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## **Call for comments on opportunities, challenges and threats to media in the digital age**

UNESCO´s submission to the report by the UN Special Rapporteur on the promotion and protection of freedom of opinion and expression

**Executive Summary:**

The rise of the Internet era and the growing importance of online platforms in digital news production have led journalists to become increasingly reliant on digital technologies to gather and disseminate news. While these tools and technologies have brought forth new opportunities for journalists, they have also rendered them more vulnerable to digital attacks, from both State and non-State actors. UNESCO´s report on [World Trends in Freedom of Expression and Media Development](https://unesdoc.unesco.org/ark:/48223/pf0000379826/PDF/379826eng.pdf.multi) (WTR) highlights concrete challenges stemming from the digital sphere in accessing information. This contribution aims to share UNESCO´s findings in this this regard.

UNESCO works every day with all branches of governments, media, online platforms, and all players in the information economy, but sometimes, at the national level, the impact of these international efforts may remain geographically skewed. While no single blueprint or solution will suffice in every context, a number of approaches and options can be considered. To safeguard journalism’s function as a public good and effectively tackle the challenges stemming from the digital age while respecting human rights, urgent action is required from multilateral organizations, governments, civil society, and the private sector. Without these commitments, it will not be possible to ensure—and expand—the supply of journalism as a public good within the ever-burgeoning communications mix.

**Key questions:**

**1a. What are the key trends, threats or challenges to the freedom, independence, pluralism and diversity of media and the safety of journalists in your country, region, or globally in your view?**

* Press freedom has continued its decline across the globe: approximately 85% of the world’s population experienced a decline in press freedom in their country over the past five years[[1]](#footnote-2). According to new research for UNESCO´s WTR, at least 57 laws across 44 countries have been adopted or amended since 2016 that contain overly vague language or disproportionate punishments that threaten online freedom of expression.
* The Varieties of Democracy (V-Dem) Institute reported that COVID-19 measures were used to justify significant press freedom violations in every region of the world, including 96 out of 144 countries in its 2021 study, “Pandemic backsliding.”[[2]](#footnote-3)
* Disinformation and hate speech remain serious concerns, contributing to the continued decline of trust in media and information sources over the past five years. The growth of the “disinfodemic” in 2020 and 2021 highlighted the onslaught of mis- and disinformation. Analysis for the WTR found, for instance, that in March and April 2020, a network of more than 100 fact-checking organizations and news outlets debunked as many as 1,700 false claims per month related to COVID-19.
* Audiences and revenue continue to move online, threatening the viability of independent media’s traditional business models. Media pluralism has largely stagnated in every region. Though the internet has increased the range and volume of voices in circulation, the supply of news as a proportion of that has massively declined, and trustworthy outlets struggle to gain traction and revenue in the crowded space.
* As revenue continues to decline or, in some cases, rely more upon government advertising and other forms of state spending, the threat of “media capture” has grown, endangering media independence. A recent study by the Center for Media, Data, and Society of 546 state-administered media entities in 151 countries reported that nearly 80% of them lacked editorial independence. [[3]](#footnote-4)
* From 2016 to 2021, UNESCO recorded 455 journalists killed for their work or while on the job. The 2016-2020 period represented a slight improvement compared to the previous five years—but impunity for that crime threatens a continued cycle of violence. According to UNESCO, in nine times out of ten, the murder of a journalist remains unresolved.
* Other threats against journalists, online and off-line, continue to grow. According to CPJ, journalists detentions reached a record high of 280 in 2020, only to be surpassed in 2021 (293). Online violence and harassment spurs self-censorship, and women journalists and those who represent minority groups are inordinately impacted.
* Political leaders in many countries have also expressed hostility toward the press, fuelling a generally adverse press freedom environment. In addition to legal measures restricting freedom of expression and other acts of active censorship, powerful actors spreading messages intending to discredit the press also contribute to a decline in press freedom overall. This has not only fuelled physical violence against media workers but has also contributed to an erosion of public trust in journalism in many areas of the world.
* According to UNESCO data, at least 160 countries still have criminal defamation laws on the books, down from 166 in 2015. These laws are finding new life through Strategic Lawsuits Against Public Participation (SLAPP) and in “libel tourism”, through which powerful actors initiate lawsuits in countries where defamation or libel laws are easier to abuse for the purpose of silencing critical voices.

**1b. To what extent have these trends, threats and challenges emerged, or have been aggravated, because of the policies and practices of digital and social media platforms?**

* Digital and social media platform services have allowed many new and previously excluded voices to be heard, facilitated the sharing of knowledge, and facilitated citizen mobilization.[[4]](#footnote-5)Yet, the business models of digital and social media platforms are designed to capture and keep user attention and gather data for targeted advertising. This has made them susceptible to the massive spread of disinformation, including in their advertisements.[[5]](#footnote-6)
* According to research for the WTR, in the last five years, government requests for content removal on major internet platforms have doubled.
* Among the threats to media pluralism is the unprecedented concentration of power in the hands of two companies, Meta and Google, whose platforms command the majority of all time spent on social media as well as advertising spending, receiving approximately half of all global advertising spending, while global newspaper ad revenue dropped by half in the last five years.[[6]](#footnote-7) The threat to financial viability is especially pressing in the Global South and for local news outlets worldwide.
* The WTR also highlights studies in several countries that highlight that these two companies dominate the market share of total time spent on social media platforms in several countries. A 2019 study found Facebook to be among the top three channels for receiving news for respondents in 14 out of 36 countries included in the study.
* Social media platforms continue to be an enabling environment for online violence against women journalists. In the UNESCO/ICFJ study [The Chilling](https://en.unesco.org/publications/thechilling), Facebook was found to be the most frequently used (77%) platform, network or app for journalistic work (closely followed by Twitter on 74%) according to the women surveyed, but it attracted disproportionately higher rates of incident-reporting to the platforms among the respondents (39% compared to Twitter’s 26%). It was also rated the most dangerous of the top five platforms/apps used, with nearly double the number of respondents rating Facebook “very unsafe” compared to Twitter.[[7]](#footnote-8)
* There is an urgent need for greater transparency into the practices and policies of internet companies in order to develop better responses to these challenges.
* While social media companies have increasingly started to publish transparency reports, there is little consistency in what they cover and how they are presented.

**1c. Please highlight the gender dimensions of the trends and their consequences for the equality and safety of women journalists as well as media freedom.**

* Globally, only 25 percent of news sources and subjects are women, and four out of ten stories in traditional news media are reported by women, according to the Global Media Monitoring Project.[[8]](#footnote-9)
* Online violence against women journalists remains a massive issue. According to a UNESCO/ICFJ study, 73% of women who responded the survey had experienced online violence in the course of their work.
* In the digital sphere, women journalists are particularly exposed to being subjected to technology-enabled attacks such as deep fakes, doxxing, trolling, and the non-consensual distribution of intimate content[[9]](#footnote-10). They are also targeted by disinformation at high rates, with 41% of respondents to the aforementioned survey having been targeted in disinformation campaigns.[[10]](#footnote-11)
* In addition, many women also face intersectional forms of discrimination, wherein factors such as race or ethnicity, religion, or sexual orientation are involved, thus adding to thus aggravating the impacts of the online abuse they face.[[11]](#footnote-12)
* More information about the gender dimensions of the safety of journalists and media freedom can be found on [UNESCO´s Report on online violence against women journalists (2020).](https://unesdoc.unesco.org/ark:/48223/pf0000375136)

1. **What legislative, administrative, policy, regulatory or other measures have Governments taken to promote press/media freedom, including media independence, pluralism, viability and ownership issues? What has been the impact of these measures? What changes or additional measures would you recommend?**

* As mentioned in a soon-to-be-launched UNESCO policy brief on media viability, a range of measures have been launched – with mixed results - by governments around the world to address the challenges of media viability and support pluralist, independent media. These include state support for journalism innovation, subsidies, tax relief, public service or community media grants, as well as compulsory negotiations between Internet companies and news publishers.
* For example, Australia’s much discussed [News Media Bargaining Code](https://www.accc.gov.au/focus-areas/digital-platforms/news-media-bargaining-code), enacted in February 2021, requires Internet companies pay publishers for the news they disseminate online, in order to help support the sustainability of public interest journalism. Government representatives in several other countries have indicated that they are considering similar initiatives.
* As elaborated in UNESCO’s policy brief, there are risks involved with the different initiatives described above. For example, direct government investment in news media viability carries the risk of “media capture”, especially in countries with low press freedom standards. Government support to journalism can also at times favour large media companies at the expense of smaller ones.
* While there is no one size-fits-all policy, the question of how to ensure that assistance is provided to media organizations without compromising editorial independence is a central one when elaborating policy responses in this area.

3/4.  **What measures are Governments taking to support public service media? What has been the impact of such measures?  What changes or additional measures would you recommend?** / **What measures have a) Governments b) social media companies c) media companies taken to promote the safety of journalists? What has been the impact of these measures? What more can/should be done and by whom? Please also mention any specific laws or measures to address online violence, threats and harassment and what  result they have produced.**

* Intensified attacks against journalists are being met with a growing commitment to monitoring, protection, prevention and prosecution mechanisms for the safety of journalists. New coalitions, involving Members States, civil society, the media and academia reflect a stronger and more coordinated response to the safety of journalists, in line with the UN Plan of Action on Safety of Journalists and the Issue of Impunity, discussed in depth in question 5b.
* The Groups of Friends on the Safety of Journalists in Paris, Geneva, New York, Vienna and Strasbourg, for instance, have continued to bring together Member States that share a commitment to the strengthening of the UN Plan of Action and its implementation at the national level.
* On the occasion of World Press Freedom Day 2021, the Groups issued a Joint Statement stressing the critical role of Member States in supporting a free press. The Freedom Online Coalition, a partnership of 33 governments, has also recently rekindled its efforts to support internet freedom and protect human rights online.
* Additionally, the efforts to support public service media should be understood in the context of a media industry in crisis, where threats to financial viability lead to an impoverished information landscape for citizens. In response to these needs, the Windhoek +30 Declaration, adopted at World Press Freedom Day 2021 and whose principles were endorsed by UNESCO’s 41st General Conference, advocates for information to be considered a public good that needs to be publicly supported.

**In terms of what UNESCO is doing to address the safety of journalists in the digital sphere and support public media:**

* In its [Decision 5.I.B](https://unesdoc.unesco.org/ark:/48223/pf0000367821/PDF/367821eng.pdf.multi) adopted by its 206th session in 2019, the Executive Board of UNESCO invited the Director-General to prioritize activities addressing the specific threats to the safety of women journalists, both online and offline, as well as new and emerging threats to the safety of journalists.
* UNESCO has enhanced its capacity-building activities on these issues through the development of a [MOOC on how to report on issues related to Internet and technology](https://journalismcourses.org/course/self-periodismo-de-internet-y-tecnologia/), in partnership with the Knight Centre for Journalism in the Americas, which was attended by 2000 people.
* Moreover, UNESCO recently organized several webinars and launched [guidelines](https://unesdoc.unesco.org/ark:/48223/pf0000374208) 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 with the COVID-19, which address key online challenges, and highlight the role of judicial operators in tackling them.
* UNESCO also continues to build international momentum to advocate for the concept of information as a public good as envisioned in the Windhoek +30. Building on previous resources, such as [a set of quality indicators](https://unesdoc.unesco.org/ark:/48223/pf0000216616_eng) developed by UNESCO for public broadcasters, UNESCO also carries this work forward in its aforementioned initiative for media viability.

**5a. What measures have Governments taken to investigate and prosecute attacks against journalists, including online violence and harassment against female journalists?  What are the barriers to fighting impunity? What changes would you recommend?**

**In terms of addressing impunity:**

* UNESCO recommends to increase the knowledge and capacities of prosecutors' on investigating and prosecuting crimes and attacks against journalists; to include specialized courses on freedom of expression and the safety of journalists in the initial training of judges and magistrates;
* Increase resources, in particular on digital investigative technics, to ensure a successful resolution of investigations on crimes committed against journalists;
* Set-up specialized prosecutors' offices and units dedicated to cybercrimes on digital crimes;
* Ensure that investigations and prosecutions of cases of crimes against journalists are handled by independent investigation and prosecution units, considering the important amount of crimes against journalists involving corrupt officials linked to organize crimes;
* Increase cooperation and support between prosecutorial services and international or regional agencies (for instance, EUROPOL).

**In terms of addressing online violence against women journalists:**

* Based on the UNESCO/ICFJ study (the full version of which will be released in 2022), UNESCO recommends to:
  + Recognise that the problem of online violence is transnational, and operates in the context of huge and profitable technology companies.
  + Facilitate and encourage coordinated, global multi-stakeholder cooperation and exchange of good practice between States, and across professional boundaries.
  + Foster and fund collaborative responses involving civil society organisations, journalists’ networks, and researchers
  + Invest in genuinely independent research into the fast-moving nature and scale of online violence and social media company responses
  + Recognise the intersectional threats associated with gendered online violence, such as racism, religious bigotry and homophobia, and respond accordingly - through policy development and training.
  + Full recommendations available in [The Chilling](https://en.unesco.org/sites/default/files/the-chilling_conclusion.pdf) report.

**5b. The UN Plan of Action on the Safety of Journalists and the Issue of Immunity will mark its 10th anniversary in 2022. How do you assess its results and what suggestions would you make to improve it?  How can it be more relevant to gender concerns and to the threats posed by digital technology?**

* A decade after the creation of the UN Plan of Action, important progress has been made at the international level in recognizing the safety of journalists as a pre-condition for freedom of expression, democracy and sustainable development. This is reflected by the adoption of over a dozen of resolutions and declarations by the UN Security Council, the UN General Assembly, the Human Rights Council, plus others adopted by , the UN Crime Congress, the UNESCO General Conference and by regional organizations. The last resolution was adopted by the UNGA in October and it includes references to the need to tackle all forms of sexual and gender-based discrimination, violence, abuse and harassment.
* There is now the dedicated indicator on the safety of journalists (SDG 16.10.1) to measure progress towards the achievement of the SDGs.
* This Anniversary of the UN Plan of Action calls for a renewed commitment by all stakeholders to strengthen its implementation in the context of arising challenges, like the strengthening of national protection systems as well as of the monitoring and reporting on crimes committed against journalists.

1. **What do you believe has been the impact of digital and social platforms on press/media freedom, independence, viability and safety of journalists? What specific recommendations would you make to a) Governments and b) the companies to address or mitigate the detrimental impact?**

* As mentioned above, digital and social platforms have provided journalists with new tools to reach the public, but have also ushered in a series of structural problems for the media industry. The dominance of a few tech platforms, whose policies and practices often remain opaque, presents serious challenges to the traditional business models of the media. Disinformation, hate speech, and online violence have also become endemic.
* The Windhoek +30 Declaration,identifies greater transparency of technology companies as the third pillar needed to ensuring information as a public good. It calls on companies to ensure transparency in relation to their human and automated systems, provide robust notice and appeals opportunities to users, conduct transparent human rights impact assessments and engage in partnerships to support information as a public good.
* UNESCO has developed a set of [26-high level principles](https://unesdoc.unesco.org/ark:/48223/pf0000377231) on enhancing the transparency of internet platform companies. The principles span across issues related to content and process, due diligence and redress, empowerment, commercial dimensions, personal data gathering and use, and data access. Developed through a series of consultations, the principles aim to be a resource for companies, policymakers, and regulators.

**What policies, procedures or other measures have the media (broadcast, print and digital) sector taken to promote press/media freedom, independence, pluralism, diversity and viability? What has been most successful? What additional measures would you suggest? What steps should the media sector take to promote gender equality?**

* A positive trend can be found in the greater commitments made by the international community to press freedom and media viability, chiefly exemplified in Windhoek +30 as well as the rise of several new international coalitions. Funds including the Global Media Defence Fund and the International Fund for Public Interest media also constitute important steps.
* The media industry has also seen a growth in innovative funding models, including subscription-, membership-, and partnership-based models.
* Civil society coalitions (such as the IWMF’s Coalition for Online Abuse) have raised awareness of and created new support structures for addressing gender-based violence and discrimination in the media sector, including online violence.
* Further commitments by governments and companies are however still needed to protect trustworthy journalism capable of delivering journalism as a public good.
* New forms of self-regulation by news producers, new regulations for social media platforms, state subsidies to trustworthy news outlets and greater support for public service media, increased media development assistance, a redoubling of philanthropic investments, all while steadfastly guarding standards of editorial independence and freedom of expression, are all steps that can contribute to this aim.

1. **Do you see any major gaps in the international human rights legal framework? Are there any specific recommendations that you would suggest to address such gaps or to improve implementation of existing standards**

* Coordination between different stakeholders is key to amplifying decisions, reports and translating results of the human rights mechanisms into policy and capacity building programmes at the national level.
* Against a background in which social media companies have become a channel to perpetuate attacks against journalists, and given their impact on the public sphere, it is crucial that conversations involve private companies and that they open themselves up to public accountability.
* In terms of the human rights fora, the Universal Periodic Review (UPR) mechanism is a critical opportunity for the international community to improve the implementation of existing standards, or advocate for the creation of new ones. This peer-to-peer review provides an opportunity to assess whether legal domestic frameworks sufficiently guarantee freedom of expression and access to information, and whether laws are being effectively implemented by Member States.
* Additionally, there is a strong correlation between the human rights issues that emerge in a UPR exercise and the ongoing work of Member States to progress towards the achievement of the Sustainable Development Goals (SDGs). Hence, working to comply with UPR recommendations that have been accepted by reviewed States can be a solid entry point towards the achievement of the Development Goals and has a potential that still needs to be tapped into.

1. **The Special Rapporteur would welcome examples of good practice by Governments, companies, the media sector, civil society and other stakeholders, and your recommendations on how best to address the challenges and threats to press/media freedom, independence, diversity, pluralism, and safety of journalists. Please share any relevant documents, reports, news or academic articles that you believe should be considered in the preparation of her report.**

* The 2021/2022 Global Edition of the World Trends Report in Freedom of Expression and Media Development offers a comprehensive review of recent trends in how the media and other sector are responding to these key challenges. See the [*Highlights* brochure](https://unesdoc.unesco.org/ark:/48223/pf0000379826) of key findings from the forthcoming Report.
* A chapter of the forthcoming WTR Global Report, also available as the [*Threats that Silence*](https://unesdoc.unesco.org/ark:/48223/pf0000379589.locale=en) discussion paper, details good practices and positive measures reported by Member States. This includes, for instance, implementing national and subnational monitoring mechanisms for the safety of journalists; supporting research initiatives on key issues; improving reporting mechanisms and building the capacity of the law enforcement system; supporting trainings and capacity-building measures for the media sector, law enforcement, civil society, and others; and increasing advocacy and awareness-raising, including advocacy for the release of imprisoned journalists.
* Similarly, UNESCO’s Judges Initiative has trained over 23,000 judges and other judicial actors, building understanding and enforcement of international and regional standards on freedom of expression, access to information and the safety of journalists across the world. It is also integral to train security forces on the importance of press freedom and building constructive, transparent relationships with media workers; thus far, the initiative has trained over 8,500 members of security forces.
* The 2020 publication under the WTR series, [*Reporting Facts: Free from Fear or Favour,*](https://unesdoc.unesco.org/ark:/48223/pf0000375061) offers recommendations specifically for ensuring media independence, including action points for State authorities, international organizations, internet communications companies, media outlets and journalists, and others. This particularly highlights ensuring the independence of regulators and the judiciary, independent oversight of public funding to media, regulations to reduce ownership concentration, and promoting both legal and regulatory standards and professional journalistic standards.
* The UNESCO issue brief [*Letting the Sun Shine* *In*](https://unesdoc.unesco.org/ark:/48223/pf0000377231)outlines 26 high level principles on transparency and accountability aimed at internet companies, policy-makers, and others. The report also offers examples of current transparency reporting from leading internet companies and highlights international and collaborative initiatives like the Global Network Initiative.
* A chapter in the forthcoming WTR Global Report outlines challenges to sustaining free, independent, and pluralistic media as an essential public good, as well as innovative and ongoing responses to those challenges. These include changes to the traditional business model and outlet-level innovations (such as greater focus on subscription models where viable), direct and public financing for trusted news outlets, enhanced support for public service media, and a redoubling of ODA and philanthropic investments in news production. Increasing ODA and political will for those efforts particularly references initiatives like the [Global Media Defence Fund](https://en.unesco.org/global-media-defence-fund), administered by UNESCO. The recommendations further stress the need for multi-stakeholder dialogue and solutions, as discussed in previous research like [this](https://www.cima.ned.org/publication/confronting-the-crisis-in-independent-media/).
* As outlined in another chapter of the forthcoming WTR Global Report, it is integral to increase the availability, accessibility, utilization, and stability of relevant data, including the amplification of geographic and thematic scope of data protection and the promotion of open data, to enable all stakeholders to better understand the challenges facing free, independent, and pluralistic media.

1. Analysis by Data-Pop Alliance, based on data from V-Dem Institute and the World Bank for UNESCO´s report on World Trends in Freedom of Expression and Media Development [↑](#footnote-ref-2)
2. Kolvani, P., Lundstedt, M., Edgell, A., and Lachapell, J. 2021. Pandemic backsliding: A year of violations and advances in response to COVID-19. V-Dem Institute, Policy Brief No. 32. [↑](#footnote-ref-3)
3. Dragomir, M. and Söderström, A. 2021. The state of the media: A global analysis of the editorial independence of state media and an introduction of a new state media typology. Budapest, Center for Media, Data and Society. [↑](#footnote-ref-4)
4. <https://unesdoc.unesco.org/ark:/48223/pf0000377231> [↑](#footnote-ref-5)
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8. <https://waccglobal.org/our-work/global-media-monitoring-project-gmmp/> [↑](#footnote-ref-9)
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10. UNESCO (2020) [Online violence against women journalists: a global snapshot of incidence and impacts](https://unesdoc.unesco.org/ark:/48223/pf0000375136). [↑](#footnote-ref-11)
11. Simonovic, Dubravka (2020) Report of the Special Rapporteur on violence against women, its causes and consequences: Combating violence against women journalists. [↑](#footnote-ref-12)