a reason for the Founding Fathers of the United States to include press freedom in the First Amendment of the U.S. Constitution. That reason is to “talk truth to the power” (Kalb). The press holds the ones in power accountable, and therefore serves as a fourth branch of government, preventing democracy from degrading. Washington Post’s slogan would summarize how vital press freedom is for democracy: Democracy dies in darkness.

A free press emphasizes problems of society that are ignored either with intent or without. It is also the first line of defense against actions undermining a core human right, vital to the essence of democracy: freedom of speech. A free press is “a check on corruption, excesses, and stupidity in government and in business”. It is, according to David Keller, a Senior Fellow at the Brookings Institute, “an essential ingredient of a democracy”.

By undermining the free press, Member States have undermined existing democracies. The Press Freedom Index is therefore not a solemn indicator of the degrading press freedom around the
globe but is also an indicator of a global trend of Member States moving away from democracy. Press freedom is in all of its essence a pillar of democracy and should be promoted in that way. The United Nations, as a promoter and protector of human rights under the Universal Declaration of Human Rights, should increase its efforts to prevent this unfavourable trend before it is too late.

Major Countries and Organizations Involved

EU (European Union)

The EU recognizes the freedom of speech as “a key indicator of a country's readiness to become part of the EU” (European Commission). In Article 49 of the Lisbon Treaty, it is stated that no country can join the EU without guaranteeing freedom of expression as a basic human right.

The EU recognizes that press freedom is a sensitive issue in Turkey and in Balkan states, and acknowledges that the solemn implementation of EU rules would be insufficient. It, therefore, calls for “behavioral and cultural change in politics, judiciary and media” (European Commission), and supports this process by monitoring candidate and potential candidate nations’ policies, and providing legal assistance and guidance on the drafting of media legislation.

This does not mean that there is no suppression of press within the EU. In fact, the European Parliament invoked Article 7 against Hungary, stating that the state is a “systematic threat to democracy and the rule of law. Hungary’s president, Victor Orban, continues to conduct a crackdown of the press ever since he assumed office in 2010.

United States of America

The United States is placed 48th on the Press Freedom Index, compiled by Reporters Without Borders. It has dropped from being 45th in 2018, indicating the ongoing decline of press freedom under the Trump administration. The hostile rhetoric used against the press by President Trump has contributed to this decline. He continues to name the press as the “enemy of the people” and “fake”.

The security of journalists has been another raising issue in the US. Press chambers have been receiving death and bomb threats. With all that happening, the Trump administration continues its distant and opposed position against the press.

As mentioned in the introduction, the Trump administration still has not taken the lead to hold the Saudi authorities responsible for the brutal murder of Washington Post columnist Jamal Khashoggi.
President Trump’s statements on the murder clearly show how capital has greater importance in US foreign policy than of freedom of expression.

**Norway**

Placed first in the Press Freedom Index, Norway has been an almost faultless example in protecting the free press. The 1814 constitution guarantees press freedom in the country and does not either censor or exert political pressure on the press. Ownership of media organisations have been made transparent in the country and is regulated by Norway’s media authority Mediatilsynet. Competition between publications and media outlets is also regulated by the competition authority of the country which works in cooperation with the Mediatilsynet.

**UNESCO (United Nations Educational, Scientific and Cultural Organization)**

UNESCO, starting from its establishment in 1945, has been called upon to “promote the free flow of ideas by word and image”, and promotes freedom of expression as a basic human right around the world. UNESCO has therefore partnered with professional organizations as well as with governmental organizations and NGOs to “support and defend free, independent and pluralistic media”.

**Reporters Without Borders (RFS)**

Reporters Without Borders is an international NGO based in Paris. It has a consultancy status in the UN, UNESCO, Council of Europe and the International Organisation of Francophonie. Its global network of correspondents around the world enables the RFS to keep Member States accountable. RFS hopes to exert enough pressure on Member States to change their media and internet legislature into ones that secure and promote a free press and the freedom of information.

**Timeline of Events**

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<th>Date</th>
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<td>1688</td>
<td>The English Bill of Rights stated, &quot;that the freedom of speech and debate or proceedings in Parliament ought not to be impeached or questioned in any court or place out of Parliament.&quot; This was the first time freedom of expression was acknowledged to be a right by a government.</td>
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<td>1791</td>
<td>The United States Bill of Rights was signed. The scope of freedom of expression was expanded.</td>
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Freedom of expression was added to the French Declaration of the Rights of Man and Citizen. Article 11 of the declaration states: "The unrestrained communication of thought or opinions being one of the most precious rights of man, every citizen may speak, write and publics freely, provided he be responsible for the abuse of this liberty, in the case determined by law."

The National Socialist German Workers' Party became the government of Germany. It soon initiated its crackdown of the press.

December 10th, 1948
The Universal Declarations of Human Rights was created, ratified and adopted by the United Nations General Assembly.

December 20th, 1993
The Office of the United Nations High Commissioner for Human Rights is established.

October 26th, 2001
The Patriot Act passes the U.S. Congress and is signed into law by George W. Bush. Arguments claiming the act violates freedom of expression were heard by the U.S. Supreme Court in the following years.

October 2nd, 2018
Washington Post columnist Jamal Khashoggi was murdered by Saudi officials in the Saudi consulate in Istanbul.

Relevant UN Treaties and Events

- Calling of an International Conference on Freedom of Information, 14 December 1946 (A/RES/59(I))
- International Bill of Human Rights, 10 December 1948 (A/RES/217(III))
- Right to freedom of opinion and expression, 1993 (E/CN/A/RES/1993/45)
- Human Rights Council, 3 April 2006 (A/RES/60/251)
- Promotion and protection of the right to freedom of opinion and expression, 4 September 2013 (A/68/362)
- Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, 11 May 2016 (A/HRC/32/38)
Previous Attempts to solve the Issue

UNESCO and OHCHR (the Office of the United Nations High Commissioner for Human Rights) have ongoing attempts to promote the freedom of the press around the world. UNESCO “maintains close relations with regional and international media organizations and press freedom advocacy groups” (UNESCO) in order to monitor the state of the freedom of the press on a global scale. UNESCO advocates for and provides training to journalists and media networks. The organization also provides advice to governments “on best practices regarding media legislation and regulation”.

In 1993, the UN Commission on Human Rights established the “mandate of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression” (OHCHR). This mandate held the Special Rapporteur responsible of collecting and gathering information regarding “violations of the right to freedom of opinion and expression”, and to make suggestions to ways to better promote freedom of expression. The mandate has been extended every 3 years since then.

The United Nations General Assembly proclaimed May 3rd as World Press Freedom Day in 1993. The day is used to raise awareness on the right of freedom of expression and of the violations against this right. It would be safe to say that these attempts have failed to resolve the issue.

Possible Solutions

It is important to acknowledge that the issue is multilayered and that one solution may not be effective in all parts of the world. One possible solution would be to increase the monitoring of the freedom of the press in member states. Currently, the monitoring of the state of this right is centered around NGOs, some that lack the resources to continue reliable monitoring. The UN may step in and increase its efforts to monitor the state of freedom of expression, and therefore the free press.

The UN should give a unified message against violations of human rights. The extra-judicial killing of Jamal Khashoggi is still unaccounted for, and the perpetrators of this murder are still free. The absence of consequences may motivate other states and individuals to take part in such heinous acts. The UN must increase its efforts in punishing the ones responsible for the murder of Jamal Khashoggi.

The UN ironically does not have the authority to hold Member States accountable. Its initiatives have failed to become concrete, and have remained fairly symbolic. It is very unlikely to change the whole mechanism of the UN, but it is possible to increase the United Nations’ efforts in its initiatives. The
UN Plan of Action on the Safety of Journalists and the Issue of Impunity, for example, has failed, and violence towards journalists has instead increased. This shows that some previous initiatives of the UN need to be revisited and supervised more effectively.

The UN has no determined framework of Member States guaranteeing compliance with international obligations such as ensuring and promoting human rights. This is a loophole in the UN mechanism that enables Member States to continue with their degradation of democracy. The UN should be forced out of putting symbolic actions into place, and necessary human rights mechanisms should be established.

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