

# International Day to End Impunity for Crimes against Journalists

In December 2013, the United Nations General Assembly proclaimed 2 November as the International Day to End Impunity for Crimes against Journalists. The date was chosen in commemoration of the assassination in Mali of Claude Verlon and Ghislaine Dupont, two French journalists, on 2 November 2013. The EU is actively engaged in protecting the independence and safety of journalists, as a crucial component in the proper democratic functioning of its institutions and Member States. Nevertheless, in recent years an increasing number of attacks and threats against journalists have been documented and reported in Europe too. The Council of Europe Platform to promote the protection of journalism and safety of journalists reports that, in 2021 alone, six journalists were killed in Europe, two of them in EU Member States (Greece and the Netherlands).

## Background

Although the EU is actively committed to protecting the safety and independence of journalists as an integral part of a proper democratic society, journalists are nevertheless increasingly vulnerable to direct attacks on their physical safety and integrity. In recent years those attacks and threats against journalists have been documented and reported, including by the Commission annual rule of law reports ([2020](#), [2021](#) and [2022](#)) and the [Media Pluralism Monitor](#). The objective of the attacks is to silence journalists who act as public watchdogs, and ultimately to prevent the creation of a public civic space where citizens can have a democratic debate on issues of public interest. [Female media workers](#) appear to be subject to more threats, in particular [online](#) harassment, than their male counterparts. Threats, harassment, public shaming and even assassinations of journalists have been reported, for instance, by Media Freedom Rapid Response ([MFRR](#)). In 2021, MFRR tracked 626 alerts affecting 1 063 individuals or media entities in 30 countries, including the murders of three journalists: investigative journalist Peter R. de Vries in the Netherlands, crime reporter Giorgos Karaivaz in Greece, and local radio presenter Hazim Özsu in Turkey. Journalists are targeted and killed in reprisal for their work. Along similar lines, the Council of Europe [Platform](#) to promote the protection of journalism and safety of journalists reports that 46 journalists have been killed (13 in 2022 alone) and 1 373 alerts have been received from 42 countries since 2015. In Europe, Russia's invasion of Ukraine has made the situation even worse; as reported by the Committee to Protect Journalists ([CPJ](#)); 35 journalists and media professionals have been killed in Ukraine since 1992, 15 of them since the start of the conflict in February 2022.

A 2022 [study](#) commissioned by the European Parliament confirms the progressive erosion of media freedom around the world and concludes that **'impunity remains unacceptably high'**, with most cases of **'killings remaining unresolved'**. Imprisonments are on the rise, while online spaces are becoming increasingly hostile and replete with gender-based hate speech. Between 2012 and 2021, among the 224 recorded cases of complete impunity, 185 (82.6 %) were concentrated in 12 countries: Mexico (26 cases); Somalia (25); Syria (22); India (21); Afghanistan (17); Iraq (17); Philippines (14); Brazil (14); Pakistan (12); Bangladesh (7); South Sudan (5); and the Russian Federation (5). Moreover, the study confirms that a majority of deaths happen because **journalists are killed by way of reprisal for their work**, while some lose their life in crossfire, i.e. on a battlefield or in a military context. Among those killed because of their work, 28.8 % were working on political journalism, 23.8 % were war reporters, 15.8 % were human rights reporters, while 10.7 % were investigating crime and 9.6 % corruption cases.

The UNESCO [observatory of killed journalists](#) reports that 1 561 journalists have been killed since 1993 around the globe, and that in only 164 cases can the status of judicial enquiry for the murder be considered 'resolved'. This indicator acts as a form of country assessment on impunity for killings. It is worth noting that, according to the same observatory, the proportion of killings in countries that are not experiencing conflicts



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has been constantly increasing, from 50 % in 2016 to 61 % in 2020. Journalists and media professionals lost their lives in dangerous assignments – for instance, while covering riots – or because they were involved in political journalism, war reporting, or investigations related to human rights, crime and corruption. Against that backdrop, it is therefore important to ensure that investigations and prosecutions of crimes against journalists are conducted with impartiality, transparency and independence, to enable them to fulfil ['their crucial role on the ground'](#). Among other things, investigative journalists play a key role in combating [organised crime](#) and [corruption](#) and, because of that, they are more likely to be subject to threats and violence including physical and verbal abuse. Therefore, it is important **to prevent a culture of impunity**.

### EU action

In 2021, the Commission [recommendation](#) on the protection, safety and empowerment of journalists stressed that citizens need to have access to multiple sources of information to ensure that they can both build their own opinion and scrutinise governments. According to the Commission, the main objective of the EU's action was **to 'prevent the emergence of a 'culture' of impunity regarding attacks against journalists'**, which is why it invited Member States to create a safe and enabling environment. Specific recommendations were addressed to protect and empower female journalists, to raise awareness, to train law enforcement authorities and to tackle online attacks against journalists.

On 27 April 2022, the Commission put forward a [proposal](#) for a directive designed to protect people who engage in public participation from manifestly unfounded or abusive court proceedings ('strategic lawsuits against public participation' – SLAPP) in civil matters with cross-border implications, and also a [recommendation](#). The [proposal](#), which is currently being negotiated by the co-legislators, aims to provide national tribunals and courts with the necessary tools to deal with SLAPP, protect journalists, activists and human rights defenders and, more generally, whoever acts as a societal public watchdog. The proposal also aims to collect data on SLAPP in a more systematic way, raise awareness about SLAPP among professionals, and provide support for victims. However, according to a 2022 [study](#), only 11 %, or 62, of the 570 SLAPP cases recorded were cross-border cases, which means the vast majority of them remain outside the scope of the proposed directive. This is why the Commission has also put forward a recommendation inviting Member States to: adopt 'effective, appropriate and proportionate' national legal provisions providing equivalent safeguards to victims of SLAPP in domestic cases; review domestic provisions applicable to defamation (i.e. to abolish prison sentences for defamation cases) to ensure that they do not impact disproportionately on freedom of expression and have a 'chilling effect'; develop training for legal professionals; and develop campaigns to raise awareness.

### European Parliament position

Parliament has called consistently for action to ensure respect for and enhancement of EU fundamental values as enshrined in [Article 2](#) of the Treaty on European Union (TEU).

In 2018, a Parliament [resolution](#) highlighted how journalists were still the target of deadly attacks, and recalled the importance of ensuring media freedom and pluralism. Parliament noted the recent political developments in various Member States that had led to increased pressure on and threats against journalists. Member States were urged to set up an independent and impartial regulatory body to report violence and threats against journalists and to ensure the protection and safety of journalists at national level. The same year, another [resolution](#) focused on the case of two Slovak journalists, Ján Kuciak and Martina Kušnírová. In 2019, the situation of journalists in [Malta and Slovakia](#) was on Parliament's radar, and another [resolution](#) followed the revelations concerning the murder of Daphne Caruana Galizia. A 2020 [resolution](#) and a 2021 [resolution](#) stressed again how journalists, and in particular investigative journalists, are increasingly victims of hatred and violence with the sole aim of preventing public scrutiny and accountability. In June 2021, Parliament [expressed](#), once again, its concerns regarding the erosion of media freedom and referred to 'smear campaigns against academics, journalists, judges, legal professionals, civil society organisations and activists' with the purpose of limiting their independence. More recently, in November 2021, Parliament [called](#) firmly for legislative action to address the undue use of actions under civil and criminal law to silence journalists, non-governmental organisations and civil society.

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