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Human Rights Council
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Contacts
Paris: *Alexandra El Khazen*
(33) 1 44 83 84 78
moyen-orient@rsf.org
Geneva : *Hélène Sackstein*
079 696 6133
sackstein@rsf-ch.ch

Contribution by Reporters Without Borders (RSF), an NGO with special consultative status,

Freedom of information in Syria

Syria has been the world's deadliest country for journalists for the past four years. Since the start of the conflict in 2011, at least 50 journalists and 142 citizen-journalists have been killed in the course of covering this conflict. At least 25 professional and non-professional journalists are currently held by the authorities and around 30 journalists (including 10 foreigners) are currently either missing on held hostage by armed groups. Syria is ranked 177th out of 180 countries in RSF's World Press Freedom Index.

The dangers and difficulties to which journalists are exposed have evolved during the past five years of war. Journalists now constitute targets for all the parties to the conflict. They may be targeted while covering fighting in the field. They may be abducted or arrested. And they may be murdered. Journalists are not spared by the Damascus government's men, by militias in its pay, by the Kurdish security forces, or by members of armed groups such as Jabhat Al-Nusra and Islamic State.

The conflict's longevity and complexity have aggravated the crimes committed with complete impunity against journalists and the civilian population in general. In this respect, Islamic State has distinguished itself by filming the carefully-staged beheadings of foreign journalists and posting the video footage online. Three foreign journalists suffered this fate in 2014 and 2015. A fourth foreign journalist being held hostage, John Cantlie, continues to be manipulated by Islamic State, which uses him as a media spokesman.

Independently reported information is becoming scarce in Syria, a country that most foreign journalists now avoid. New independent Syrian media outlets have been created in an attempt to fill this void, with many of them covering Syria from bases outside the country, especially in Turkey. But this exodus of Syria media outlets does not eliminate the danger for their personnel. At least three Syrian journalists were killed in Turkey, near the Syrian border, in 2015.

In response to the slowly evolving political situation, the Damascus government decided in July 2015 to free prisoners under an amnesty decreed in June 2014 for detainees accused or convicted of free speech crimes under the 2012 anti-terrorism law. The beneficiaries included **Mazen Darwish**, the head of the Syrian Centre for Media and Freedom of Expression (SCM), and two members of his staff, **Hani Al-Zitani** and **Hussein Ghreer**. They were freed after being held on terrorism charges for more than three years and mistreated. Two other SCM employees initially held on the same charges had been freed previously. Despite their release, their judicial ordeal is not over. Darwish, Al-Zitani and Ghreer had been held since 16 February 2012 when all of the SCM's staff members were arrested during a raid on the centre's office in Damascus by Air Force intelligence officers.

Many journalists and citizen-journalists continue to be held in Syrian government jails. They include **Bassel Khartabil**, an IT engineer and free speech defender, and **Khalil Maatouk**, a human rights lawyer. The conditions in which Khartabil and Maatouk are being held are tantamount to enforced disappearance, as their families know nothing about their fate or even where they are detained.

It is often very difficult to obtain information about detainees. The news of the death of **Akram Raslan**, a well-known Syrian cartoonist arrested during a raid by military intelligence on the premises of the newspaper *Al Fida'a* on 2 October 2012, was finally confirmed in September 2015 although his death took place in 2013. The circumstances of his death continue to be unclear but he appears to have died under torture in prison.

Opposition groups are also responsible for abducting or threatening professional and non-professional journalists (for the most part Syrian) and often no information is available about the fate of the victims. Such is the case with **Razan Zaitouneh**, a founder member of the Violations Documentation Centre (VDC), which gathers and publishes information about human rights violations. She was kidnapped in December 2013.

Non-state groups have developed a full-blown "hostage-industry," especially prizing foreign journalists because they offer the possibility of much more leverage. Their governments can be pressured to pay ransoms and the media usually devote more space to their abduction than to the abduction of national journalists. At least five foreign journalists, including three Spaniards and a Japanese, were kidnapped by armed groups such as Al-Nusra in 2015. Meanwhile, there is still uncertainty about the current situation of some of the older hostages and the identify of those holding them. This is the case with **Austin Tice**, a US journalist abducted in August 2012, and **Yasuda Junpei**, a Japanese abducted in June 2015.

The case of British journalist **John Cantlie** is unique. Kidnapped by Islamic State in November 2012 along with US journalist **James Foley** (who was beheaded in August 2012), Cantlie is being used by his abductors for their media propaganda and has appeared in several carefully-staged videos since September 2014. The latest was released on 19 March 2016.

Freedom of information has declined markedly in the mainly Kurdish areas in the north that are controlled by the Democratic Union Party (PYD). Syrian journalists are often arrested for several hours and threatened by the Asayesh (security forces) and People's Protection Units (YPG). TV channels have also been censored. *Rudaw TV*, a Kurdish TV channel based in Erbil, in Iraqi Kurdistan, and *Orient TV*, a Syrian opposition TV channel, were banned in August 2015 by the authorities in Jezireh Canton, who accused them of broadcasting false information and encouraging violence and discord. The same two TV channels were also banned in Kobane in February 2016.

Under an agreement reached in February 2016 with those in control of the Bab al-Hawa Border Crossing between Turkey and Syria, Turkish newspapers are not admitted into Syria if they contain articles deemed to undermine public morality, insult Islam or insult Jihadi revolutionary symbols.

Many professional and non-professional journalists have fled the country as a result of the Damascus government's oppression and the increasing threat from armed opposition groups, especially radical

Islamist groups. RSF is aware of hundreds of professional and citizen-journalists who have had to flee abroad because of the threats to which they were exposed because of their activities.

In response to the dangers to journalists and with the aim of ending impunity in Syria, RSF has asked the UN Security Council to refer the situation in Syria, where war crimes are being committed against journalists, to the International Criminal Court. RSF bases this initiative on Resolution 2222 on protecting journalists in armed conflicts, adopted by the Security Council in 2015, and on the two resolutions on impunity for crimes against journalists that the General Assembly adopted in 2014 and 2015.

RSF's recommendations

RSF reminds all parties to the conflict – both governments and non-state actors – that they are obliged to protect journalists under international humanitarian law, which bans indiscriminate attacks or direct attacks against civilians. Direct or indiscriminate attacks against civilians constitute war crimes.

To the Syrian authorities:

- Free all journalists detained for practicing their profession or expressing opinions, end the policy of holding detainees incommunicado (enforced disappearance), and end the use of torture against journalists.
- Investigate the conditions of detention of professional and non-professional journalists and allow the Working Group on Arbitrary Detention to inspect detention centres.
- Systematically and transparently investigate attacks against journalists in their territory, even when representatives of the local authorities are implicated.
- Ensure that those responsible for abuses and violence against journalists are held to account for their acts and are brought to justice.
- End censorship and ensure respect for media freedom and independence.

To the various armed groups:

- Free all journalists who have been kidnapped and detained for using their right to freedom of expression and opinion.
- Ensure that those responsible for abuses against journalists in the territories they control are held to account for their acts.
- End censorship and ensure respect for media freedom and independence in the territories they control.