

## **Submission to Foreign Affairs Select Committee, House of Commons by the Institute of Commonwealth Studies, School of Advanced Study, University of London**

Written evidence submitted by the Media Freedom Centre within the Institute of Commonwealth Studies (ICWS), in the School of Advanced Study, University of London. Since 2017 the ICWS' centre has provided a leading platform for discussion of multiple challenges to media freedom across the Commonwealth, and has highlighted the need for government and civil society action.

This submission was prepared by Dr Sue Onslow, ICWS Deputy Director and co-ordinator of the Media Freedom Centre, and is a compilation of insights and recommendations provided by Senior Research Fellows at the centre: William Crawley, William Horsley, David Page, Rita Payne, and Martin Plaut. All are highly-experienced former BBC World Service journalists, and are also active members of the Commonwealth Journalists Association.

### **Executive summary:**

The range of threats and challenges to media freedom across Commonwealth member states.

Specific recommendations for action by the FCO:

- build a global alliance, using a regional approach
- support the extension of institutional best practice
- support existing national and international media monitoring bodies
- support persecuted journalists
- work with existing civil society organisations promoting freedom of expression, and journalists' safety
- ensure sufficient financial resources are dedicated to this multi-pronged engagement
- ensure the Commonwealth Secretariat is mandated and financially supported to work to promote freedom of speech and journalist safety across the Commonwealth.

### **1. The threats to global media freedom**

- 1.1 The global epidemic of targeted killings, attacks and unfounded or politically-motivated prosecutions of journalists is a deep seated problem – a combination of abuse of political and/or economic power, corruption and organised crime.
- 1.2 According to UNESCO, more than a thousand journalists have been killed for their work since 2006. The British Foreign Secretary has announced he will mobilise an international consensus behind the protection of journalists, drawing on networks which presumably will include the Commonwealth. If the Commonwealth's aspirations (as stated in its 2013 Charter) to be a champion of free speech and democracy are to be taken seriously, it must address the scale of the threat to democratic systems across the 53-member association, and implement its own action plan, with cooperation from its resourceful associated civil society organisations. As current chair-in-office, the UK has a unique opportunity to contribute substantively to this process.
- 1.3 The aim must be to end the violent and judicial intimidation of journalists and create the conditions for a free press to work unhindered. But so far the

Commonwealth, in which Britain is a major power and leading donor, has failed to act

- 1.4 The Commonwealth cannot afford to ignore this emerging global pattern of open governmental hostility to the work of journalist. Addressing this will require political capital and commitment.
- 1.5 In many Commonwealth member states physical threats and closures of media organisations during elections are commonplace. So too are lawsuits by public figures against the media. The threats to journalists take many forms, from special coercive laws to blatant censorship. **In the South Asian Commonwealth** the most urgent and prominent threats to media freedom have been the targeting - with threats of assault abduction or assassination to them or their families - of journalists who are critical of governments or of powerful economic or criminal interests. While governments in South Asia have pledged to uphold freedom of the press they tend to resort to threats and intimidation if they are held to account by the media. Cases of assassination apparently connected with a journalist's work have been regularly monitored by organisations such as the Paris-based Reporters without Borders<sup>1</sup> and its national offshoots in the UK and other countries, the New York-based Committee to Protect Journalists, and other national and international non government human rights organisations. The CPJ publishes an annual Impunity Index which list the lists responsible for acts of violence against journalists or reluctance or failure to investigate them.
- 1.6 Perceived threats to press freedom and journalists' safety, apart from acts of terrorism themselves, come from new laws on surveillance designed to combat Islamic extremism and in particular to detect and prevent its growth in the education system. New attempts to protect privacy and abuse of the social media – arguably made necessary by the abuse of digital technology - tend also to create new restrictions on freedom of expression. Forms of social or racial discrimination newly classified as 'hate crimes' both help to create new freedoms and to create new restrictions.
- 1.7 Across **Commonwealth African members**, there is no doubt that the media has played a central role in maintaining often fragile adherence to democracy and human rights since independence. While opposition parties have tended to be incorporated or crushed by governments and civil societies have struggled to survive in an often hostile climate, the continent's newspapers, radio and television stations and use of social media have continued to provide Africa's people with information and a sense of purpose and identity. The African media have frequently been under attack, as well as being the subject of hostile takeovers.
- 1.8 Africa is far too vast and diverse to be captured in any single description. As Reporters Without Borders, (RSF) points out<sup>2</sup>: "There is a clear disparity in freedom of information which exists between the countries in Africa. After a wave of liberalization in the 1990s, press freedom violations are now only too common: arbitrary censorship, especially on the Internet (by means of ad hoc Internet cuts in some countries), arrests of journalists, often on the grounds of combating terrorism, and acts of violence against media personnel that often go completely unpunished. The financial weakness of many media outlets makes them susceptible to political and financial influence, which undermines their independence."
- 1.9 Halting repression and encouraging journalism across Africa should be the task of the African Union (AU), but progress has been lamentably slow. An

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<sup>1</sup> RWB – or Reporters sans Frontieres RSF.

<sup>2</sup> <https://rsf.org/en/africa>

AU Safety of Journalists Working Group was established in November 2017.<sup>3</sup> The resolution calls for a range of appropriate measures - consulting with journalists' representatives including the Federation of African Journalists; ending impunity for those who carry out the attacks; encouraging member states to monitor the safety of journalists and including the safety of journalists the agendas of all 'relevant' AU commissions and summit. However, little of substance has been achieved so far.

## **2. The reputation and capabilities of the UK in promoting global media freedom, and combatting disinformation**

- 2.1 We welcome the FCO's Campaign to support independent media, to bolster the safety of journalists and to make those who abet or fail to prevent the killing of journalists or violence against them pay a heavy price for their conduct. But if the campaign is to have global impact, it is vitally important to build a truly global alliance in support of it, which goes well beyond the Northern or Anglo-Saxon democracies and includes like-minded allies from the South, from Asia, Africa and the Caribbean. Without such a broad-based alliance, there is a danger of the campaign being seen in terms of 'them and us' and failing to achieve its objectives.

## **3. The role of the FCO in supporting groups that promote media freedom and combat disinformation**

- 3.1 Overall the global media faces a huge challenge in fashioning a new legal framework and infrastructure in achieving diversity and public accountability. UK institutions have much to contribute to that debate. The UK has a wealth of expert legal and development NGOs, universities and media and information networks. But the FCO has traditionally been wary of involving itself in media matters in foreign countries, particularly regulatory matters, for fear of appearing to trespass on national sovereignty. If the FCO Campaign is to be successful, it will need to be more pro-active in these fields and to develop strategies to encourage and strengthen independent media and to be more forthright in defending media freedoms. It will also need to do this consistently, even when the UK has to pay a price for doing so.

## **4. The best priorities and approaches for the FCO**

- 4.1 We believe it will be valuable for the FCO, using its extensive presence around the world, to identify trend-setters in key areas of activity related to the safety of journalists, freedom of expression and the role of the media in good governance, and to encourage them to join the alliance. Even in countries with a poor record in the protection of journalists, there will be potential supporters of the Campaign in government and non-government organisations who are working for higher standards. In South Asia, for example, India and Sri Lanka are among the most progressive countries world-wide in their Freedom of Information legislation; and the Commonwealth Human Rights Initiative, which is based in Delhi, has taken an important initiative in founding SAMDEN, a defence network of South

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<sup>3</sup> <http://www.unesco.org/new/fileadmin/MULTIMEDIA/FIELD/Addis-Ababa/pdf/AddisAbabaResolution2017.pdf>

Asian journalists, editors and human rights activists to support those whose right to report and right to life is threatened in the region. Identifying and supporting such initiatives will reinforce the Campaign and make it more sustainable.

- 4.2 The UK should aim to take a leading part in an international dialogue: on abuses on global digital media and measures to combat them; giving full support for measures to protect journalists' safety – support for national and international watchdog groups; share ideas for best practice on global cross media ownership and national responsibilities; promote transparency in sourcing of news, and 'advertorials'; share advice and experience on the development of free media institutions.
- 4.3 We believe a regional approach will pay dividends. In South Asia or East Africa, for example, there would be much benefit from bringing governments and/or relevant media organisations together to consider common problems - such as inherited colonial laws on sedition or contempt of court, which unduly restrict freedom of expression - and to learn from each other's experience. Such an approach will also help to defuse a sense that this is a top-down initiative, as it will bring clear mutual benefit to those involved as well as advancing the purposes of the Campaign. Collaborating with regional organisations also helps remove any residue of a neo-colonial relationship between Britain and individual Commonwealth countries, underlining shared best practice.
- 4.4 Ownership of the mass media is a factor which in the UK, as well as in India and Sri Lanka and elsewhere in Asia, may be used as a means to control and suppression of legitimate social views and political opinions. A dialogue on cross media ownership and the limits, if any, which should be placed on monopoly ownership or poor competition, is one to which UK experience can contribute. A focus on the relationship and reciprocal obligations between editors and owners would help to provide a template for promotion of diversity in the media.
- 4.5 Editorial practices in which commercially sponsored information is published as news - i.e. 'paid news' rather than 'fake news' - can be combated by local watchdog organisations and international transparency. This has been accompanied by a decline of the editorial role, and a perception that advertising profitability takes precedence over either responsible news values or of public service. UK practices, and experience and exchange of information in this field can help to encourage not a spirit of competitiveness but awareness and a reasoned critique of media practice.
- 4.6 The role of digital surveillance and the use of cybercrime legislation to close down democratic space and to censor journalists need to be recognised, monitored and tackled by the FCO.
- 4.7 The UK should encourage and help finance the national and international bodies that are undertaking the monitoring of safety of the media. Across Africa, this includes the Federation of African Journalists, while the international bodies include the International Federation of Journalists, the Committee to Protect Journalists and Reporters Without Borders.
- 4.8 The UK should support African journalists' organisations affiliated to the International Federation of Journalists, which keeps a record of those organisations that genuinely represent their members and are not beholden to outside actors.<sup>4</sup>
- 4.9 The FCO should work with reputable media organisations to help train, equip and insure journalists as they practise their profession. Given the proclivity of African and South Asian states to crush or capture the media, it is important

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<sup>4</sup> <https://www.ifj.org/who/members/africa.html>

- that identifying whom the FCO should support, should be undertaken independently, rather than relying on the national government.
- 4.10 More generally, journalists at risk should be identified in every Commonwealth nation by the Commonwealth Secretariat and a watch on their safety should be undertaken, and actively promoted and articulated.
  - 4.11 The FCO should ensure Commonwealth diplomats send observers to journalists' trials and advocate for the release of jailed and ill journalists. Diplomatic pressure and a mixture of behind-the-scenes and public pressure are crucial.
  - 4.12 The UK and other Commonwealth countries should be prepared to resettle journalists at risk, and develop more scholarships and fellowships for journalists at risk.
  - 4.13 The combined work of the Commonwealth should be reviewed in an annual publication that looks at the performance of all Commonwealth nations in relation to freedom of the media. This report should be placed on the agenda of the Commonwealth Heads of Government meeting (CHOGM) for review and further action sustained.

## **5. The impact of the UK's support for global media freedom abroad**

- 5.1 Britain is seen in many Commonwealth countries as a cradle of democracy, whose ideas and practices in terms of freedom of expression, the rule of law, the independence of the judiciary, parliamentary standards and the division of powers, have set an example for the rest of the world. However, in terms of practical support for these ideals in Commonwealth countries, Britain does not have a particularly strong reputation. It is not seen to be very active in these fields, largely because it devotes so few resources to support such activities.
- 5.2 If the FCO Campaign is to have an impact, resources will need to be allocated to this field. In partnership with DFID, a strategy for supporting freedom of expression, encouraging independent media and protecting journalists to do their work will need to be drawn up and funded.
- 5.3 In her recent report on the British media, Frances Cairncross has suggested the establishment of a new Institute for Public Interest News; similar to the Arts Council, the new institute would channel public and private funding into the "innovative" parts of the media "deemed most worthy of support". The aim would be to provide support for public interest journalism at a time when the growth of digital media threaten the viability of newspapers in particular. If a similar Institute or Fund were set up by the British government with a global brief it would be able to play a constructive role in encouraging innovative developments and supporting independent media in countries where freedom of expression or media diversity is under threat.
- 5.4 We believe any long-term strategy should also include a commitment to fund research into relevant media trends and to identify innovative new approaches to these challenges.
- 5.5 The Institute of Commonwealth Studies is already seeking funds for a study of East African media ahead of the heads of government summit in Rwanda in 2020. Other research proposals in the funding pipeline include a comparative study of the Commonwealth and La Francophonie on institutional approaches to support freedom of expression; and an investigation of four Commonwealth countries which 'came back from the brink' of authoritarianism and the place of media in this process: Ghana, the Gambia, Sri Lanka and the Maldives. The aim of these studies is to learn

lessons for the governance of the Commonwealth and to explore the factors which might support the growth of independent media and increase the accountability of democratic governments. The provision of a funding source for academic institutions funding relevant research of this kind would do a great deal to underpin the long term value and sustainability of the FCO Campaign.

- 5.6 The Institute is also co-Chair of the Commonwealth Media and Good Governance Working Group, which is pressing the Commonwealth to strengthen its responses to the same crisis of media freedom the FCO Campaign seeks to address. The Commonwealth Media Principles, which have been drawn up by six Commonwealth organisations representing journalists, lawyers, parliamentarians, educationists, and human rights advocates, have already achieved some international traction. They offer a mechanism within the Commonwealth for leveraging the kind of 'shift of international mindset' which the Campaign is seeking to achieve.

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